

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

### **RESOLUTION #21-087**

#### **A RESOLUTION APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT TO ALLOW AN OVERSIZED AREA IDENTIFICATION SIGN ON THE PRESERVE AT NORTHFORK DEVELOPMENT AND DECLARING TERMS OF SAME**

##### **RECITALS**

1. BK Land Development LLC, hereinafter referred to as the “**Permittee**”, has properly applied for a Conditional Use Permit to construct and maintain two (2) area identification ground signs on the property generally known as the Preserve at Northfork subdivision (the “**Subject Property**”).
2. That BK Land Development, LLC is the owner of the **Subject Property**.
3. That the **Subject Property** has a split zoning of R-1 MUSA (west side) and R-2 Medium Density Residential (east side) Districts.
4. The **Subject Property** is approximately thirty-three (33) acres in size.
5. That deviations from sign standards are permissible with the issuance of a Conditional Use Permit.
6. That per Section 117-518, one sign is allowed per vehicular access to a development, not to exceed 32 square feet in area. The Subject Property has two accesses and is allowed two area identification signs.
7. That the **Permittee** is proposing to construct two (2) area identification signs. One is proposed to be 42.25 square feet, and the other is proposed to be 20 square feet. The 42.25 square foot sign requires a Conditional Use Permit (the “**Signage**”).
8. That the Planning Commission met and held a duly noticed public hearing on April 8, 2021 and minutes are hereby incorporated by reference.
9. That the City Council met and approved of the request on April 27, 2021.

##### **FINDINGS OF FACT**

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

3. That the **Signage** will be harmonious with and in accordance with the specific objectives of the comprehensive plan.
4. That the **Signage** will be constructed and 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 **Signage** will not be hazardous to existing or future neighboring uses.
6. That the **Signage** will not impact essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, or schools.
7. That the **Signage** 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 **Signage** 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 **Signage** 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 a Conditional Use Permit (the “**Permit**”) for the **Signage** on the **Subject Property** contingent upon the following conditions:

**CONDITIONS**

1. That this **Permit** allows for the **Signage**, including two (2) development signs on the **Subject Property**, one at 20 square feet and one at 42.25 square feet.
2. That the **Permittee** shall obtain all necessary permits, including a Sign Permit, prior to construction of the **Sign** on the **Subject Property**.
3. That the **Permittee** shall comply with all applicable local, state, and federal regulations.
4. That no part of the **Signage**, above or below ground, shall encroach within any drainage and utility easement on the **Subject Property** without approval and execution of an Easement Encroachment Agreement.
5. That no additional ground signs will be permitted on the **Subject Property** unless in full compliance with City Code.

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 premises 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 April 27, 2022 and issuance of a Sign Permit for the **Signage** shall be considered as initiating the use.

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 27<sup>th</sup> day of April, 2021.

