

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

**RESOLUTION #10-03-072**

**A RESOLUTION APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT TO EDDY'S AUTO & BODY REPAIR INC., TO ALLOW MOTOR VEHICLE REPAIRS AND MOTOR VEHICLE SALES IN THE H-1 HIGHWAY 10 BUSINESS DISTRICT AND DECLARING TERMS OF SAME:**

**WHEREAS**, Eddy's Auto & Body Repair Inc., hereinafter referred to as the "Permittee" has properly applied for a Conditional Use Permit to conduct motor vehicle repairs and motor vehicle sales on the property generally known as 6845 Highway 10 NW and legally described as follows:

That part of Lot 3 Auditors Subdivision No. 31 described as follows: Beginning at the southwest corner of said lot, thence southeasterly along southerly line of said lot 450 feet, thence north parallel with west line thereof 385.04 feet to north line of said lot, thence northwesterly along said northerly line 447.09 feet to northwest corner thereof, thence south along west line of said lot to point of beginning, subject to easement of record, Anoka County, Minnesota

("Subject Property")

**WHEREAS**, the Planning Commission met on March 4, 2010, 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:**

1. That based on Findings of Fact #0864, a Conditional Use Permit ("Permit") to allow motor vehicle repairs and motor vehicle sales on the Subject Property is hereby granted to the Permittee.
2. That this Permit only allows motor vehicle repairs to occur within the building located on the Subject Property.
3. That motor vehicles awaiting repair shall be stored on a bituminous or concrete surface. All parking surfaces must be approved by the City of Ramsey ("City").
4. That any motor vehicle awaiting repair that will be on the Subject Property for more than one (1) day shall be stored indoors or within the designated area as shown on **Exhibit 1** (the "Designated Storage Area"), which area shall be surfaced with bituminous and/or concrete and shall be screened on all sides with 100% opaque screening of wood, masonry, or maintenance free material. Chain link fencing of any type for screening purposes shall not be permitted.

5. That motor vehicles awaiting repair shall not be stored outside on the Subject Property for longer than fourteen (14) days unless a prior written request for an extension for up to thirty (30) days is approved by the Zoning Administrator. Any extension beyond thirty (30) days shall require approval of the City Council.
6. That the Permittee shall comply with City Code § 117-356 (Commercial and Industrial Development Off-Street Parking) and shall be required to provide and stripe forty-one (41) parking spaces for customer and employee parking, plus one (1) additional striped parking space for every ten (10) motor vehicles displayed for sale.
7. That there shall be no salvaging of parts from inoperable motor vehicles on site to be used to repair other motor vehicles.
8. That there shall be no outside storage of parts or cannibalized vehicles on the Subject Property.
9. That the Permittee shall obtain all necessary permits to complete any required building modifications.
10. That the Permittee shall obtain all necessary licenses to lawfully operate the motor vehicle repair and sales operations.
11. That all tenants, either existing or future, on the Subject Property shall obtain and maintain all necessary licenses and permits to lawfully operate motor vehicle repair and/or motor vehicle sales operations.
12. That this Permit shall be perpetual in duration as long as the terms are herein complied with.
13. That the Permittee shall be responsible for all City costs incurred in administering and enforcing this Permit.
14. 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.
15. That this Permit shall automatically expire if the use is not initiated by March 23, 2011.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Jeffrey, and upon vote being taken thereon, the following voted in favor thereof:

Mayor Ramsey  
Councilmember Wise  
Councilmember Jeffrey  
Councilmember Dehen  
Councilmember Elvig  
Councilmember Look  
Councilmember McGlone

and the following voted against the same:

None

and the following abstained:

None

and the following were absent:

None

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 23<sup>rd</sup> day of March, 2010

Eddy's Auto & Body Repair 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: Edward J. Prater

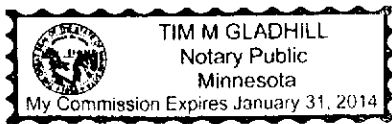
Its: Pres/owner

STATE OF MINNESOTA)

) SS.

COUNTY OF ANOKA)

On this 10TH day of APRIL, 2010 before me, a Notary Public, personally appeared EDWARD J. PRATER, the PRESIDENT of Eddy's Auto & Body Repair Inc., a Domestic Corporation under the laws of Minnesota, on behalf of the Corporation, to me known to be the person described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.



Tim Gladhill  
Notary Public

EDWARD J. PRATER

JEAN A. PRATER

Edward J. Prater

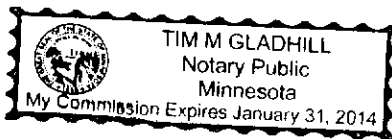
Jean A. Prater

STATE OF MINNESOTA )

) ss.

