

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

RESOLUTION #20-101

A RESOLUTION APPROVING THE ISSUANCE OF AN AMENDED CONDITIONAL USE PERMIT TO 22 PROPERTIES, LLC ALLOWING MOTOR VEHICLE SALES AND DETAILING SERVICES IN THE B-2 HIGHWAY BUSINESS DISTRICT AND DECLARING TERMS OF SAME:

RECITALS

1. 22 Properties, LLC, hereinafter referred to as the “Permittee” has properly applied for an Amended Conditional Use Permit to extend the approved timeframes for certain paving improvements associated with ~~allow~~ the motor vehicle sales and detailing operation on the property generally known as 6750 Highway 10 NW and legally described as follows:

Lot 2, Block 1 Riverside West, Anoka County, Minnesota

(“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 ~~March 4,~~ June 4, 2018, and that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.
3. That the Subject Property is zoned B-2 Highway Business District and is approximately 1.32 acres in size.
4. That motor vehicle, implement, and recreation equipment sales and service is a conditional use in the B-2 Highway Business District.
5. That the Subject Property abuts Riverdale Drive NW to the south, Highway 10 to the north, and parcels to the east and west of the Subject Property are zoned B-2 Highway Business District.
6. That the Permittee has submitted a site plan identifying a paved future parking area to upgrade the unpaved area on the Subject Property to provide additional area to display motor vehicles for sale and store motor vehicles onsite for detailing.
7. That Section 117-120 of the City Code 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.
8. That boat sales had been occurring on the Subject Property when City Code was amended to identify recreational vehicle sales as a Conditional Use and was occurring on the Subject Property since that amendment.

9. That due to the COVID-19 pandemic and its economic impacts, the Permittee has requested an Amended Conditional Use Permit to extend the timeframes for completing certain required paving improvements related to the ~~allow for~~ motor vehicle sales and detailing operation on the Subject Property by two (2) years.
10. That City Code Section 117-356 (Commercial and Industrial Development Off-Street Parking) requires one (1) dedicated customer parking space for every ten (10) vehicles displayed; three (3) dedicated customer parking spaces for each enclosed bay; and one (1) dedicated parking space for each full time employee.
11. That vehicles displayed for sale, or those that have been detailed, shall be restricted to bituminous or concrete surfaces only.
- ~~11.~~12. That there are existing Zoning Code violations on the Subject Property regarding temporary signage and lighting.
- ~~12.~~13. That the Planning Commission met on ~~March 1, 2018~~ June 4, 2020, conducted a public hearing and recommended City Council approve ~~the~~ request.

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FINDINGS OF FACT

1. That motor vehicle sales and detailing 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 motor vehicle sales and detailing will not substantially adversely impair the use, enjoyment or market value of any of the surrounding properties.
3. That the motor vehicle sales and detailing operation 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 motor vehicle sales and detailing will not be hazardous to existing or future neighboring uses.
5. That motor vehicle sales and detailing will not impact essential public facilities and services, such as highways, streets, police and fire protection.
6. That motor vehicle sales and detailing 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 motor vehicle sales and detailing 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 an Amended Conditional Use Permit (the "Permit") for motor vehicle sales and detailing on the Subject Property contingent upon the following conditions:

CONDITIONS

1. That this **Permit** allows for motor vehicle sales and detailing to occur on the **Subject Property** and supersedes the previously approved Resolution #18-045.
2. A fence must remain onsite to continue to screen the unimproved parking areas.
3. That the **Permittee** shall ensure that any new or upgraded parking and pavement onsite comply with Section 117-~~120~~15 of the City Code requiring all parking and pavement (including maneuvering, sales, and display areas) require at least a twenty (20) foot setback from adjacent street right-of-way.
4. That the expansion of the paved area shall be in accordance with the plans prepared by 22 Properties, LLC and in compliance with the City Code. The **Permittee** shall submit paving plans to the City of Ramsey prior to paving to ensure they meet current standards at the time of paving.
5. As shown on Exhibit 1, That the 6,500 square-foot unpaved area shall be paved not later than the end of June 202~~02~~2. **Permittee** may use all unpaved areas on the **Subject** ~~p~~**Property** for vehicle sales, detailing, storage, and maneuvering until the end of June, 202~~02~~2. If the aforementioned 6,500 square-foot unpaved area has not been paved by June 30, 202~~02~~2, **Permittee** will no longer be able to use any unpaved surfaces on the **Subject** ~~p~~**Property** for any vehicle sales, detailing, storage, or maneuvering. If the 6,500 square-foot area has been paved on or before June 30, 2020, then **Permittee** may continue to use the adjacent 14,300 square-foot unpaved area for vehicle sales, detailing, storage and maneuvering until June 30, 202~~35~~5. The remaining 14,300 square-foot unpaved area shall be paved by the end of June, 202~~35~~5. After June, 202~~35~~5, no unpaved surfaces may be used for any vehicle sales, detailing, storage, or maneuvering.
6. That motor vehicle sales and repairs shall only be conducted within the building located on the **Subject Property**.
7. That the **Permittee** shall maintain the Subject Property in compliance with City Code Sections 117-356 (Commercial and Industrial Development Off-Street Parking) and 117-115 (B-2 Highway Business District); Chapter 117 (Zoning and Subdivisions) Article II (Zoning) Division 8 (Signs); and Chapter 30 (Nuisances) at all times.
8. That the **Permittee** shall remove all unpermitted temporary signs from the **Subject Property** within thirty (30) days of approval of this **Permit**.

