

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

RESOLUTION #18-208

A RESOLUTION APPROVING A REQUEST FROM HOUSE OF GOD CHURCH FOR A CONDITIONAL USE PERMIT TO ALLOW A RELIGIOUS INSTITUTION IN THE B-1 BUSINESS DISTRICT AT THE PROPERTY LOCATED AT 5909 167TH AVE NW

RECITALS

1. House of God, hereinafter referred to as the “Permittee,” has properly applied for a Conditional Use Permit (“the Permit”) to allow a religious institution in the B-1 General Business District on the property generally known as 5909 167th Ave NW and legally described as follows:

Lot 3, Block 1, Muller Addition, Anoka County, Minnesota

 (“Subject Property”)
2. The City of Ramsey received an application for a Conditional Use Permit from the Permittee on September 5, 2018.
3. That the Subject Property is currently owned by Flagship Bank, who was a part of the application.
4. 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 4, 2018, and that said public hearings were properly advertised and that the minutes of said public hearings are hereby incorporated by reference.
5. That the Subject Property is approximately 1.02 acres in size and is located within the B-1 General Business District.
6. That the Subject Property abuts 167th Ave to the south and Highway 47 to the east; the properties to the south and west are zoned B-1, the property east of Highway 47 is part of a golf course, and the property to the north is zoned R-1 Residential (Rural Developing).
7. That the Permittee does understand that there is an indoor shooting range operating on the adjacent parcel to the west.
8. That religious institutions are not currently identified as a permitted or conditional use in the B-1 General Business District but the Planning Commission has conducted a Public Hearing (September 6, 2018) regarding a Zoning Text Amendment to identify religious institutions in the B-1 and B-2 Business Districts as a Conditional Use.

9. That the City Council will consider introducing this Zoning Text Amendment Ordinance at their September 25, 2018 meeting and potentially adopt said ordinance at their October 9, 2018 meeting.
10. That the stated intent of the B-1 General Business District is provide a commercial area for goods and services for the surrounding neighborhoods and community on a smaller scale than the B-2 Highway Commercial District.
11. That the Permittee has submitted a Site Plan and Floor Plan for the purposes of calculation required parking stalls. The Permittee will need to stripe the parking stalls in accordance with City Code Section 117-356.
12. That the Permittee has submitted a site plan that shows no changes to the exterior of the building and includes thirty-eight (38) parking spaces.
13. That the existing drive-thru canopy and ground sign affiliated with the Subject Property encroach into the public road right-of-way for Highway 47 and need to be removed.
14. That the Subject Property is served by a private well and septic system and that documentation (compliance inspection report) must be submitted to the City demonstrating that there is sufficient capacity to accommodate the proposed change in use. Upgrades to the septic system may be required based on the results of the compliance inspection.
15. That the City of Ramsey Fire Marshal and Building Official have completed a walkthrough of the Subject Property and identified minor modifications/improvements that must be completed based on the change of use (this includes the need for a compliance inspection of the septic system). All required modifications must be completed before a Certificate of Occupancy for the new use will be issued.

FINDINGS OF FACT

1. That a religious institution 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 a religious institution will/will not substantially adversely impair the use, enjoyment or market value of any of the surrounding properties.
3. That a religious institution 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 a religious institution will/will not be hazardous to existing or future neighboring uses.
5. That a religious institution will/will not impact essential public facilities and services, such as highways, streets, police and fire protection.

6. That a religious institution 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 a religious institution will/will not involve uses, activities and equipment that will/will not 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 **Permit** is contingent upon adoption of Ordinance #18-15, which would amend the Conditional Uses in the B-1 General Business District to include religious institutions.
2. That the **Permittee** shall comply with the findings of the inspection and walkthrough with both the Building Official and Fire Marshal to ensure safety and correct measures are taken for the gathering space.
3. That the **Permittee** agrees that all required modifications to the building and possibly the septic system must be completed prior to occupying the building.
4. That the **Permit** allows for a Religious Institution at the **Subject Property**.
5. That the **Permittee** shall apply and receive a new Certificate of Occupancy for the change in use from commercial space to a place of assembly.
6. That the **Permittee** shall apply separately for any outdoor events, celebrations, block parties, or similar events with the City of Ramsey in order to ensure safety near Highway 10.
7. That the **Permittee** shall remove the existing encroachments into the Highway 47 public road right-of-way (this includes all parts of the drive-thru canopy and ground sign) prior to occupying the building on the **Subject Property**.
8. That the **Permittee** shall be responsible for obtaining any applicable permits from the **City** to complete any building modifications or installation of new signage.
9. That the **Permittee** shall provide grading and drainage plans to the City for review and approval prior to any surface parking expansion and/or sidewalk installation.
10. That the **Permittee** shall stripe the required parking stalls and the striping and/or repaving of the parking lot shall meet City requirements at the time of updating.
11. That the **Subject Property** shall have adequate parking for the use before being issued a Certificate of Occupancy.

12. That the **Permittee** agrees there shall be no parking related to the use along any City of Ramsey streets, including 167th Ave NW, or along Highway 47 NW.
13. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.
14. That the **Permittee** shall comply with all state, local, and federal regulations.

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 23rd day of October, 2018.

Acting Mayor

ATTEST:

City Clerk

