

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

RESOLUTION #21-055

**A RESOLUTION APPROVING SITE PLAN,
CONDITIONAL USE PERMIT, AND
FINAL PLAT FOR JAVA PROPERTIES**

RECITALS

1. Java Properties, hereinafter referred to as the “Permittee” has properly applied for Site Plan Approval, a Conditional Use Permit for parking, and final plat approval for an auto parts store on the property legally described as follows:

Outlot GG, Ramsey Town Center Addition, Lying Easterly of Ramsey Town Center 13th Addition and Lying Westerly and Southerly of Casey’s Addition, Anoka County, Minnesota

Or upon platting:

Lot 1, Block 1, Java Auto Parts, Anoka County, Minnesota

(“Subject Property”)

2. That the Applicant is purchasing the Subject Property from the City of Ramsey.
3. That the Permittee appeared before the Planning Commission for a public hearing on March 4, 2021 that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.
4. That the Subject Property is zoned COR, which is a mixed use zoning designation and guided as such in the 2040 Comprehensive Plan.
5. That the City Code allows 29 parking spaces for this type of use in the COR, and that the Applicant has requested a Conditional Use Permit for an overage in parking stalls to allow for 32 parking stalls.
6. That the City Council reviewed and approved the request on March 23, 2021.

FINDINGS OF FACT

1. That the 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 parking will not substantially adversely impair the use, enjoyment or market value of any of the surrounding properties.

3. That the parking 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 the parking will not be hazardous to existing or future neighboring uses.
5. That the parking will not impact essential public facilities and services, such as highways, streets, police and fire protection.
6. That the 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.
7. That the 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.

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 the Site Plan, Conditional Use Permit and Final Plat (the "Permit") for an auto parts store on the Subject Property contingent upon the following conditions:

CONDITIONS

1. That the Applicant enter into a Development Agreement with the City.
2. Final legal form approved by the City Attorney.
3. Compliance with Staff comments as noted in ProjectDox.
4. That the Applicant executes the purchase agreement with the City for the Subject Property.
5. Staff approval of the architectural plans, including the architectural plans for the trash enclosure. City approval of rendering from Sunwood Drive showing the proposed wall and landscaping.
6. Modify the northern entrance into the parking lot to be entrance only, with an entrance/exit allowed on the south.
7. Work with the City and Casey's to stripe the entrance/exit of the site (City-lead initiative).
8. That the Applicant shall maintain the Subject Property in compliance with City Code Sections 117-356 (Commercial and Industrial Development Off-Street Parking), Chapter 117 (Zoning and Subdivisions), Article II (Zoning) Division 8 (Signs), and Chapter 30 (Nuisances) at all times.
9. That the Permittee shall obtain all necessary permits to complete any required building modifications.
10. That the Permittee shall maintain all required drive aisle widths in accordance with City Code Section 117-356.

11. That this Permit shall be perpetual in duration as long as the terms are herein complied with.
12. That the Permittee shall be responsible for all City costs incurred in administering and enforcing this Permit.
13. 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.
14. That this Permit shall automatically expire if the use is not initiated by March 23, 2022.

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 23 day of March, 2021.

