

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

RESOLUTION #21-088

A RESOLUTION DENYING THE ISSUANCE OF AN INTERIM USE PERMIT TO ALLOW OUTDOOR STORAGE FOR BUSINESS USE ON THE PROPERTY LOCATED AT 8049 146TH AVENUE NW AND DECLARING TERMS OF SAME

RECITALS

1. Jacob Gall, herein referred to as the “**Applicant**” has properly applied for an Interim Use Permit to allow outdoor storage of equipment, vehicles, and a brush pile on the property generally known as 8049 146th Avenue NW and legally described as follows:

LOT 4 BLK 2 HY-10 RAMSEY SUBJ TO EASE OF REC, Anoka County, Minnesota

(the “**Subject Property**”)

2. That Richard Lee of JBR Ramsey LLC, owns the **Subject Property** and has signed off on the application.
3. That the **Subject Property** is zoned COR District and is approximately 1.43 acres in size. The **Subject Property** functions as an industrial site that has some lawful, non-conforming uses.
4. That the **Subject Property** abuts 146th Avenue NW to the south, and Ferret St NW to the west, and parcels to the east and north of the **Subject Property** are also zoned COR District. The property to the west is West Armstrong Retail Mall, while the properties north, west, and south function as industrial properties that are also zoned COR with likely some lawful, nonconforming status.
5. That the **Applicant** owns Minnesota Tree Experts (the “**Business**”) and plans to purchase the property from JBR Ramsey LLC with the intention of operating his business out of the **Subject Property**.
6. That the **Applicant** is proposing to utilize outdoor storage of a large brush pile and twelve (12) vehicles and equipment for the **Business** including various trucks, lifts, grapples, and grinders.
7. That the **Subject Property** has some lawful, nonconforming rights associated with outdoor storage and gravel parking.
8. That the Planning Commission held a public hearing on January 7, 2021 and recommended approval of an Interim Use Permit for outdoor storage of six (6) storage containers, and gravel parking on the **Subject Property**.

9. That the City Council approved the Interim Use Permit for the storage containers and gravel parking on the **Subject Property** on January 26, 2021.
10. That the **Applicant** has proposed to remove all six (6) storage containers on the **Subject Property**.
11. That the **Applicant** has stated the use can be loud and would chip trees and wood onsite into a large outdoor brush pile.
12. That the **City** has received complaints through the Code Enforcement program for a previous large, outdoor brush pile and found it to be nuisance item that was required to be removed.

FINDINGS OF FACT

1. That the **Business** will be unduly dangerous or detrimental to persons residing or working in the vicinity of the use, or to the public welfare.
2. That the **Business** will substantially adversely impair the use, enjoyment or market value of any of the surrounding properties.
3. That the **Business** will not be harmonious with and in accordance with the specific objectives of the comprehensive plan.
4. That the **Business** will not 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 **Business** will be hazardous to existing or future neighboring uses.
6. That the **Business** will impact essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, or schools.
7. That the **Business** will 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 **Business** will 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 **Business** will not be consistent with the intent and purposes of the Zoning Chapter.
10. That the **Business** is a significant expansion of the lawful, nonconforming uses onsite and does not align with the vision for this area.

11. That the **Business** could reasonably impair the use and enjoyment of surrounding properties.

12. That items related to the **Business** have been deemed as nuisance items in the past.

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 denies approval of an Interim Use Permit (the “**Permit**”) for the **Business** on the **Subject Property** contingent upon the following conditions:

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 27th day of April, 2021.

This document drafted by:
City of Ramsey
7550 Sunwood Dr NW
Ramsey, MN 55303

Exhibit A

