

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

RESOLUTION #22-107

RESOLUTION APPROVING A VACATION OF PORTIONS OF A DRAINAGE AND UTILITY EASEMENT ON THE PROPERTY GENERALLY KNOWN AS 7912 SUNWOOD DRIVE NW

RECITALS

1. The City of Ramsey received an application from Phillips Edison & Company (the "Permittee"), on behalf of Northstar Marketplace Station LLC (the "Property Owner"), requesting a vacation of a portion of drainage and utility easement (the "Easement") on the property generally known as 7912 Sunwood Drive NW and legally described as follows:

Lot 2, Block 1 COR TWO NORTHSTAR

(the "Subject Property")

2. That the Permittee appeared before the City Council for a public hearing pursuant to Section 117-56 (Easement Vacation) of the Ramsey City Code on May 10, 2022, and that said public hearing was properly advertised and that the minutes of said public hearing are available.
3. That the Planning Commission approved a Variance for the Permittee's Site Plan and recommended approval of the Site Plan on January 27, 2022.
4. That the City Council reviewed and approved the Site Plan for a multi-tenant retail building on February 22, 2022.
5. That a portion of the proposed building and portions of walkways/patio will encroach in the Easement.
6. That the Permittee has indicated that the small utilities will be relocated as part of the site improvements.
7. That sufficient drainage and utility easement will remain for the trunk sewer and trunk water lines, which will remain in their current location.

FINDINGS OF FACT

1. That the partial easement vacation will not impair an adequate supply of light and air to adjacent property.
2. That the partial easement vacation will not unreasonably increase the congestion on the public street.

3. That the partial easement vacation will not have the effect of allowing any use prohibited in the COR-2 District.
4. That the partial easement vacation will not permit a lesser degree of public health, safety, and general welfare protection than established by Chapter 117 of the Ramsey City Code, or permit standards which are lower than those required by state law.
5. That the partial easement vacation will not increase the danger of fire or endanger the public safety.
6. That the partial easement vacation will not unreasonably diminish or impair established property values within the neighborhood, or in any way be contrary to the intent of Chapter 117 of the Ramsey City Code.
7. That the partial easement vacation will be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and such use will not change the essential character of the area.
8. That the partial easement vacation will not violate the intent and purpose of the Comprehensive Plan.
9. That the partial easement vacation is the minimum necessary to accomplish the Permittee's intended purpose.

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 partial vacation of the **Easement** on the **Subject Property**, as shown on Exhibit 1, contingent upon issuance of a Building Permit for the multi-tenant retail building.

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 May, 2022.

Exhibit 1 Easement Vacation

