

Councilmember Cook introduced the following resolution:

RESOLUTION #05-09-338

A RESOLUTION APPROVING THE ISSUANCE OF AN AMENDED CONDITIONAL USE PERMIT FOR THE GREEN VALLEY GREENHOUSE OPERATIONS LOCATED IN THE R-1 RESIDENTIAL DISTRICT.

WHEREAS, Rowe Properties LLC (Permittee) has properly applied for an amended Conditional Use Permit (Permit) on the property generally known as 6530 Green Valley Road and legally described as follows:

The Northeast Quarter of the Southeast Quarter of Section 3, Township 32, Range 25, Anoka County, Minnesota, except that part platted as Rowe Addition, and except road subject to easement of record.

(the "Subject Property"); and

WHEREAS, the Planning Commission met on September 1, 2005, conducted a public hearing and recommended City Council approval of the request.

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

1. That this amended CUP for Green Valley Greenhouse shall supercede and replace the CUP approved by City Council in Resolution #04-08-232 issued on August 24, 2004.
2. That this CUP shall be perpetual in its duration so long as the conditions imposed herein are complied with.
3. This CUP is based on the Permittee's site plan dated August 24, 2004 and establishes a maximum building coverage of 35% of 37.57 acres or 572,855 square feet for all operations relating to the greenhouse business activities. The Permittee shall be responsible for maintaining a sixty-five (65) foot wide no-build area around the perimeter of the Subject Property to serve as a buffer yard between the commercial operations and the adjacent residential and public-right-of way.
4. That any future addition or expansions to the structures on the Subject Property that exceeds the 572,855 maximum building coverage restriction will require an amendment to the CUP and a variance to the maximum building coverage restriction established in City Code.
5. That the Permittee shall obtain a permit from the Lower Rum River Water Management Organization (LRRWMO) to develop the Subject Property to the

maximum building coverage permitted by this CUP. Further, the Permittee shall provide the City with a copy of the permit received from the LRRWMO.

6. That the Permittee shall be responsible for providing the City Engineering Department with timely information (within 30 days of completion of any adjustments to building coverage) relating to each addition or reduction of the greenhouse facility for the purposes of accurately calculating REU stormwater fees on the Subject Property.
7. That all new construction and expansion of existing structures shall comply with applicable requirements of the Ramsey City Code and the Minnesota State Building Code. It is herein agreed that all structures, with the exception of the greenhouses, are subject to Site Plan review and approval in accordance with City Code. For purposes of this Permit, greenhouses shall be defined as structures, generally consisting of glass, used for growing plants. The greenhouses are subject to the requirements the 65 foot no-build area around the perimeter of the Subject Property.
8. That this Permit shall also allow for the storage and sale of bulk landscape materials on the Subject Property.
9. That the area allocated for storage of bulk landscape materials shall not exceed 30' x 145' in size and said storage and sales area shall not be allowed to encroach into the 65 foot no-build area, as identified on the site plan dated August 24, 2004.
10. That the Permittee shall be responsible for regularly monitoring County Road #63 between County Road #5 and T.H. #47 and removing spillage of any materials resulting from all business operations related to offering bulk landscape materials for sale on the Subject Property.
11. That the Permittee shall coordinate with the City Fire Department to implement a plan by December 31, 2006, for providing fire apparatus access throughout the Green Valley Greenhouse operations in accordance with Section 503.1 of the Fire Code.
12. That the Permittee shall be responsible for all City costs incurred in administering and enforcing this CUP.
13. The Community Development Department of the City of Ramsey (City) shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request. In the event the Permittee is determined to be in violation of any of the conditions set forth herein, the City shall give the Permittee written notice of the violation. The Permittee shall be given 30 days to correct the violation and submit a written response to the notice.

CITY OF RAMSEY:

By: _____
As: _____

By: _____
As: _____

STATE OF MINNESOTA)
)ss.
COUNTY OF ANOKA)

On this _____ day of _____, 20__ before me, a Notary Public, personally appeared Thomas G. Gamec 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 Thomas G. Gamec and Joann M Thieling acknowledge said instrument to be the free act and deed of said Municipal Corporation.

Notary Public

The document drafted by:
The City of Ramsey
15153 Nowthen Blvd. NW
Ramsey, MN

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