

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

**RESOLUTION #24-088**

**A RESOLUTION APPROVING A VARIANCE TO IMPERVIOUS SURFACING REGULATIONS IN THE SCENIC RIVER PROTECTION OVERLAY DISTRICT FOR COMPLETE AUTO SERVICE RAMSEY INC.**

**RECITALS**

1. The City of Ramsey received a Land Use Application from Classic Construction, Inc. (the "**Applicant**") for a Site Plan and Conditional Use Permit related to a proposed new automotive repair shop on the property generally known as 5195 142<sup>nd</sup> Avenue NW and legally described as follows:

Lot 1, Block 1, Rivers Bend Plaza 2<sup>nd</sup> Addition and Outlot G, River's Bend 3<sup>rd</sup>  
Addition, Anoka County, Minnesota

(together, the "**Subject Property**")

2. Through the initial review of the plan set by City Staff, it was determined that a variance to the maximum allowed impervious surface coverage of the Subject Property would be necessary, since the Subject Property is within the Scenic River Protection Overlay District.
3. That the **Applicant** appeared before the Planning Commission for a public hearing pursuant to Section 106-220 (Variances) of the Ramsey City Code on March 28, 2024, and that said public hearing was properly advertised and that the minutes of said public hearing are available.
4. That the **Subject Property** is approximately 1.0 acres in size, which is relatively similar to other commercial properties to the north and south.
5. That the **Subject Property** is zoned B-2 Community Business District.
6. That the parcels to the north, south, and west (across Highway 47) of the **Subject Property** are also zoned B-2 Community Business District, while the parcels to the east (across Xkimo Street) are zoned R-1A and to the southeast (south of 142<sup>nd</sup> Avenue and east of Xkimo Street) are zoned R-3 (High Density Residential).
7. That the **Subject Property** is guided as Commercial in the 2040 Comprehensive Plan.
8. That Motor Vehicle Repair is listed as a Conditional Use per City Code Section 106-521 (Principal Uses).
9. That the **Subject Property** is located within the Scenic River Protection Overlay District.

10. That the Subject Property is approximately 700 feet away from a back channel of the Rum River and approximately 1,000 feet away from the main channel of the Rum River.
11. That City Staff did send the Site Plan and supporting information to the Minnesota Department of Natural Resources (MN DNR) for review and comment on the variance aspect of this request.
12. That City Code Section 106-950 (Scenic River Protection Overlay District) specifies that the maximum total area of all impervious surfaces on a lot shall not exceed thirty percent (30%).
13. That variances to the impervious surface coverage standard have been granted for other commercial parcels in this area, with the most recent variance having been approved in January of this year.
14. That impervious surface includes all structures, surfaced roads, parking lots, and other impervious areas.
15. That the **Applicant** is proposing approximately seventy percent (70%) impervious surface coverage, which does account for a future bituminous trail that would cross the western portion of the Subject Property.
16. That the **Subject Property** is also located within a Drinking Water Supply Management Area (DWSMA) and more specifically, within a ten (10) year capture zone and thus, stormwater infiltration is not permitted.

#### **FINDINGS OF FACT**

1. That the additional impervious surfacing will not impair an adequate supply of light and air to adjacent property.
2. That the additional impervious surfacing will not unreasonably increase the congestion on the public street.
3. That the additional impervious surfacing will not have the effect of allowing any use prohibited in the B-2 Community Business District.
4. That the additional impervious surfacing will not permit a lesser degree of public health, safety, and general welfare protection than established by Chapter 106 of the Ramsey City Code, or permit standards which are lower than those required by state law.
5. That the additional impervious surfacing will not increase the danger of fire or endanger the public safety.

6. That the additional impervious surfacing will not unreasonably diminish or impair established property values within the neighborhood, or in any way be contrary to the intent of Chapter 117 of the Ramsey City Code.
7. That the additional impervious surfacing will 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.
8. That the additional impervious surfacing will not violate the intent and purpose of the Comprehensive Plan.
9. That the Variance will be in accordance with the objectives and 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 106-954 to allow up to seventy percent (70%) impervious surfacing 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 a Site Plan drafted by Plowe Engineering, Inc. and dated March 15, 2024, and which is depicted in **Exhibit 1**.
2. That the **Applicant** shall comply with all Staff comments as noted in ProjectDox for said 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 28<sup>th</sup> day of March, 2024.

