

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

RESOLUTION #18-178

A RESOLUTION APPROVING THE ISSUANCE OF AN AMENDED CONDITIONAL USE PERMIT TO ALLOW FOR EXPANSIONS OF THE GREEN VALLEY GREENHOUSE OPERATIONS IN A RESIDENTIAL DISTRICT AT 6530/6560 GREEN VALLEY ROAD

RECITALS

1. Green Valley Greenhouse, Inc., hereinafter referred to as the “**Permittee**”, has properly applied for a Conditional Use Permit to expand greenhouse operations on the properties generally known as 6530/6560 Green Valley Road NW, legally described as follows:

Lot 1, Block 1, Davis Farms Addition and the Southeast One Quarter of the Southeast One Quarter of Section 3, Township 32, Range 25, Anoka County, Minnesota

(the “**Subject Property**”)
2. That Green Valley Greenhouse, Inc. (the “**Permittee**”) is the owner of the **Subject Property**.
3. The City of Ramsey received an application to amend the existing conditional use permit for greenhouse operations and site plan approval to expand existing greenhouse operations on the **Subject Property** on July 9th, 2018.
4. That on July 31, 1990, the City of Ramsey issued a Conditional Use Permit on the subject property to expand the lawful, non-conforming greenhouse use, which was initiated in 1977 to increase the size of the warehouse from 4,050 square feet to 8,910 square feet and add another 13,000 square feet of greenhouse space.
5. That on November 28, 2000, the City of Ramsey approved an amendment to the Conditional Use Permit to add a 528 square foot permanent accessory structure to the greenhouse operation.
6. That on August 24, 2004 the City of Ramsey approved Resolution 04-08-231 amending the Conditional Use Permit and establishing an ultimate business growth area on the property.
7. That on September 27, 2005, the City of Ramsey approved an amendment to the Conditional Use Permit to allow for outdoor storage of bulk landscape materials, including crushed rock, wood mulch, and soil.
8. That on September 22, 2015, the City of Ramsey approved a Conditional Use Permit for expanded greenhouse operations, restricting outdoor storage onsite.

9. That the **Subject Property** is located within the R-1 MUSA Residential District and surrounded by residentially zoned properties in both the R-1 MUSA and R-1 Rural Development Residential Districts.
10. That greenhouse operations are listed as a conditional use in the R-1 District.
11. That the **Subject Property** is 89.84 acres total.
12. That the **Permittee** plans to build two new greenhouses, connected to the existing greenhouses. The proposed greenhouses are 620 x 576 feet and 144 x 192 feet.
13. That the **Permittee** plans to add two parking areas and a fire lane along the east side of the building.
14. That the **Permittee** plans to add three growing fields south of the proposed greenhouse building.
15. That the **Permittee** is proposing the buildings be served by private well and septic, which is currently on the site.
16. That there is currently a Conditional Use Permit in place for greenhouse operations.
17. That when the original greenhouse was built, there was a home on the property. The home was recently removed from the property, and the property is now entirely commercial greenhouse operations.
18. That the proposed use would not produce fire hazard or noxious emissions that will not disturb or endanger neighboring properties.

FINDINGS OF FACT

1. That the greenhouse expansion 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 greenhouse expansion will not substantially adversely impair the use, enjoyment or market value of any of the surrounding properties.
3. That the greenhouse expansion 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.
4. That the greenhouse expansion will not be hazardous to existing or future neighboring uses.
5. That the greenhouse expansion will not impact essential public facilities and services, such as highways, streets, police and fire protection.

