

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

**RESOLUTION #19-182**

**RESOLUTION APPROVING THE ISSUANCE OF AN INTERIM USE PERMIT TO ALLOW FOR THE OPERATION OF A RELIGIOUS INSTITUTION IN THE E-2 EMPLOYMENT DISTRICT BASED ON FINDINGS OF FACT, AND DECLARING THE TERMS OF SAME.**

**RECITALS**

1. The Church of St. Katharine Drexel, hereinafter referred to as the "Permittee," has properly applied to the City of Ramsey (the "City") for an Interim Use Permit to operate a Religious Institution in the E-2 Employment District on the property generally referred to as 7101 143<sup>rd</sup> Avenue NW and legally described as follows:

Lot 3, Block 1, AEC Energy Park 3<sup>rd</sup> Addition, Subject to Easement of Record, Anoka County, Minnesota.

(the "Subject Property")

2. The Planning Commission met on August 1, 2019, conducted a public hearing and recommended that the City Council approve the request to operate a Religious Institution in the E-2 Employment District.

**FINDINGS OF FACT**

1. That on July 1, 2019, the Permittee properly applied for an Interim Use Permit.
2. That the Permittee appeared before the Planning Commission for a public hearing pursuant to Section 117-52 of the Ramsey City Code on August 1, 2019, and that the public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.
3. That on January 26, 2010, the Permittee was granted approval for an Interim Use Permit on the property located at 7101 143<sup>rd</sup> Ave NW as a Place of Assembly and Parish Offices.
4. That the Permittee currently utilizes the Subject Property as a Place of Assembly and Parish Offices.
5. That the Permittee is requesting to continue to utilize 4,319 square feet of the Subject property as office space and 4,400 square feet as a place of assembly to host worship services.
6. That the Subject Property is zoned E-2 Employment District, and all adjacent properties are zoned E-2 Employment District.

7. That the E-2 Employment District does not allow for religious institutions, or places of assembly, as a permitted use but does allow for office uses.
8. That land was donated to the Permittee for the future permanent location for the purpose of operating a Place of Assembly and Parish Offices.
9. That Section 117-52 of the Ramsey City Code allows for an Interim Use Permit to be granted for a maximum of five (5) years, unless otherwise extended by Council.
10. That the City finds the Subject Property to have adequate parking space for the proposed use of the Subject Property.
11. That the proposed use will not adversely impact traffic in the area.
12. That the proposed use will not be dangerous or detrimental to persons residing or working in the vicinity of the use or to the public welfare.
13. That the proposed use will not substantially or adversely impair the use, enjoyment or market value of surrounding properties.
14. That the proposed use will be operated and maintained 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.
15. That the proposed use will not create additional requirements at public cost for public facilities and services.
16. That the proposed use will not be detrimental to the economic welfare of the community.
17. That the proposed use will not be disturbing or hazardous to existing or future neighboring uses.
18. 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.
19. That the proposed use will be in accordance with the objectives of the intent of Section 117-52 of the Ramsey City Code entitled Interim Use Permits.

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

This permit is issued pursuant to Section 117-52 of the Ramsey City Code. The conditions of this permit are as follows:

1. The **Permittee** is herein allowed to operate a Religious Institution, including offices and places of assembly, on the **Subject Property**.
2. The **Permittee** shall secure written permission from the building owner for the parking of up to eighty-two (82) vehicles on the **Subject Property**. Such written permission shall be provided to the **City**. The **City** reserves the right to require additional parking spaces to be lined/striped in the rear/loading area of the existing structure for use by the **Permittee**.
3. This **Permit** shall commence on the date of City Council approval of same and shall expire upon the **Permittee's** receipt of a Certificate of Occupancy (CO) for a new religious institution at their permanent location.
4. This **Permit** is applicable only to the operation of a religious institution, including offices and places of assembly, on the **Subject Property**. The granting of this **Permit** does not allow for any other use that is prohibited in the E-2 Employment District.
5. This **Permit** shall become null and void in the event the use granted under this permit permanently ceases prior to the expiration date or upon the expiration date, whichever occurs first, subject to applicable law.
6. That all costs incurred by the **City** in administering and enforcing this **Permit** shall be the responsibility of the **Permittee**.
7. That the City Administrator or his or her designee shall have the right to inspect the **Subject Property** for compliance and safety purposes at any time.
8. That the failure of the **City** at any time to require performance by the **Permittee** of any provisions herein shall in no way affect the right of the **City** thereafter to enforce the same. Nor shall waiver by the **City** of any breach of any of the provisions hereof be taken or held to be a waiver of any succeeding breach of such provision or as a waiver of any provision itself.
9. That if any provision of this **Permit** shall be declared void or unenforceable, the other provisions shall not be affected but shall remain in full force and effect.
10. That this **Permit** shall not be considered modified, altered, changed or amended in any respect unless in writing and signed by the **City** and the **Permittee**.
11. That if the **Permittee** or its successors or assigns violates any material term or condition of this **Permit**, it is grounds for suspension or revocation hereof consistent with applicable law. Specifically, but without limiting the foregoing, the **City** may amend, suspend, or revoke this **Permit**, consistent with applicable law, if the City Council reasonably determines that continued operation of the facility places the public health, safety, or welfare or the environment in jeopardy or creates a public nuisance due to odors, litter, debris, or other nuisance factors. The change, alteration or amendment of



Its: \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2019, before me, a Notary Public, personally appeared \_\_\_\_\_, \_\_\_\_\_ of Sharp and Associates, LLC, a limited liability corporation under the laws of Minnesota, 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

**CITY OF RAMSEY:**

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
City Clerk

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF ANOKA )

On this \_\_\_\_ day of \_\_\_\_\_, 2019, before me, a Notary Public, personally appeared John LeTourneau and JoAnn 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 JoAnn M. Thieling acknowledge said instrument to be the free act and deed of said Municipal Corporation.

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

The document drafted by:  
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This document reviewed by:  
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