

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

RESOLUTION #15-07-168

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR DUMARKS & SONS AUTO SALES, LLC TO CONDUCT MOTOR VEHICLE SALES IN THE B-2 HIGHWAY BUSINESS DISTRICT AT THE PROPERTY LOCATED AT 6650 HIGHWAY 10 NW AND DECLARING TERMS OF SAME:

WHEREAS, Dumarks & Sons Auto Sales, LLC, hereinafter referred to as the “PERMITTEE,” has properly applied for a Conditional Use Permit to conduct motor vehicle sales in the B-2 Highway Business District on the property generally known as 6650 Highway 10 NW and legally described as follows:

Lot 1, Block 2, Riverside West (Subject to Easement as Shown on Plat), Anoka County, Minnesota

(“Subject Property”)

WHEREAS, the Planning Commission met on July 9, 2015, conducted the public hearing and recommended City Council approve/deny 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 #0947, a Conditional Use Permit (“Permit”) to conduct motor vehicle sales is hereby granted to the **PERMITTEE**.
2. That this **Permit** specifically allows for motor vehicle sales on the **Subject Property**. Based on the site plan and floor plan provided by the **PERMITTEE**, which plans shall not be attached to the **Permit** but shall be kept in **City** files,
3. That this **Permit** be contingent on the proper vacancy and verification of vacancy of the proposed occupancy area of the building on the **Subject Property**.
4. That the **Permit** specifically provides for one (1) customer parking space per ten (10) vehicles displayed.
5. That the **Permit** specifically provides one (1) parking space for every full-time employees on site, including the business owner.
6. That the **Permit** specifically prohibits using parking space allotted for another tenant of the property.
7. That the **PERMITTEE** will obey all parking regulations as stated in Section 117-356, especially a nine (9) foot customer parking stall width.

8. That the **Permit** specifically prohibits parking vehicles for sale on any street or on any unimproved surface areas.
9. That the **PERMITTEE** maintains adequate drive aisles within the parking space.
10. That this **PERMITTEE** must obey all sign restrictions as stated in Section 117, Division 8 (Signs) of the Ramsey City Code.
11. That the **Permit** specifically prohibits the use of outdoor speaker devices.
12. That the **PERMITTEE** must comply with public nuisance ordinance requirements related to inoperable vehicles and other public nuisances as outlined in City Code Chapter 30 on the **Subject Property**.
13. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.
14. That the **PERMITTEE** shall be responsible for all **CITY** costs incurred in administering and enforcing this **Permit**.
15. 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.
16. That this **Permit** shall automatically expire if the use is not initiated by _____, 2015 and issuance of a 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 ____ day of _____, 2015.

PERMITTEE

Dumarks & Sons Auto Sales, LLC hereby acknowledges receipt of this Permit and that he has reviewed the conditions of this Permit and has agreed that he 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 _____, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

Notary Public

PROPERTY OWNER

ABLE PROPERTY MANAGEMENT, INC. 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 ABLE PROPERTY MANAGEMENT, INC, a Domestic Business Corporation under the laws of Minnesota, fee title owner of the Subject Property, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as their free act and deed.
