

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

RESOLUTION #20-189

A RESOLUTION APPROVING THE ISSUANCE OF AN INTERIM USE PERMIT TO ALLOW THE USE OF A MEMBRANE STRUCTURE AND A CONDITIONAL USE PERMIT APPROVING THE EXPANSION OF LAWFUL, NONCONFORMING USE OF THE PROPERTY LOCATED AT 6300 BUNKER LAKE BLVD NW AND DECLARING TERMS OF SAME

RECITALS

1. Lawn Monster, hereinafter referred to as the “**Permittee**” has properly applied for an Interim Use Permit to allow the use of a membrane structure (the “**Structure**”) on the property generally known as 6300 Bunker Lake Blvd NW and legally described as follows:

TRACT C REG LAND SURVEY NO 30 EX THE W 169.41 FT THEREOF,
TOG/W TRACT E SD REG LAND SURVEY, SUBJ TO EASE OF REC, Anoka
County, Minnesota

(the “**Subject Property**”)

2. That Denny Young Properties Inc. owns the Subject Property and has signed off on Lawn Monster, tenant’s, application.
3. That the **Subject Property** is zoned E-1 Employment District and is approximately 2.69 acres in size.
4. That the **Subject Property** abuts Bunker Lake Blvd NW to the south, and parcels to the east, west and south of the Subject Property are zoned E-1 Employment District.
5. That as proposed, the **Structure** would not meet the architectural and exterior element requirements of City Code Section 117-349 (Accessory Uses and Buildings) which requires siding to be in compliance with architectural and exterior elements for accessory buildings.
6. That as proposed, the **Structure** would not meet the rear setback requirement of City Code Section 117-117 (E-1 Employment District) which requires a rear building setback of 35 feet.
7. That there are existing Zoning Code violations on the **Subject Property** regarding public nuisance items and outdoor storage.
8. That the **Permittee** is proposing to use the **Structure** as it currently stands on the property.
9. That the **Subject Property** has some lawful, nonconforming rights associated with outdoor storage and gravel parking, and has expanded beyond what is allowed.

10. That expansion of a lawful, nonconforming use is allowed via Conditional Use Permit (CUP).
11. That the City of Ramsey hereby waives the requirement to allow ten days between Planning Commission and City Council to provide the Applicant an answer prior to the ground freezing and removing the opportunity to move/remove the **Structure** if needed.

FINDINGS OF FACT

1. That the **Structure and Expansion of Gravel Parking** 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 **Structure and Expansion of Gravel Parking** will not substantially adversely impair the use, enjoyment or market value of any of the surrounding properties.
3. That the **Structure and Expansion of Gravel Parking** will be harmonious with and in accordance with the specific objectives of the comprehensive plan.
4. That the **Structure and Expansion of Gravel Parking** 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.
5. That the **Structure and Expansion of Gravel Parking** will not be hazardous to existing or future neighboring uses.
6. That the **Structure and Expansion of Gravel Parking** will not impact essential public facilities and services, such as highways, streets, police and fire protection.
7. That the **Structure and Expansion of Gravel Parking** 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.
8. That the **Structure and Expansion of Gravel Parking** 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.
9. That the **Structure and Expansion of Gravel Parking** will be consistent with the intent and purposes of the Zoning Chapter.

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 Interim Use Permit for the **Structure** and Conditional Use Permit (“**Permit**”) for Expansion of Gravel Parking on the **Subject Property** contingent upon the following conditions:

CONDITIONS

1. That this **Permit** allows for use of the **Structure** to be on the **Subject Property** for five (5) years.
2. That the **Permittee** shall obtain all necessary permits, including a Building Permit for the **Structure** on the **Subject Property**.
3. That the **Permittee** shall maintain the Subject Property in compliance with City Code Sections 117-356 (Commercial and Industrial Development Off-Street Parking) and 117-117 (E-1 Employment District); Chapter 117 (Zoning and Subdivisions) Article II (Zoning) Division 6 (Performance Standards); and Chapter 30 (Nuisances) at all times.
4. That the **Permittee** shall obtain all necessary permits to complete any required building modifications.
5. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.
6. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this Permit.
7. 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.
8. That this **Permit** approves the expansion of the gravel parking lot and outdoor storage as seen in Exhibit A. No gravel shall be expanded past this point, and there shall not be any additional outdoor storage without an amendment to this **Permit**.
9. That this **Permit** shall automatically expire if the use is not initiated by November 5th, 2021.
10. That the **Structure** shall maintain the tarp canvas year-round, and the **Permit** shall automatically expire if the canvas is damaged and not replaced.
11. That this **Permit** shall be contingent upon:
 - a. Removing all personal outdoor storage onsite
 - b. Coming into compliance with other code standards, notably Chapter 30 (Nuisance Provisions) and Off-Street Parking Regulations

- c. All items, such as gravel, mulch, or other items not stored in the hoop building, cannot be stored in piles outside. Any additional storage structures onsite require permits.

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 10th day of November, 2020.

Exhibit A: Approved Gravel Parking, Pavement, and Outdoor Storage Locations



Legend:

	No parking or storage, 20 foot buffer around outside and clear drive aisle and entrance to site
	Concrete/paved parking – (vehicle or equipment parking allowed)
	Gravel parking, vehicle parking allowed
	Outdoor storage allowed (items, must be organized)
	Hoop building