

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

RESOLUTION #19-122

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT, SITE PLAN, AND FINAL PLAT APPROVAL FOR M&G TRAILERS AT 9349 HIGHWAY 10 NW AND DECLARING TERMS OF PERMIT

RECITALS

1. Ralph LLC, hereinafter referred to as the “Permittee”, has properly applied for a Sketch Plan, Site Plan, Conditional Use Permit, and Final Plat for M & G Trailer to construct a trailer sales and service business at the property generally known as 9349 Highway 10 NW and legally described as Outlot D Northfork (the “Subject Property”) and plat as Ralph’s Addition.
2. That the Permittee appeared before the Planning Commission and City Council for public hearings pursuant to Section 117-53 of the Ramsey City Code June 6, 2019 and June 25, 2019, respectively, and that the public hearings were properly advertised and that the minutes of said public hearing are hereby incorporated by reference.
3. That the Applicant requested a variance to the City Code requirements to contrast private commercial utilities (well and septic system) on the Subject Property instead of connection to public utilities, and that the Planning Commission granted said variance on June 6, 2019.
4. That the Subject Property is in the 2030 and 2040 Metropolitan Urban Service Area (MUSA), which requires connection to City sewer and water (utilities) under Section 117-88.
5. That the Subject Property is zoned B-2 Business District and is approximately 7 acres in size.
6. That the adjacent property is zoned B-2 Business District, and the site abuts right-of-way for Highway 10 to the south, and the railroad to the north and east. Across the railroad, the properties are zoned Public/Quasi Public (trail corridor) and PUD (Rural Residential - Northfork Subdivision).
7. That motor vehicle, implement, and recreation equipment sales and services is a conditional use in the B-2 Business District.
8. That Section 117-115 requires all parking and pavement (including maneuvering, sales, and display areas) be setback from the street right-of-way a distance of at least twenty (20) feet.

9. That vehicles displayed for sale shall be restricted to bituminous or concrete surfaces only.
10. That the closest City utilities are more than one half (.5) mile away from the Subject Property and the City does not plan to extend utilities to this area for this single project, nor is it financially feasible for the Applicant to extend utilities to this area at this time.
11. That the Planning Commission met on June 6, 2019 and recommended approval of this request.

FINDINGS OF FACT

1. That the proposed use **will not** adversely impact traffic in the area.
2. That the proposed use **will not** substantially or adversely impair the use, enjoyment or market value of surrounding properties.
3. That the proposed use **will be** constructed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and such use **will not** change the essential character of the area.
4. That the proposed use **will not** create additional requirements at public cost for public facilities and services.
5. That the proposed use **will not** be detrimental to the economic welfare of the community.
6. That the proposed use **will not** be disturbing or hazardous to existing or future neighboring uses.
7. That the proposed use **will not** involve uses, activities, processes, materials and equipment and conditions of operation that may be detrimental to any persons, property or the general welfare, by reason of excessive production of traffic, noise, smoke or glare.

NOW THEREFORE, BE IT RESOLVED BY THIS CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

1. That the Ramsey City Council hereby grants Final Plat approval for Ralph's Addition contingent upon final approval by City Engineer approval and recording of Development Agreement.
2. That the Ramsey City Council hereby grants approval of the Conditional Use Permit and Site Plan (the "Permit") on the Subject Property contingent upon the following:

CONDITIONS:

1. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.
2. That this **Permit** allows for trailer sales and service to occur on the **Subject Property**, including repair in designated bays and sales in designated locations.
3. That this **Permit** does not allow for any other type of motor vehicle sales, implement, or repair.
4. That the **Permittee** shall connect to City utilities within two (2) years of utilities being adjacent to the site. The **Permittee** also agrees to be specially assessed for the benefit of utilities pursuant to the then City Special Assessment Policy.
5. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this **Permit**.
6. That the **Permittee** shall obtain all necessary permits prior to commencing any site modifications or construction of the Building, including a Building Permit
7. That this **Permit** shall be contingent upon final review and approval by the Building Official, Fire Marshal, City Engineer, and a Certificate of Occupancy (CO).
8. 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.
9. That there shall never be any loading, unloading, or staging on Highway 10, in any right-of-way, or in any area other than those paved areas designed onsite for such uses.
10. That there shall be no parking or maneuvering of any trailer, motor vehicle, or automobile on any unpaved area at any time on the **Subject Property**.

11. The **Permittee** shall stripe all required customer and employee parking stalls and those stalls shall not be used for any use other than customer or employee parking.
12. That the **Permittee** shall maintain the **Subject Property** in compliance with City Code Section 117-356 (Commercial and Industrial Development Off-Street Parking) and Chapter 30 (Nuisances) at all times.
13. That there shall be no salvaging of parts from junk vehicles or trailers on site to be used to repair other trailers.
14. That there shall be no outside storage of parts or cannibalized recreational vehicles, or any other vehicle, on the **Subject Property**.
15. That the **Permittee** (or any other tenants) shall obtain all necessary licenses to lawfully operate trailer sales and service operations on the **Subject Property**.
16. That this **Permit** shall automatically expire if the use is not initiated within 365 days of the date of this approval
17. That the **Permittee** shall maintain all required drive aisle widths in accordance with City Code Section 117-356.
18. That the **Permittee** shall apply for a Sign Permit for any new sign and this **Permit** does not provide any approval on proposed signage.
19. That the **Permittee** shall maintain the required 20 feet of green space buffering the property and shall not expand the parking lot and/or paved areas without proper permitting.
20. That the **Permittee** shall provide the City a maneuvering and staging exhibit to ensure safe movement of semi-trucks, trailers, and customers onsite and this approval shall be contingent upon City approval of said maneuvering and staging exhibit.
21. That the **Permittee** shall enter into a Development Agreement with the City.

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 25th of June, 2019.

