

Councilmember \_\_\_\_\_ introduced the following resolution and moved for its adoption:

**RESOLUTION #17-10-245**

**A RESOLUTION APPROVING THE ISSUANCE OF AN CONDITIONAL USE PERMIT TO ANOKA – RAMSEY FARM & GARDEN, TO INCREASE SQUARE FOOTAGE OF A GROUND SIGN ON A PROPERTY IN THE H-1 HIGHWAY 10 BUSINESS DISTRICT AND DECLARING TERMS OF SAME:**

**RECITALS**

1. Anoka - Ramsey Farm & Garden, hereinafter referred to as the “Permittee” has properly applied for an amended Conditional Use Permit to expand Ground Sign square footage on the property generally known as 7435 Highway 10 NW and legally described as follows:

That part of Lot 3 Auditors Subdivision No. 34, being part of south half of Southeast Quarter Section 28, Township 32, Range 25 lying southerly of southerly right of way line of Burlington Northern Rail Road, northerly of northerly right of way line of Trunk Highway No. 10, westerly of line A and easterly of line B; said line A described as follows: Commencing at southeast corner of said section, thence north 0 degrees 28 minutes 50 seconds west along east line of said Southeast Quarter, 164.43 feet to said northerly right of way line, thence north 65 degrees 51 minutes 38 seconds west along said northerly right of way line 806.12 feet, thence continue northwesterly along said northerly right of way line on tangent curve concave to northeast, radius of 22,673.76 feet, central angle 1 degree 42 minutes 24 seconds 675.48 feet, thence north 64 degrees 09 minutes 14 seconds west along said northerly right of way line 95.64 feet to point of beginning, thence north 1 degree 25 minutes west 306.60 feet to said southerly right of way line and there terminate; said line B described as follows: Commencing at point on said northerly right of way line 447 feet northwesterly, as measured along said northerly right of way line from intersection with east line of west half of said southeast quarter, thence north 62 degrees 05 minutes 41 seconds west along said northerly right of way line 400 feet, thence north 1 degree 20 minutes 02 seconds west 274.01 feet to said southerly right of way line, thence south 64 degrees 38 minutes 28 seconds east along said southerly right of way line 495 feet, thence south 19 degrees 20 minutes 16 seconds west 264.04 feet to said northerly right of way line to point of beginning and there terminate, Anoka County, Minnesota

(“Subject Property”)

2. That the Permittee appeared before the Planning Commission for a public hearing pursuant to Section 117-51 (Conditional Use Permits) of the Ramsey City Code on October 12, 2017, and that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.

3. That the Subject Property is zoned H-1 Highway 10 Business District. Properties to the east and west of the Subject Property are also zoned H-1 Highway 10 Business District; south of Highway 10 the properties are zoned Public/Quasi-Public and consist of the Mississippi West Regional Park; north of the railroad tracks the properties are zoned COR.
4. That the Subject Property is approximately 1.74 acres in size.
5. That City Code Section 117-519 (Business Type Districts, Ground Signs) There shall not be more than one ground sign for each parcel or per road frontage on parcels with more than one road frontage, not to exceed an aggregate of two ground signs. The gross surface area of a ground sign shall not exceed 100 square feet for each exposed face nor exceed an aggregate gross surface area of 200 square feet.
6. That the current ground sign is 94 square feet per face
7. That the proposed sign addition will be affixed to the current ground sign.
8. That the proposed additional LED sign panel is 33.63 square feet on each face and exceeds the maximum square footage allowed by approximately 28 feet on each face and an aggregate of 56 square feet (Face of 128 square feet, and aggregate of 256 square feet).
9. That deviating from sign restrictions requires a Conditional Use Permit in the H-1 Highway 10 Business District.
10. That City Code Section 117-463 (General Restrictions, Signs) allows for dynamic display signs.
11. That the Planning Commission met on October 12, 2017, conducted a public hearing and recommended City Council approve/deny the request.

## **FINDINGS OF FACT**

1. That the increased signage will/will not be unduly dangerous or detrimental to persons residing or working in the vicinity of the use, or to the public welfar.
2. That the increased signage will/will not substantially adversely impair the use, enjoyment or market value of any of the surrounding properties.
3. That the increased signage will/will not be maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will/will not change the essential character of the area.

4. That the increased signage will/will not be hazardous to existing or future neighboring uses.
5. That the increased signage will/will not impact essential public facilities and services, such as highways, streets, police and fire protection.
6. That the increased signage will/will not create excessive additional requirements at public cost for public facilities and services and will/will not be detrimental to the economic welfare of the community.
7. That the increased signage will/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 THIS 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") to exceed sign size standards for a ground sign on the Subject Property contingent upon the following conditions:

**CONDITIONS**

1. That this **Permit** allows for a total of 128 square feet for the existing ground sign (or an aggregate of 256 square feet if double faced)/
2. That the **Permittee** shall maintain the **Subject Property** in compliance with City Code Chapter 117, Division 8 (Signs) and Chapter 30 (Nuisances) at all times.
3. That the **Permittee** shall remove the existing reader board sign at the time of installation of the new LED sign panel.
4. That the **Permittee** shall remove any unauthorized temporary signs.
5. That the **Permittee** shall obtain all necessary permits to complete any required sign modifications.
6. That the **Permittee** and tenants shall obtain all necessary licenses to lawfully install signs on the **Subject Property**.
7. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.

8. That the **Permittee** shall be responsible for all **City** costs incurred in administering and enforcing this **Permit**.
9. 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.
10. That this **Permit** shall automatically expire if the use is not initiated by October 24, 2018.

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 24<sup>th</sup> day of October, 2017



