

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

RESOLUTION #24-115

**A RESOLUTION APPROVING A VARIANCE TO HEIGHT REGULATIONS IN THE
COR ZONING DISTRICT FOR NORHART RAMSEY**

RECITALS

1. **WHEREAS**, The City of Ramsey received an application from Norhart (the "**Applicant**") requesting a **Variance** to the maximum height regulations on the property legally described as follows:

Lot 1, Block 7, Waterfront Village, Anoka County, Minnesota

(the "**Subject Property**")

2. **WHEREAS**, the **Applicant** appeared before the Planning Commission for a public hearing pursuant to Section 106-220 (**Variances**) of the Ramsey City Code on April 25, 2024, and that said public hearing was properly advertised and that the minutes of said public hearing are available.
3. That the **Subject Property** is approximately 3.88 acres in size, which is similar to other commercial properties in the immediate surrounding neighborhood.
4. That the **Subject Property** is zoned COR-4c, Neighborhood Subdistrict, which is part of the overall COR zoning district.
5. That the parcels surrounding the **Subject Property** in all directions are also zoned as subdistricts of the COR zoning district.
6. That the **Subject Property** is guided as Mixed-Use in the 2040 Comprehensive Plan.
7. That City Code Section 106-630 (**Bulk Standards**) adopts all bulk standards within the COR district as specified in the COR development framework, which is incorporated into Chapter 106 of City Code by reference.
8. That the COR development framework specifies that the maximum allowable height in the COR-4 subdistrict is 4 stories.
9. That the **Applicant** is proposing to construct a 5-story mixed-use building, plus an additional story of sunken parking that extends mostly below-grade.
10. That the **Applicant's** proposed sunken parking story only reaches up to 5 feet above-grade, which does not meet the City Code definition of a story, and thus does not count towards the proposed height of the building.

FINDINGS OF FACT

1. That the **Variance** will be in accordance with the objectives of the intent of Section 106-220 (**Variances**) of the Ramsey City Code.
2. That the **Variance** will allow the property owner to use the property in a reasonable manner not otherwise permitted by the zoning code.
3. That the **Variance** will not alter the essential character of the locality.
4. That the **Variance** is not intended to solely satisfy economic considerations.
5. That the **Variance** will not cause inadequate access to direct sunlight for adjacent properties.

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

That the Ramsey Planning Commission hereby grants approval of a variance (the “**Variance**”) to deviate from the required maximum height regulation set forth in Section 106-630, which adopts the COR Development Framework by reference, to allow a building up to 5 stories in height on the **Subject Property**, subject to review and approval as to legal form and contingent upon the following conditions:

CONDITIONS

1. That this variance is based off of plans dated 4/3/2024 with the intent of applying for a building permit with an administrative site plan review.
2. That the **Applicant** shall comply with all Staff comments as noted in ProjectDox.
3. That the **Applicant** shall not expand the building height beyond 5 stories on the **Subject Property** in any way unless in full compliance with City Code.
4. That the **Applicant** shall be responsible for all City costs incurred in administering and enforcing this **Variance**.
5. That this resolution shall be recorded against the property with the Anoka County Recorder’s Office prior to receiving a building permit.

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____, 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 Planning Commission this the 25th day of April, 2024.

Planning Commission Chairperson

ATTEST:

City Clerk

The document drafted by:
The City of Ramsey
7550 Sunwood Dr NW
Ramsey, Minnesota 55303