

Commissioner \_\_\_\_\_ introduced the following resolution and moved for its adoption:

**RESOLUTION #24-040**

**A RESOLUTION APPROVING A VARIANCE TO IMPERVIOUS SURFACING REGULATIONS IN THE RUM RIVER WILD AND SCENIC OVERLAY DISTRICT FOR LIGHTBRIDGE ACADEMY**

**RECITALS**

1. **WHEREAS**, The City of Ramsey received an application from Otto Associates, Engineers & Land Surveyors (the "**Applicant**") requesting a **Variance** to the maximum impervious surfacing regulations on the property legally described as follows:

Lot 1, Block 1, Lightbridge Academy, 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 January 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 2.12 acres in size, which is similar to other commercial properties in the immediate surrounding neighborhood.
4. That the **Subject Property** is zoned B-2, Community Business District.
5. That the parcels to the north and south of the **Subject Property** are also zoned B-2, Community Business District.
6. That the **Subject Property** is guided as Commercial in the 2040 Comprehensive Plan.
7. That a significant portion of the **Subject Property** is located within the Rum River Wild and Scenic Overlay District.
8. That City Code Section 106-950 (**Scenic River Protection Overlay District**) specifies that the maximum total area of all impervious surfaces on each lot within the Rum River Wild and Scenic Overlay District shall not exceed 30 percent.
9. That impervious surface includes all structures, surfaced roads, parking lots, and other impervious areas.
10. That the **Applicant** is proposing impervious surfacing on 52 percent of the lot as a whole.

11. That the **Applicant** is proposing impervious surfacing on 58 percent of the portion of the lot that falls within the Rum River Wild and Scenic Overlay District.

### 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, specifically: That adjacent and nearby properties have been granted Variances to the maximum impervious surfacing requirement in the Rum River Wild and Scenic Overlay District in the City's history, of similar or greater extents to the **Applicant's** proposal.

### 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 impervious surfacing regulation set forth in Section 106-950 to allow up to 52 percent of impervious surfacing on the entire **Subject Property**, and to allow up to 58 percent of impervious surfacing the portion of the **Subject Property** that falls within the Rum River Wild and Scenic Overlay District, subject to review and approval as to legal form and contingent upon the following conditions:

### CONDITIONS

1. That this variance is based off of a conceptual site plan dated 1/9/2024 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 for that conceptual site plan.
3. That the **Permittee** shall not expand the impervious surfacing on the **Subject Property** in any way unless in full compliance with City Code.
4. That the **Permittee** 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 25<sup>th</sup> day of January, 2024.

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Planning Commission Chairperson

**ATTEST:**

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City Clerk

The document drafted by:  
The City of Ramsey  
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Ramsey, Minnesota 55303