

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

RESOLUTION #22-123

RESOLUTION APPROVING AN INTERIM USE PERMIT FOR GRADING AND EXCAVATING AT 15000 NOWTHEN BOULEVARD NORTHWEST AND DECLARING TERMS OF SAME

RECITALS

1. Mr. Bill Diede of Bolton & Menk, Inc., representing Independent School District 11, hereinafter referred to as the “**Permittee**”, has properly applied for an Interim Use Permit to allow the grading and excavating of up to approximately 7,300 cubic yards of material from the Ramsey Elementary School site, located at 15000 Nowthen Boulevard NW and legally described as follows:

THAT PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 32, RANGE 25, LYING WESTERLY OF THE CENTERLINE OF CSAH NO. 5 (NOWTHEN BLVD), EXCEPT THAT PART DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTH HALF, THENCE NORTH ALONG THE WEST LINE THEREOF 16.5 FEET, THENCE SOUTHEASTERLY TO A POINT ON SAID LINE NORTHEAST OF SAID SOUTH HALF 16.5 FEET EAST OF SAID SOUTHWEST FORMER, THENCE WEST ALONG SAID SOUTH LINE 16.5 FEET TO THE POINT OF BEGINNING, EXCEPT ROAD, SUBJECT TO EASEMENTS OF RECORD, ANOKA COUNTY, MINNESOTA.

(the “**Subject Property**”)

2. That Ben Martinson of Independent School District 11 (Anoka-Hennepin Schools) has signed off on the application.
3. That the Subject Property is zoned Public/Quasi-Public District (P) and is approximately 53.05 acres in area.
4. That the Permittee is proposing to excavate material from the Subject Property for storm water management purposes as guided by the Lower Rum River Watershed Organization.
5. That the grading and excavation work will not commence until after the school year is over for safety purposes.
6. That the Planning Commission held a public hearing on May 26, 2022, and recommended _____ of the permit.
7. That the City Council reviewed the permit on June ____, 2022.

FINDINGS OF FACT

1. That the excavating and grading will not be unduly dangerous or detrimental to persons residing, working, or attending school on the Subject Property or in the area.
2. That the excavating and grading will be harmonious with and in accordance with the specific objectives of the comprehensive plan.
3. That the excavating and grading 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 excavating and grading will not be hazardous to existing or future neighboring uses.
5. That the excavating and grading will not impact essential public facilities and services, such as highways, streets, police and fire protection.
6. That the excavating and grading 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 excavating and grading 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.
8. That the excavating and grading will be consistent with the intents 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:

- 1) That the Ramsey City Council hereby grants approval of an Interim Use Permit for excavating and grading work on the **Subject Property** contingent upon the following conditions:

CONDITIONS

1. That this **Permit** allows for excavating and grading activity, to create a stormwater retention basin on the **Subject Property**, for no more than one year from the date of approval.
2. That the **Permittee** shall obtain all necessary permits on the **Subject Property** and conditions therein.

3. That the **Permittee's activities** shall be in compliance with the Civil Plans presented to the Council dated March 7, 2022, as revised per Engineering comments for modifications to a storm pipe and the inclusion of a safety bench.
4. That the **Permittee** shall provide City Staff a haul route for the vehicles and that the vehicles must follow that route. The route shall be Nowthen Boulevard to St. Francis Boulevard to Bunker Lake Boulevard and then to Sunwood Drive.
5. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this Permit, including street sweeping any street where material is spilled during hauling.
6. 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.
7. That this **Permit** shall automatically expire if the use is not initiated by June 14, 2023 and conducting the city-hosted pre-construction meeting shall constitute initiation.

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 ___ day of June, 2022.

Mayor

ATTEST:

City Clerk