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~~7-9.~~ That the **Permittee** shall adjust the lighting fixtures on the **Subject Property** to ensure that they are deflecting light away from Highway 10 within ninety (90) days of approval of this **Permit**.

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~~8-10.~~ That there shall be no salvaging of parts from inoperable motor vehicles on site to be used to repair other motor vehicles.

~~9-11.~~ That there shall be no outside storage of parts or cannibalized vehicles on the **Subject Property**.

~~10-12.~~ That the **Permittee** shall obtain all necessary permits to complete any required building modifications.

~~11-13.~~ That the **Permittee** (or any other tenants) shall obtain all necessary licenses to lawfully operate motor vehicle sales operations on the **Subject Property**.

~~12-14.~~ That the **Permittee** shall stripe all required customer parking stalls and those stalls shall not be used for any use other than customer parking.

~~13-15.~~ That the **Permittee** shall maintain all required drive aisle widths in accordance with City Code Section 117-356.

~~14-16.~~ That the **Permittee** is forgoing the previous lawful, nonconforming status of the boat sales and storage on unpaved surfaces and agrees that such use shall no longer be permitted, except as described in paragraph 5 above.

~~15-17.~~ That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.

~~16-18.~~ That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this Permit.

~~17-19.~~ That the City Administrator, or his/her designee, shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request.

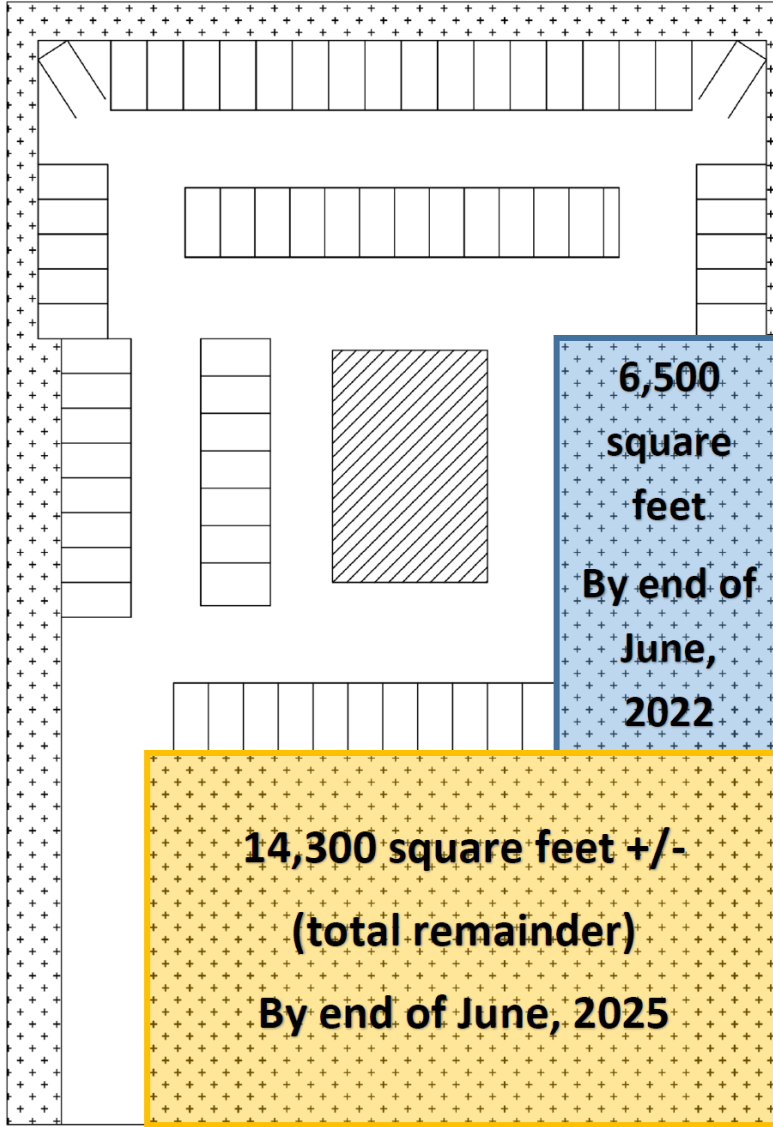
~~18-20.~~ That this **Permit** shall automatically expire if the use is not initiated by June 23, 2021.

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:

Exhibit 1



PARKING LAYOUT (APPROXIMATE)

Scale: 1/32" = 1'-0"

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