

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

RESOLUTION #17-06-142

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT ALLOWING THE OPERATION OF A RELIGIOUS INSTITUTION IN THE R-1 RESIDENTIAL DISTRICT, SITE PLAN FOR EXPANSION OF AN EXISTING FACILITY, AND FINAL PLAT FOR TROTT BROOK ADDITION

RECITALS

1. Trott Brook Hall (the "Permittee") has properly applied for a Conditional Use Permit, Site Plan, and Sketch Plan and Final Plat to operate a religious institution in the R-1 Residential District, to expand their existing facility, and to incorporate portions of three (3) parcels into one to accommodate the facility expansion on portions of the property legally described as:

That part of the Southwest Quarter of the Southeast Quarter of Section 3, Township 32, Range 25, Described as follows: Beginning at the southwest corner of said Quarter Quarter, thence north along west line thereof 346.5 feet, thence east parallel with south line of said Quarter Quarter, 132 feet, thence south parallel with west line thereof to said south line, thence west along said south line 132 feet to point of beginning, except north 10 feet thereof, except road subject to easement of record, Anoka County, Minnesota

-and-

The Southwest Quarter of Southeast Quarter of Section 3, Township 32, Range 25, except that part described as follows: Commencing at southwest corner of said Quarter Quarter, thence north along west line thereof 346.5 feet to point "A", thence continue north along said west line 86 feet, thence east parallel with south line of said Quarter Quarter 162 feet, thence south parallel with said west line 86 feet, thence west parallel with said south line to a point on a line drawn easterly from said point "A" and 132 feet east of said west line, thence south parallel with said west line to said south line, thence west along said south line 132 feet to point of beginning, also except that part described as follows: commencing at southwest corner of said Quarter Quarter, thence north assumed bearing along west line thereof 678.76 feet, thence north 77 degrees 26 minutes east 877.80 feet to point of beginning, thence north 4 degrees 04 minutes west 181.32 feet, thence north 85 degrees 56 minutes east 320 feet, thence south 4 degrees 04 minutes east 198 feet, thence south 85 degrees 56 minutes west 320 feet, thence north 4 degrees 04 minutes west 16.68 feet to point of beginning, except road subject to easement of record, Anoka County, Minnesota

-and-

That part of Southwest Quarter of Southeast Quarter of Section 3, Township 32, Range 25, described as follows: Beginning at a point on west line of said Quarter Quarter, 336.50 feet north of Southwest Corner thereof, thence northerly along said west line 86 feet, thence east parallel with south line of said Quarter Quarter, 162 feet, thence south parallel with said west line 86 feet, thence westerly parallel with said south line to point of beginning, except road, subject to easement of record, Anoka County, Minnesota

-Or upon recording-

Lot 1, Block 1, Trott Brook Addition

(the "Subject Property"); and

2. The City of Ramsey received an application for Sketch Plan, Site Plan, Conditional Use Permit, and Final Plat on April 6, 2017.
3. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 117-51 (Conditional Use Permits) of the Ramsey City Code on May 4, 2017, and that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.
4. That the Subject Property is currently located in the R-1 Residential (MUSA) zoning district.
5. That the surrounding parcels are also zoned R-1 Residential (MUSA).
6. That the Subject Property is presently approximately 0.94 acres in size and after the proposed Trott Brook Addition Minor Plat, the Subject Property will be approximately 3.71 acres in size.
7. That a Minor Plat and Site Plan are being processed concurrently with the conditional use permit.
8. That, given the business nature of churches (size, traffic, structure and parking needs), the B-1 Business zoning district development standards and fees, which are a better representation of this type of use, will be utilized in reviewing this application.
9. That a religious institution exists on the Subject Property and is considered lawful, non-conforming as it predates the City's current zoning standard of a conditional use in a residential district.
10. That per MN Stat. 462-357 Subd. 1 (e), lawful, non-conforming uses cannot be expanded unless otherwise provided under applicable laws and ordinances.
11. That this conditional use permit will make the church operation a conforming use.

12. That the Planning Commission met on May 4, 2017, conducted a public hearing, and recommended City Council approve the request.

FINDINGS OF FACT

1. That the church operation will not be unduly dangerous or detrimental to persons residing or working in the vicinity of the use, or to the public welfare.
2. That the church operation will not substantially adversely impair the use, enjoyment or market value of any of the surrounding properties.
3. That the church operation will be maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area.
4. That the church operation will not be hazardous to existing or future neighboring uses.
5. That the church operation will not impact essential public facilities and services, such as highways, streets, police and fire protection.
6. That the church operation will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
7. That the church operation will not involve uses, activities and equipment that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

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

That the Ramsey City Council hereby grants approval of a Conditional Use Permit (the "Permit"), Site Plan, and Final Plat for TROTT BROOK ADDITION (the "Plat") in accordance with relevant City Codes and authorizes the Mayor and City Clerk to sign on behalf of the City contingent upon the following conditions:

CONDITIONS

1. That this **Permit** shall be perpetual in its duration so long as the conditions imposed herein are complied with.
2. That the permitted uses on the **Subject Property** shall be limited to a religious institution and its associated activities.

3. That this **Permit** shall remain in effect for all of the **Subject Property**. The **Permittee** may expand the building footprint as depicted in Exhibit A without requiring any amendments to this **Permit** but shall not exempt the **Permittee** from any other applicable City Code and Building Code requirements, including, but not necessarily limited to, site plan and building permit review.
4. That no outdoor activities, other than vehicles entering and exiting the **Subject Property**, may occur prior to 7:00 a.m. and after 10:00 p.m., unless otherwise provided through permitting or licensing under applicable City Code. All outdoor activities, regardless of when they occur, shall be subject to the nuisance regulations in City Code.
5. That the **Permittee** shall be responsible for all City of Ramsey (the "City") costs incurred in administering and enforcing this **Permit**.
6. The **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.
7. The **Permittee** shall enter into a Development Agreement with the **City** that outlines the required improvements, financial sureties, and development fees.
8. Compliance with the **City** Staff Review Letter dated April 28, 2017, revised June 9, 2017.

The motion for the adoption of the foregoing resolution as 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 13th day of June, 2017.

Trott Brook Hall 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: _____

Exhibit A
Insert Site Plan Here

Exhibit B
Insert Final Plat Here