

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

RESOLUTION #22-190

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR AUTOMOTIVE SERVICE AT 6710 HIGHWAY 10 NW AND DECLARING TERMS OF PERMIT

RECITALS

1. Kinghorn Construction, hereinafter referred to as the “**Permittee**”, has properly applied for a Site Plan and Conditional Use Permit for an automotive service on the property generally known as 6710 Highway 10 NW and legally described as follows:

Lots 1 & 3, Riverside West Rearrangement (subject to easement as shown on plat),
Anoka County, Minnesota

(the “**Subject Property**”)
2. That the **Subject Property** is zoned B-2 Highway Business District, which is a commercial zoning designation and guided as such in the 2040 Comprehensive Plan.
3. That motor vehicle, implement, and recreation equipment sales and service are a conditional use in the B-2 Highway Business District.
4. That the **Permittee** appeared before the Planning Commission for a public hearing on August 25, 2022 that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.
5. That the Planning Commission reviewed and recommended approval of the request on August 25th, 2022.
6. That the City Council reviewed and **approved/denied** the request on September 13th, 2022.

FINDINGS OF FACT

1. That the proposed use **will not** adversely impact traffic in the area.
2. That the proposed use **will not** substantially or adversely impair the use, enjoyment or market value of surrounding properties.
3. That the proposed use **will be** constructed so as to 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.

4. That the proposed use **will not** create additional requirements at public cost for public facilities and services.
5. That the proposed use **will not** be detrimental to the economic welfare of the community.
6. That the proposed use **will not** be disturbing or hazardous to existing or future neighboring uses.
7. That the proposed use **will not** involve uses, activities, processes, materials and equipment and conditions of operation that may be detrimental to any persons, property or the general welfare, by reason of excessive production of traffic, noise, smoke or glare.

NOW THEREFORE, BE IT RESOLVED BY THIS CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

1. That the Ramsey City Council hereby grants approval of the Conditional Use Permit for automotive service (the “**Permit**”) on the **Subject Property** contingent upon the following:

CONDITIONS:

1. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.
2. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this Permit.
3. That the **Permittee** shall obtain all necessary permits prior to commencing any site modifications or construction of the Building, including a Building Permit.
4. That the **Permittee** shall receive an approved Easement Vacation for the ten foot (10’) drainage and utility easement that runs through the proposed ponding and parking lot on the **Subject Property**. The **Permittee** shall be responsible for relocating utilities and recording the Easement Vacation resolution with Anoka County.
5. That this **Permit** shall be contingent upon final review and approval by the Building Official, Fire Marshal, and a Certificate of Occupancy (CO).
6. That the City Administrator, or his/her designee, shall have the right to inspect the **Subject Property** for compliance and safety purposes annually or at any time, upon reasonable request.

7. That the screening for the **Subject Property** along Highway 10 shall consist of maintenance free fencing with additional vegetation. The remainder of the fencing for the site can consist of black vinyl chain-link fencing as proposed by the **Permittee**.
8. That the area behind the fencing is for customer and employee vehicles only. All vehicles must be properly licensed, and the vehicles cannot be used for salvage or impounded
9. That all repair operations must be done inside the building.
10. That outdoor storage is not permitted, including vehicle parts. All scrap or waste must be stored in dumpsters within the waste enclosure, or inside the building.
11. That a location must be designated for after-hours drop-off of vehicles.
12. That parking of repair vehicles, car carriers, or tow drop-off and pick-up is prohibited on abutting streets.
13. That the **Permittee** shall maintain the **Subject Property** in compliance with City Code Section 117-356 (Commercial and Industrial Development Off-Street Parking), Section 117-115 (B-2 Highway Business District) and Chapter 30 (Nuisances) at all times.
14. That this **Permit** shall automatically expire if the use is not initiated by September 13, 2023 and issuance of the building permit constitutes initiation.
15. That the **Permittee** shall apply for a Sign Permit for any new sign and this **Permit** does not provide any approval on proposed signage.

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 13th of September, 2022.

Mayor

ATTEST:

City Clerk