

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

RESOLUTION #19-155

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT, SITE PLAN, AND FINAL PLAT APPROVAL FOR AMSTRONG WEST RETAIL MALL AND DECLARING TERMS OF PERMIT

RECITALS

1. Armstrong West Retail Mall, LLC hereinafter referred to as the “Permittee”, has properly applied for a Site Plan, Conditional Use Permit, and Final Plat for Armstrong West Retail Mall to construct a retail mall with drive-thru at property generally known as 8020 147th Ave NW and 8019 146th Ave NW and legally described as

Lot 2 and Lot 3, Block 2, Highway 10 Ramsey, Anoka County, Minnesota

Or upon recording:

Lot 1 and Lot 2, Block 1, West Armstrong Addition, Anoka County, Minnesota
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 on July 10, 2019 and July 23, 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 Subject Property is zoned COR, the downtown district, and is in the MUSA.
4. That retail malls are an allowed use in the COR 4 district, which is the retail district allowing for small and large retail developments.
5. That the Applicant is planning a future building on the northern property and said future phase will require site plan approval and a development agreement.
6. That the City of Ramsey allows 75 foot tall signs in this area if providing signage for multiple tenants near the Armstrong Interchange via Conditional Use Permit.

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 _____ 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 for oversized signage 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 the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this **Permit**.
3. That the **Permittee** shall obtain all necessary permits prior to commencing any site modifications or construction of the Building, including a Building Permit
4. 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).

5. 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.
6. 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.
7. That this **Permit** shall automatically expire if the use is not initiated within 365 days of the date of this approval
8. That the **Permittee** shall maintain all required drive aisle widths in accordance with City Code Section 117-356.
9. That the **Permittee** shall apply for a Sign Permit for any new sign and this **Permit** does not provide any approval on proposed signage.
10. That the future phase shall require proper permitting.
11. 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:

Existing Vacancy

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 23rd of July, 2019.

CITY OF RAMSEY

By: _____

By: _____

Its Mayor

City Clerk

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

On this _____ day of _____, _____, before me a Notary Public personally appeared John LeTourneau and Jo Ann M. Thieling, to me personally known, who, being each by me duly sworn, did say that they are respectively the Mayor and City Clerk of the City of Ramsey, the Municipal Corporation named in the foregoing instrument, and seal affixed to said instrument is the corporate seal of said Municipal corporation, and the said instrument was signed and sealed on behalf of said Municipal Corporation by authority of its City Council, and said John LeTourneau and Jo Ann M. Thieling acknowledge said instrument to be the free act and deed of said Municipal Corporation.

Notary Public

This document drafted by:
The City of Ramsey
7550 Sunwood Drive NW
Ramsey, MN 55303