

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

**RESOLUTION #18-136**

**A RESOLUTION APPROVING/DENYING A REQUEST FROM SUNFISH PROPERTIES LLC FOR A CONDITIONAL USE PERMIT TO ALLOW MOTOR VEHICLE SALES IN THE E-1 EMPLOYMENT DISTRICT AT THE PROPERTY LOCATED AT 14300 SUNFISH LAKE BLVD NW.**

**RECITALS**

1. Sunfish Properties LLC, hereinafter referred to as the “Permittee”, has properly applied for a Conditional Use Permit to allow motor vehicle sales in the E-1 Employment District on the property generally known as 14300 Sunfish Lake Blvd NW and legally described as follows:

That part of the east 500 feet of the Northeast Quarter of the Southeast Quarter of Section 27, Township 32, Range 25 lying north of the south 400 feet thereof and lying south of north 750 feet thereof (as measured along south and east lines thereof); except road; subject to easement of record, Anoka County, Minnesota

(“Subject Property”)

2. The City of Ramsey received an application for a Zoning (Text) Amendment and a Conditional Use Permit from the Permittee on May 29, 2018.
3. 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 July 12, 2018, 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 approximately 1.82 acres in size and is located within the E-1 Employment District.
5. That the surrounding properties to the north, south and west are all zoned E-1 Employment District and range in size from 2 to 4.5+ acres in size.
6. That the properties east of Sunfish Lake Blvd are zoned R-1 Residential and are approximately one (1) acre in size.
7. That motor vehicle sales is currently not identified as a permitted or conditional use in the E-1 Employment District.
8. That the Permittee has applied for a Zoning Amendment to add motor vehicle sales as a conditional use in the E-1 Employment District.

9. That the stated intent of the E-1 Employment District is to accommodate general industrial activities.
10. That the Permittee has submitted a floor plan of the building on the Subject Property that indicates the intention to install eighteen (18) individual tenant suites, each with separate access from the exterior of the building.
11. That the Permittee has submitted a site plan that shows three (3) rows of parking/display area stacked on top of each other along the south lot line and eighteen (18) additional stalls along the southern wall of the building.
12. That City Code requires a twenty-four (24) foot wide drive aisle to access any vehicles displayed and the southern two (2) rows do not comply.
13. That the Subject Property is served by a private well and septic system and that documentation must be submitted to the City demonstrating that there is sufficient capacity to accommodate the proposed building improvements.
14. That the Permittee has stated that additional paving would be installed as needed to accommodate future tenants.
15. That any grading and/or paving shall require plans prepared by the Permittee and submitted to the City for review and approval.

#### **FINDINGS OF FACT**

1. That motor vehicle sales will be unduly dangerous or detrimental to persons residing or working in the vicinity of the use, or to the public welfare.
2. That motor vehicle sales will substantially adversely impair the use, enjoyment or market value of any of the surrounding properties.
3. That the motor vehicle sales operation 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 change the essential character of the area.
4. That motor vehicle sales will be hazardous to existing or future neighboring uses.
5. That motor vehicle sales will impact essential public facilities and services, such as highways, streets, police and fire protection.
6. That motor vehicle sales will create excessive additional requirements at public cost for public facilities and services and will be detrimental to the economic welfare of the community.

7. That motor vehicle sales will 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:**

1. That this Conditional Use Permit (the "Permit") shall supersede and replace the Conditional Use Permit approved by City Council in Resolution #93-10-244 and issued on October 12, 1993.
2. That the towing service with impound lot and auto repair facility shall be permitted to continue in accordance with the terms and conditions contained herein.
3. That the towing service shall be permitted for 24-hour operation.
4. The perimeter of the impound lot shall be fenced and wherever chain link fence is used, a tree screening shall also be established to screen the outside storage from neighboring uses. The east fence line of the impound lot shall consist of a six (6) foot high privacy fence. Additional trees shall be planted along the southern lot line and the east lawn area to provide screening of the motor vehicles displayed for sale.
5. That the Permittee shall provide grading and drainage plans to the City for review and approval prior to any surface parking expansion and sidewalk installation.
6. That the Permit specifically prohibits the use of outdoor speaker devices.
7. That the Permittee shall provide a separate exterior entrance to each tenant space and the Permittee shall be responsible for obtaining any applicable permits from the **City** to complete these building modifications.
8. That the Permittee shall install a sidewalk around the building to provide direct access to each tenant space and said improvements must be shown on the site plan and reviewed for compliance with applicable regulations.
9. That this Permit shall be perpetual in duration as long as the terms are herein complied with.

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 July, 2018.

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Acting Mayor

**ATTEST:**

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City Clerk



