

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2008-02**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR NATHAN EVAN,
LLC D/B/A BROTHER'S MANUFACTURING**

WHEREAS, Nathan Evan LLC d/b/a Brother's Manufacturing ("Applicant") has submitted an application for a Conditional Use Permit for Manufacturing and Wholesale Business uses at 10900-60th Street North in the City of Grant, Minnesota; and

WHEREAS, the property is legally described as follows:

All that part of the South Two hundred sixty-eight (268) feet of the South Half of the Southeast Quarter (S 1/2 of SE1/4) of section Thirty-five (35), Township Thirty (30), Range Twenty-one (21), Washington County, Minnesota, Lying Easterly of the following described line: Beginning at a point on the South line of said Southeast Quarter (SE1/4) distant Two Thousand one hundred fifty-one and six-tenths (2,151.6) feet East of the Southwest corner of said Southeast Quarter (SE1/4); Thence North at right angles a distance of Two hundred sixty-eight (268) feet, and there terminating. Subject to frontage road on the South and subject to Lake Elmo Road on the East. Containing 3.00 acres, more or less. According to the United States Government Survey thereof.

WHEREAS, the Planning Commission has considered the Applicant's request at a duly noticed Public Hearing which took place on January 14, 2008, and has recommended approval to the City Council; and

WHEREAS, the City Council for the City of Grant has considered the Planning Commission's recommendation at its February 4, 2008, regular City Council meeting;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, that it does hereby approve the request of Nathan Evan LLC for a Conditional Use Permit, based upon the following

findings pursuant to Ordinance 1997-77, Section 505.03 which provides that a Conditional Use Permit may be granted “if the applicant has proven to a reasonable degree of certainty” that specific standards are met. The City Council’s Findings relating to the standards are as follows:

- The proposed use is designated in Section 604 of the Zoning Ordinance as a conditional use in the proposed district;
- The proposed use conforms to the Grant Comprehensive Plan;
- The proposed use will not be detrimental to or endanger the public health, safety or general welfare of the City of Grant, its residents, or the existing neighborhood;
- The proposed use is compatible with the existing neighborhood;
- The proposed use meets conditions or standards adopted by the community through resolutions or other ordinances;
- The proposed use will not create additional requirements for facilities and services at public cost beyond Grant’s normal low density residential and agricultural uses;
- The proposed use will not involve uses, activities, processes, materials, equipment or conditions of operation that will be detrimental to people, property, or the general welfare because of production of traffic, noise, smoke, fumes, glare, odors, or any other nuisances;
- The proposed use will not result in the destruction, loss or damage of natural, scenic or historic features of importance
- The proposed use will not increase flood potential or create additional water runoff onto surrounding properties; and

FURTHER BE IT RESOLVED, that the following conditions of approval of the Conditional Use Permit shall be met:

1. These conditions apply to the entire parcel included in this CUP.
2. The City Engineer shall review the plans, and conditions identified by the Engineer shall be addressed and made a part of the conditions of the Conditional Use Permit.
3. The septic system on the site shall meet all City and County ordinance requirements.
4. All requirements of the Lighting Ordinance shall be met and a detailed Lighting Plan shall be submitted by the applicant.
5. The existing accesses to the property shall be maintained by the owner(s).
6. All relevant conditions and requirements of the existing CUP (except those modified by these conditions) on the property shall be included in the new CUP.

7. Pallets or other similar materials may be stored neatly outside the building in an area designated by the Applicant.
8. Landscaping shall be maintained to present a neat and attractive appearance.
9. The hours of operation for Truck and Shipping Traffic shall be 6:00 AM to 6:00 PM for both buildings. This includes trucks loading and unloading materials on the property and any activity related to that process.
10. Waste pickup vehicles hours of operation shall not be earlier than 7:00 AM nor later than 6:00 PM.
11. The owner shall comply with the noise requirements of the Zoning Ordinance.
12. Handling and disposal of hazardous substances shall meet the requirements of the relevant Building Codes.
13. If needed and installed by the Owner, security of the site shall be via security cameras, non-climbable security fencing and a secured entry/exit gate.
14. The City must receive an executed copy of the final CIC document for the project site.
15. Periodic review of the CUP on a complaint and annual basis is permitted by the City to allow for annual review of compliance with the terms of the CUP. Applicant shall comply with City Ordinances that require Applicant to pay a CUP review fee.
16. All fees must be paid paid.

Adopted by the Grant City Council this 4th day of February, 2008.

Tom Carr, Mayor

State of Minnesota)
) ss.
County of Washington)

I, the undersigned, being the duly qualified and appointed Clerk of the City of Grant, Minnesota do hereby certify that I have carefully compared the foregoing resolution adopted at a meeting of the Grant City Council on February 4, 2008 with the original thereof on file in my office and the same is a full, true and complete transcript thereof.

Witness my hand as such City Clerk and the corporate seal of the City of Grant,
Washington County, Minnesota this _____ day of _____, 2008.

Kim Points
Clerk
City of Grant