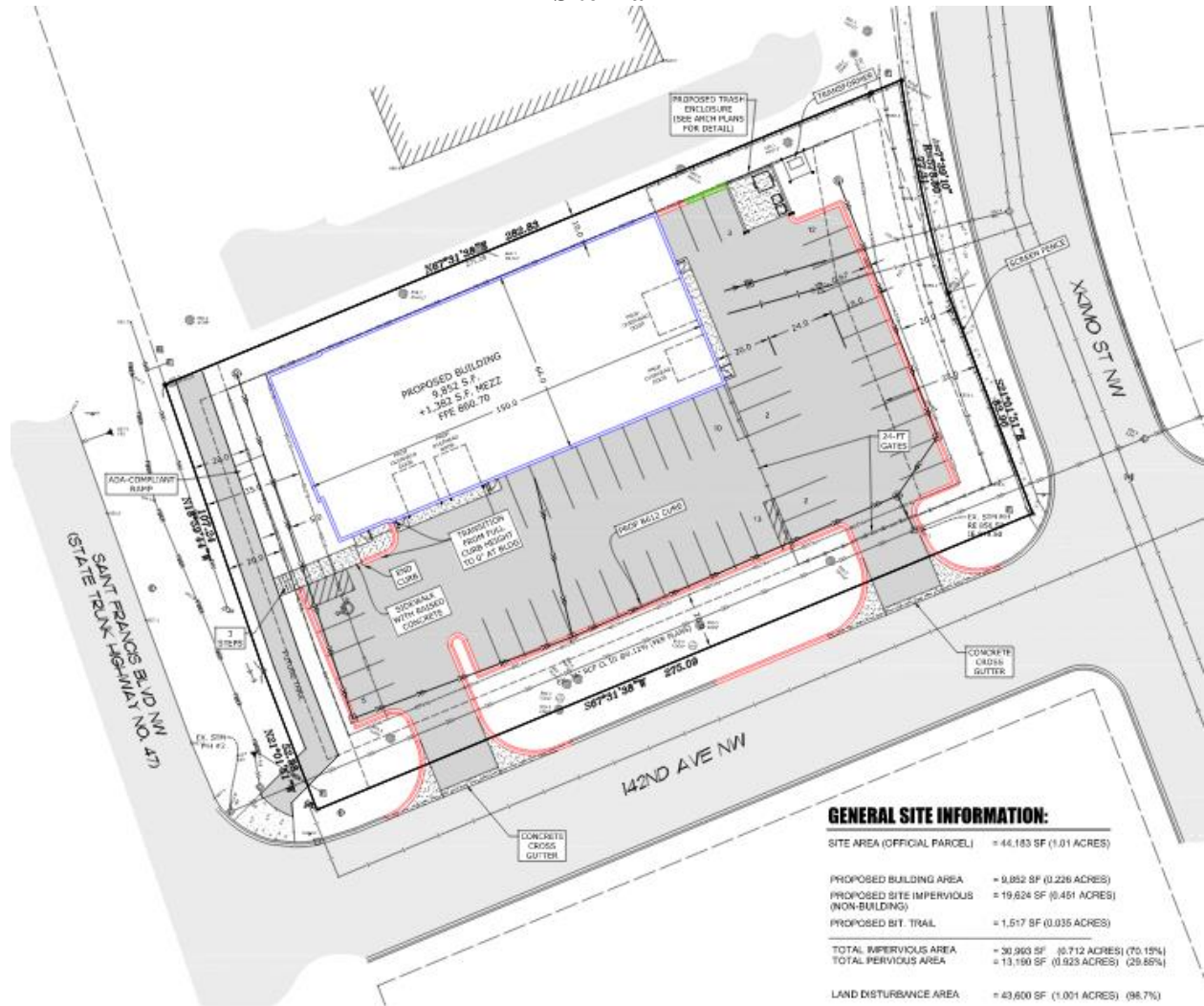
\_\_\_\_\_  
Planning Commission Chairperson

**ATTEST:**

\_\_\_\_\_  
City Clerk

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

# Exhibit 1 Site Plan



**GENERAL SITE INFORMATION:**

SITE AREA (OFFICIAL PARCEL)	= 44,183 SF (1.01 ACRES)
PROPOSED BUILDING AREA	= 9,852 SF (0.226 ACRES)
PROPOSED SITE IMPERVIOUS (NON-BUILDING)	= 19,624 SF (0.451 ACRES)
PROPOSED BIT. TRAIL	= 1,517 SF (0.035 ACRES)
TOTAL IMPERVIOUS AREA	= 30,993 SF (0.712 ACRES) (70.15%)
TOTAL PERVIOUS AREA	= 13,190 SF (0.325 ACRES) (29.85%)
LAND DISTURBANCE AREA	= 43,600 SF (1.001 ACRES) (98.7%)