COUNTY OF ANOKA)

On this 10TH day of APRIL, 2010, before me a Notary Public, personally appeared Edward J. Prater and Jean A. Prater, husband and wife, as owner of the Subject Property, to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

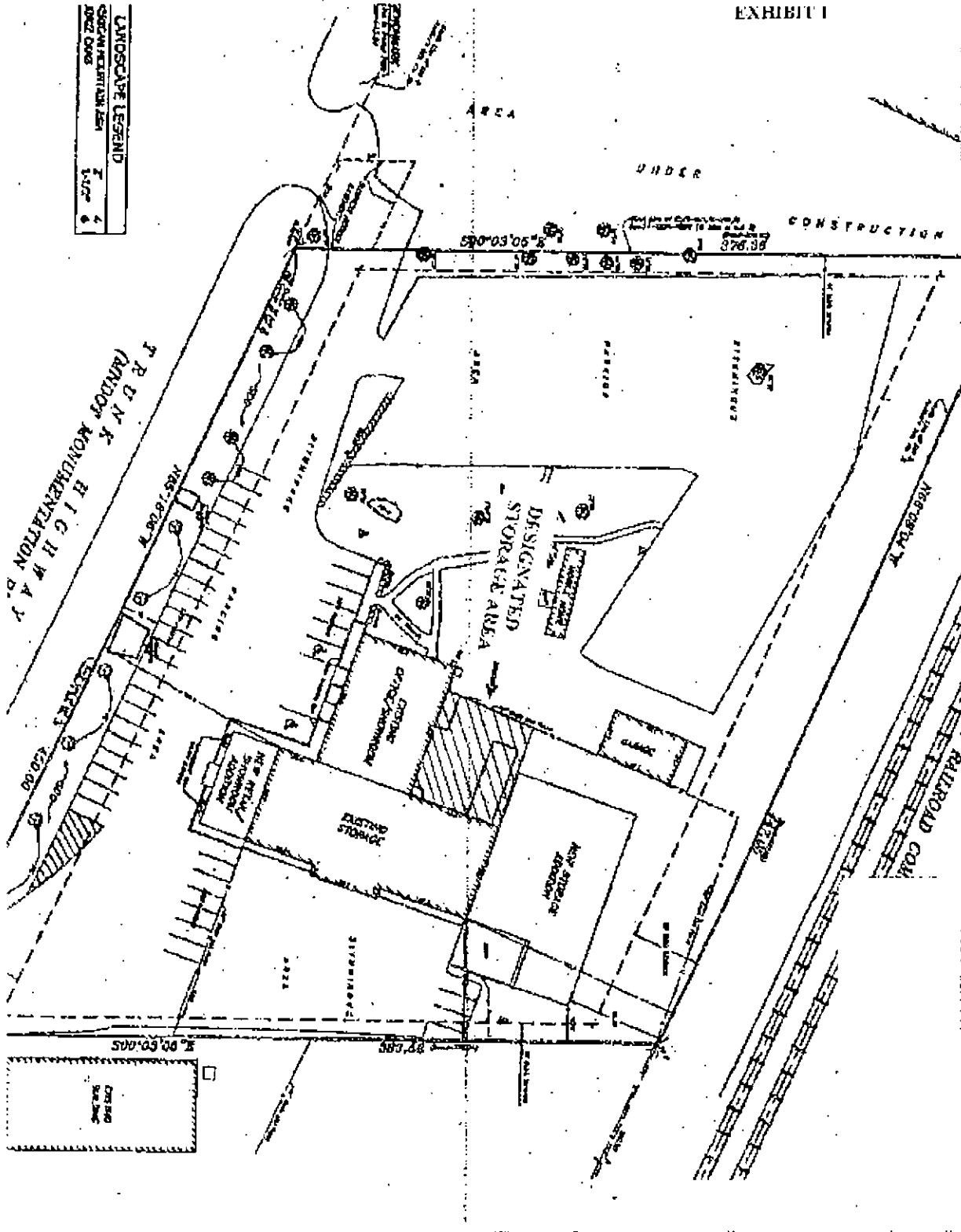


Tim Gladhill  
Notary Public



Exhibit 1 (the Designated Storage Area)

EXHIBIT 1



ANOKA COUNTY MINNESOTA

Document No.: 2014647.001 ABSTRACT

I hereby certify that the within instrument was filed in this  
office for record on: 04/22/2010 3:18:00 PM

Fees/Taxes In the Amount of: \$46.00

MAUREEN J. DEVINE

Anoka County Property Tax

Administrator/Recorder/Registrar of Titles

BMC, Deputy

Record ID: 2303573