

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

**RESOLUTION #18-162**

**A RESOLUTION APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT TO ALLOW MOTOR VEHICLE, IMPLEMENT, AND RECREATION EQUIPMENT SALES AND SERVICE; AND APPROVING A SITE PLAN AND FINAL PLAT ON THE PROPERTY GENERALLY KNOWN AS 8930 HIGHWAY 10 NW AND OUTLOT “A” DECLARING TERMS OF SAME**

**RECITALS**

1. Lazydays Recreational Vehicles, hereinafter referred to as the “**Permittee**”, has properly applied for a Conditional Use Permit to conduct motor vehicle, implement, and recreation equipment sales and service, and a site plan, preliminary plat, and final plat on the properties generally known as 8390 Highway 10 NW and Outlot “A” and legally described as follows:

Lots 1, 2 and 3, Block 1; and Outlot A; ALPACA ESTATES 4TH ADDITION, Except Parcel 22, Anoka County Highway Right of Way Plat No. 90.

(the “**Subject Property**”)

2. That Sanco Properties LLC., is the owner of the **Subject Property**.
3. The City of Ramsey received an application for a Conditional Use Permit to conduct motor vehicle, implement, and recreation equipment sales and service, and a Site Plan, Preliminary Plat, and Final Plat for the **Subject Property** on July 9th, 2018.
4. That the **Subject Property** is located within the B-2 Business District as are the properties to the east, while the properties to the south are R-1 Residential MUSA, the properties to the west are R-2 Medium-Density Residential and the properties to the north are The COR. The lots are bisected by Riverdale Drive NW.
5. The **Subject Property** is 20.24 acres total. The parcel to be developed is 9.38 acres and is currently an outlot.
6. That the **Permittee** plans to increase the service bays on the Subject Property from 10 to 20.
7. That the **Permittee** plans to increase the number of employees by an additional 30 employees.
8. That the **Permittee** is proposing an approximately 29,600 square foot commercial building.

9. That the **Permittee** is proposing the commercial building be serviced by a private septic and sewer system.
10. That there is a lawful, non-conforming use of motor vehicle, implement, recreation equipment sales and service on the **Subject Property**.
11. That the **Permittee** is not proposing a new access point on to the **Subject Property** from Highway 10 NW. But is proposing a two new access points on to the **Subject Property** from Riverdale Drive NW.
12. That the proposed building on the **Subject Property** conforms to all applicable setbacks of the B-2 Business District
13. That the proposed use would not produce noise, vibrations, air pollution, fire hazard, or noxious emissions that will disturb or endanger neighboring properties.

#### **FINDINGS OF FACT**

1. That the motor vehicle, implement, recreation equipment sales and service will/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 motor vehicle, implement, recreation equipment sales and service will/will not substantially adversely impair the use, enjoyment or market value of any of the surrounding properties.
3. That the motor vehicle, implement, recreation equipment sales and service 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 not change the essential character of the area.
4. That the motor vehicle, implement, recreation equipment sales and service will/not not be hazardous to existing or future neighboring uses.
5. That the motor vehicle, implement, recreation equipment sales and service will/will not impact essential public facilities and services, such as highways, streets, police and fire protection.
6. That the motor vehicle, implement, recreation equipment sales and service will/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 motor vehicle, implement, recreation equipment sales and service 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**”) and the Site Plan, Preliminary Plat, and Final Plat for motor vehicle, implement, recreation equipment sales and service and the construction of a new Building on the **Subject Property** contingent upon the following conditions:

### **CONDITIONS**

1. That this **Permit** allows for motor vehicle, implement, recreation equipment sales and service on the **Subject Property**.
2. That the **Permittee** shall obtain all necessary permits, including a building permit and a zoning permit, prior to construction of the building on the **Subject Property**.
3. That the **Permittee** shall comply with all applicable local, state, and federal regulations.
4. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.
5. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this **Permit**.
6. 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.
7. That this **Permit** shall automatically expire if the use is not initiated by August XXth, 2019 and adoption of the Zoning Text Amendment by the Ramsey City Council and issuance of a Building Permit for the tenant improvements shall be considered as initiating the use.
8. That the **Subject Property** will be connected to City Sanitary Sewer and Water before a Certificate of Occupancy is issued.
9. That the Permittee shall forfeit any rights associated with the previous legal, non-conforming status of the **Subject Property**.

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 XX<sup>th</sup> of August, 2018

**PERMITTEE**

Lazydays Recreation Vehicles 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: \_\_\_\_\_

STATE OF MINNESOTA)

) SS.

COUNTY OF \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public, personally appeared \_\_\_\_\_, Lazydays Recreation Vehicles, 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.

\_\_\_\_\_  
Notary Public

**PROPERTY OWNER**

Sanco LLC., 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:\_\_\_\_\_

STATE OF MINNESOTA)  
 ) SS.  
COUNTY OF \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public, personally appeared Sanco LLC., 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.

\_\_\_\_\_  
Notary Public

