

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

**RESOLUTION #19-043**

**A RESOLUTION APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT TO EXCEED THE ALLOWABLE SQUARE FOOTAGE AND NUMBER OF ACCESSORY BUILDINGS ON THE PROPERTY GENERALLY KNOWN 17902 SAINT FRANCIS BLVD**

**RECITALS**

1. Dale and Tammy Wills, hereinafter referred to as the “Permittee”, have properly applied for a Conditional Use Permit to exceed the allowable square and number of detached accessory buildings on the property generally known as 17902 Saint Francis Blvd NW and legally described as follows:

The northwest Quarter of the northeast Quarter together with the northeast Quarter of the northwest Quarter both in Section 2, Township 32, Range 25, Anoka County, Minnesota, except roads subject to easement of record.

(the “Subject Property”)

2. 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 February 7, 2019, and that said public hearing was properly advertised and that the minutes of said public hearing are available.
3. That the Subject Property is approximately 137 acres in size, with about eighty (80) acres located in the City of Ramsey and the remainder located in the city of Nowthen.
4. That the surrounding parcels in Ramsey range in size from about 0.84 acres to 2.62 acres.
5. That the Subject Property is zoned R-1 Residential (Rural Developing), and the surrounding parcels to the east, west, and south are also zoned R-1 Residential (Rural Developing) and the land to the north, in Nowthen, appears to be zoned Rural Residential Agriculture.
6. That the Subject Property is guided as Rural Developing on the City’s Future Land Use Map.
7. That the Permittee is currently under contract to purchase the Subject Property and that the current owner of the Subject Property has signed the application for the Permit.
8. That the Permittee has also applied for a Home Occupation Permit that would address how the detached accessory buildings would be used (indoor riding arenas for lessons/instruction, stables for horse boarding, and hay and equipment storage affiliated with the Home Occupation).

9. That the existing home and other buildings on the Subject Property are currently accessed by a driveway from Saint Francis Blvd (Highway 47).
10. That the Permittee has proposed that the public (related to the Home Occupation Permit request) access the Subject Property from Potassium Street to minimize potential traffic conflicts on Highway 47.
11. That the Permittee has stated there are five (5) existing detached accessory buildings on the Subject Property; one of which, a grain silo, will be removed summer, 2019.
12. That the Permittee has stated the total existing square footage of detached accessory buildings is approximately 3,100 square feet.
13. That per City Code Section 117-349 (Accessory Uses and Buildings), parcels forty (40) acres or larger in size are allowed to have up to eight (8) detached accessory buildings with a combined 12,000 square feet of area.
14. That the Permittee is proposing to construct two (2) indoor riding arenas, indoor stalls, stables, and a hay/equipment storage barn that combined, will be 64,700 square feet in area.
15. That when combined with the square footage of the existing detached accessory buildings, there will be a total of 67,800 square feet of accessory buildings on the Subject Property.
16. That all of the new buildings will be connected and could be considered as a single accessory building; however, their exterior finishes will differ somewhat and thus, are being considered as individual buildings, resulting in a total of nine (9) detached accessory buildings on the Subject Property.
17. That the Permittee has stated that the primary driveway off the public street would be asphalt and that access to the riding arenas, stables, indoor stalls, and hay/equipment barn would be a class v gravel surface.
18. That the Permittee's Site Plan indicates that the new facilities would be located nearer the front property line than the home on the Subject Property but that they would all far exceed the minimum required front yard setback of forty (40) feet.
19. That the mean gable heights of the proposed buildings are as follows: riding arenas: 27.5 feet; stables: 16 feet; indoor stalls: 27.5 feet; and hay/equipment barn: 24 feet.
20. That the Permittee has stated that the height of the existing home is approximately twenty-six (26) feet.
21. That the Permittee is seeking a Variance to address the height(s) of the proposed accessory buildings and to address a deviation from lot frontage requirements.

22. That the proposed parking areas and building locations on the Subject Property conform to all applicable setbacks of the R-1 Residential (Rural Developing) District.
23. That the exterior finish of the two riding arenas will be a Clear Span fabric material, which allows better penetration of natural light and warmth and are healthier for both horses and riders, and the indoor stalls, stables, and hay/equipment storage barn would consist of two-toned steel siding.

### **FINDINGS OF FACT**

1. That the overall square footage and number of detached accessory buildings 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 the overall square footage and number of detached accessory buildings will/will not substantially adversely impair the use, enjoyment or market value of any of the surrounding properties.
3. That the overall square footage and number of detached accessory buildings 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 the overall square footage and number of detached accessory buildings will/will not be hazardous to existing or future neighboring uses.
5. That the overall square footage and number of detached accessory buildings will/will not impact essential public facilities and services, such as highways, streets, police and fire protection.
6. That the overall square footage and number of detached accessory buildings will/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 the overall square footage and number of detached accessory buildings will/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**”) to exceed the allowable square footage and total number of detached accessory buildings on the **Subject Property** contingent upon the following conditions:

**CONDITIONS**

1. That the **Permittee** successfully obtains a Home Occupation Permit for the operation of a commercial horse farm and a Variance to accessory building height on the **Subject Property**.
2. That this **Permit** allows for the construction of 64,700 square feet of new accessory buildings on the **Subject Property** consisting of two (2) indoor riding arenas, indoor stalls, stables, and a hay/equipment storage barn as shown in Exhibit 1 herein.
3. That the **Permittee** shall work with the **City** to address stormwater runoff properly.
4. That the **Permittee** shall comply with all applicable local, state, and federal regulations and shall obtain all applicable licenses and permits prior to construction of any building.
5. That the **Permittee** agrees the exterior finish of the hay/equipment storage barn will be constructed in accordance with City Code Section 117-349 (d)(6)c.
6. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.
7. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this **Permit**.
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 this **Permit** shall automatically expire if the use is not initiated by February 26, 2020, and initiation shall be considered issuance of a Building Permit(s) for one or more of the proposed detached accessory buildings.

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 26<sup>th</sup> day of February, 2019.