6. That the greenhouse expansion 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 greenhouse expansion 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 a Conditional Use Permit (the “**Permit**”) and Site Plan for greenhouse expansion on the **Subject Property** contingent upon the following conditions:

CONDITIONS

1. That this amended Conditional Use Permit (the “Permit”) for Green Valley Greenhouse shall supersede and replace the Conditional Use Permit approved by City Council in Resolution #15-09-226, issued on September 22, 2015.
2. That this **Permit** shall be perpetual in its duration so long as the conditions imposed herein are complied with.
3. That this **Permit** allows for greenhouse expansion and greenhouse operations on the **Subject Property**.
4. The **Permittee** shall be responsible for maintaining a fifty (50) foot wide no-build area along the entire perimeter of the **Subject Property** to serve as a buffer yard between the commercial operations and the adjacent residential and public road right-of way.
5. That the **Permittee** shall obtain a permit from the Lower Rum River Water Management Organization (LRRWMO) prior to any improvements being made to the **Subject Property** and the **Permittee** shall provide the **City** with a copy of the permit received from the LRRWMO.
6. That the **Permittee** shall be responsible for providing the City Engineering Department with timely information (within 30 days of completion of any adjustments to building coverage) relating to each addition or reduction of the greenhouse facility for the purposes of accurately calculating REU stormwater fees on the **Subject Property**.
7. That all new construction and expansion of existing structures shall comply with applicable requirements of the Ramsey City Code and the Minnesota State Building Code. It is herein agreed that all structures are subject to Site Plan review and approval in accordance with City Code.

8. That the Permittee herein agrees that as of December 31, 2015, this **Permit** shall no longer allow for the storage and/or sale of bulk landscape materials on the **Subject Property**.
9. That the **Permittee** shall continue to coordinate with the **City's** Fire Department to ensure there is sufficient fire apparatus access throughout the Green Valley Greenhouse operations in accordance with Section 503.1 of the Fire Code.
10. That the Permittee shall be responsible for regularly monitoring County Road 63 (Green Valley Road) between County Road 5 and Trunk Highway 47, and removing spillage of any materials resulting from business operations on the **Subject Property**.
11. The Community Development Department of the **City** shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request. In the event the **Permittee** is determined to be in violation of any of the conditions set forth herein, the **City** shall give the **Permittee** written notice of the violation. The **Permittee** shall be given 30 days to correct the violation and submit a written response to the notice.
12. That the **Permittee** shall obtain all necessary permits as determined by the Building Official prior to construction of the building on the **Subject Property**.
13. That the **Permittee** shall comply with all applicable local, state, and federal regulations.
14. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this **Permit**.
15. 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.
16. That this **Permit** shall automatically expire if the use is not initiated by September 25, 2019; issuance of a Zoning Permit for the tenant improvements shall be considered as initiating the use.
17. That the **Permittee** and the **City** complete a development fee credit agreement for stormwater, parks, trails, and other required development fees.
18. The proposed structures on the **Subject Property** cannot exceed the 35% lot coverage restriction.
19. That the **Permittee** shall submit a landscaping plan for review and approval by the City for proposed landscaping and berming.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Johns, and upon vote being taken thereon, the following voted in favor thereof:

Acting Mayor LeTourneau
Councilmember Riley
Councilmember Johns
Councilmember Kuzma
Councilmember Shryock

and the following voted against the same:

None

and the following abstained:

None

and the following were absent:

Existing Vacancy
Existing Vacancy

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 25th of September, 2018

PERMITTEE

Green Valley Green House hereby acknowledges receipt of this Permit and that they have reviewed the conditions of this Permit and have agreed that they will comply with the terms of this Permit.

By: _____

Its: _____

STATE OF MINNESOTA)

) SS.

COUNTY OF _____)

On this _____ day of _____, _____, before me, a Notary Public, personally appeared _____, to me known to be the person described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Notary Public

CITY OF RAMSEY:

By: _____
Acting Mayor

By: _____
City Clerk

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

On this _____ day of _____, _____, before me a Notary Public personally appeared John LeTourneau and Jo Ann M. Thieling, to me personally known, who, being each by me duly sworn, did say that they are respectively the Acting Mayor and City Clerk of the City of Ramsey, the Municipal Corporation named in the foregoing instrument, and seal affixed to said instrument is the corporate seal of said Municipal corporation, and the said instrument was signed and sealed on behalf of said Municipal Corporation by authority of its City Council, and said John LeTourneau and Jo Ann M. Thieling acknowledge said instrument to be the free act and deed of said Municipal Corporation.

Notary Public

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

This document reviewed by:
Ratwik, Roszak & Maloney
730 Second Ave. S., Suite 300
Minneapolis, MN 55402