

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

RESOLUTION #19-002

**A RESOLUTION APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT
TO ALLOW OUTDOOR STORAGE AS A PRINCIPAL USE ON THE PROPERTY
GENERALLY KNOWN AS PID #35-32-25-32-0062**

RECITALS

1. Country Side Services of Minnesota, Inc., hereinafter referred to as the “Permittee”, has properly applied for a Conditional Use Permit to allow outdoor storage as principal use on the property legally described as follows:

That part of Lot 5 and Lot 7, Auditors Subdivision No. 96, described as follows: Commencing at the west quarter corner of Section 35, Township 32, Range 25, thence on assumed bearing south 00 degrees 21 Minutes 49 seconds east along west line of Government Lot 1 a distance of 497.95 feet; thence north 89 degrees 38 minutes 48 seconds east a distance 406.74 feet to a judicial landmark and point of beginning; thence continuing north 89 degrees 38 minutes 48 seconds east 107.80 feet to a judicial landmark; thence north 00 degrees 21 minutes 49 seconds west a distance of 94.00 feet to a judicial landmark on the southerly right of way line of Riverdale Dr, described in Doc. No. 869268; thence south 89 degrees 38 minutes 48 seconds west along said right of way line a distance 107.80 feet plus/minus to a judicial landmark set at intersection with line bearing north 00 degrees 21 minutes 49 seconds west from point of beginning; thence south 00 degrees 21 minutes 49 seconds east distance 94.00 feet to point of beginning, except road subject to easement of record, Anoka County, Minnesota.

(the “Subject Property”)

2. That the Subject Property is currently zoned R-1 Residential (MUSA) but the Permittee has also applied for a Zoning Amendment to rezone the Subject Property to E-1 Employment District.
3. That the City Council reviewed the Zoning Amendment request at their November 13, 2018 meeting and directed City Staff to prepare an Ordinance for introduction to rezone the Subject Property to E-1 Employment District.
4. That properties to the west, south, and southeast are zoned R-1 Residential (MUSA), while the properties to the east and north (across Riverdale Drive) are zoned E-1 Employment.
5. That the Subject Property is currently owned by Rocky Mtn Investment, LLC (the “Property Owner”).
6. The Subject Property is 0.25 acres in size.

7. That the Permittee operates Country Side Services of Minnesota, Inc. on the property generally known as 6228 Highway 10 NW and is proposing to utilize the Subject Property for outdoor storage of various equipment and vehicles.
8. That outdoor storage as a principal use is allowed as a Conditional Use in the E-1 Employment District, provided that the storage area is surfaced to control dust.
9. That the Permittee has stated that there is a gravel entrance into the Subject Property currently that would be upgraded to a paved surface with curb and gutter.
10. That the Permittee has stated that it would be preferable to utilize recycled asphalt millings for surfacing a portion of the storage area because when heavy equipment and/or track equipment is unloaded, it can easily damage pavement.
11. That in the E-1 Employment District, outdoor storage, when adjacent to residentially zoned property, is required to be setback forty (40) feet from the property boundary.
12. That as part of the City Council's review of the Zoning Amendment, City Staff was directed to draft a Variance for consideration to deviate from the minimum required setback with certain aesthetic enhancements, including landscaping and enhanced screening on the existing fence.
13. That the Permittee is seeking a Variance to allow a ten (10) foot setback from residentially zoned parcels.
14. That there is an existing chain link fence around the perimeter of the Subject Property that would be improved with a mesh fabric material for enhanced screening from adjacent residential properties.
15. That the proposed paving, parking areas, and storage areas on the Subject Property conform to all applicable setbacks of the E-1 Employment District.

FINDINGS OF FACT

1. That outdoor storage as a principal use 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 outdoor storage as a principal use will not substantially adversely impair the use, enjoyment or market value of any of the surrounding properties.
3. That outdoor storage as a principal use will 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 outdoor storage as a principal use will not be hazardous to existing or future neighboring uses.

5. That outdoor storage as a principal use will not impact essential public facilities and services, such as highways, streets, police and fire protection.
6. That outdoor storage as a principal use 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 outdoor storage as a principal use 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**”) for outdoor storage as a principal use on the **Subject Property** contingent upon the following conditions:

CONDITIONS

1. That the **Subject Property** is successfully rezoned to E-1 Employment District.
2. That this **Permit** allows for outdoor storage as a principal use on the **Subject Property**.
3. That the **Permittee** shall submit grading, surfacing, and landscaping plans to the City for review and approval.
4. That the **Permittee** shall install curb and gutter, paving and recycled asphalt millings, and landscaping no later than July 30, 2019.
5. That the **Permittee** shall maintain the landscaping on the **Subject Property**, including replacement of any dead trees/shrubs that were installed for screening purposes.
6. That outside storage shall only occur on improved surfacing on the **Subject Property**.
7. That the **Permittee** shall comply with all applicable local, state, and federal regulations.
8. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.
9. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this **Permit**.
10. That the City Administrator, or his/her designee, shall have the right to inspect the **Subject Property** for compliance and safety purposes annually or at any time, upon reasonable request.

11. That the **Permittee** agrees that there shall be no parking of any vehicles or storage of any items related to the use outside the **Subject Property**. No vehicles or equipment may ever be stored or parked on Riverdale Drive unless explicitly agreed to by the City.
12. That this **Permit** shall automatically expire if the use is not initiated by January 8, 2020, and initiation shall be considered completion of installation of surfacing, curb and gutter, required landscaping and screening.

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 8th day of January, 2019.

