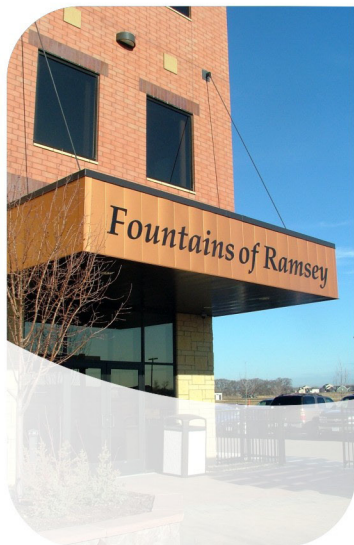
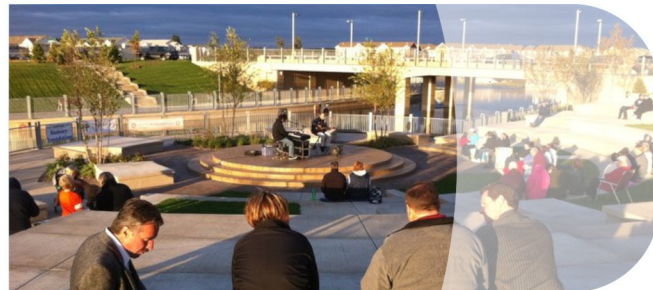


City of Ramsey

Proposal to Provide Professional Planning Services
4-7-11



Proposal by Ben Gozola
763-746-1650
bgozola@mfra.com

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SECTION 1: LETTER OF INTEREST

April 7, 2011

Tim Gladhill
City of Ramsey
7550 Sunwood Drive NW
Ramsey, MN 55303



RE: Proposal to Provide Routine Professional Planning Services

Dear Mr. Gladhill,

MFRA, Inc. sincerely appreciates the opportunity to introduce ourselves and our planning service qualifications to the City of Ramsey. We believe that our past experiences providing general planning and zoning support make us an ideal candidate to help the City achieve its visions and goals.

MFRA is a multi-disciplinary consulting firm that has served the private and public sectors for nearly 50 years. We currently act as the primary City Planner for the cities of North Oaks, Tonka Bay, Aitkin Hampton, St. Mary's Point and Maple Plain; and provide as-needed planning consultation to full-time planning staff in Orono, Monticello and Lake Elmo. We believe that our services cannot be matched in terms of quality and affordability, and we stand apart from our competition in many ways:

- MFRA has three municipal planners with experience working as City Planners. Having past City experience distinguishes us from other consultants who have only worked for private developers and not for a City and its residents. We've stood in your shoes and understand what commissions and Councils are seeking from their staff.
- Our planning staff has years of experience reviewing development applications, building permits, and all other application types.
- Having two landscape architects and an environmental specialist on staff provides our clients with added benefit through comprehensive reviews which take into account possible alternative designs that are more environmentally sensitive and/or visual pleasing.
- We are planners that represent the City's direction for development; not planners that direct cities how to develop.

The City of Ramsey deserves special attention and a strong commitment from the most qualified individuals in the consulting industry. We at MFRA are ready to meet with you and would sincerely appreciate the opportunity to present our qualifications in person. If you have any further questions or concerns, please feel free to contact me at **(763) 476-6010** or email me at **bgozola@mfra.com**.

Sincerely,

Ben Gozola, AICP
Senior Planner

Consultants focused on
service, quality and innovation.

MFRA, Inc. (MFRA) is a professional consulting firm with nearly 50 years of experience serving clients throughout the United States. We offer cities a single source for planning, civil engineering, surveying, and landscape architecture which can ensure your community's goals and visions become a reality.

BACKGROUND:

Since 1966, MFRA has been providing professional consulting services in the public and private sectors throughout Minnesota and beyond. Our more than 40 professionals and support staff are industry leaders in the consulting field, and each can bring you a diverse background of skills and experience to overcome the challenges you face.

The hallmarks of MFRA's success stem from our dedication to professional integrity, strong client advocacy and client satisfaction. We strive to instill an atmosphere of mutual trust with our clients by providing responsive, high-quality service that emphasizes innovation and technical expertise. We will always represent you without conflicts of interest, and will endeavor to address your needs with creative, practical and visionary solutions that do not overlook the important factors of safety, functionality and cost effectiveness. Such an approach gives our communities exactly what they seek: a unique sense of place that is cognizant of economic realities.

MFRA addresses the public's needs--and by extension a City's goals--through a firm grasp of advocacy and public participation techniques. We strive to engage all stakeholders and provide support and assistance to all parties throughout the course of a project. Importantly, we make sure to communicate all of the gathered feedback and facts to the City's decision makers so they can make the best and most educated decisions on behalf of the community.

Professionals by Discipline
Professional Engineers: 13 (39%)
Registered Surveyors: 1 (3%)
Landscape Architects: 2 (6%)
Planners: 3 (9%)
Survey Crews: 6 (18%)
Technical Staff: 8 (24%)

As a consulting city planner for communities large and small, we bring with us a broad spectrum of experiences and knowledge that will be of significant value to the City of Ramsey. Whether we are warning you about issues being faced by a similar community or drawing from successful solutions we've implemented elsewhere, Ramsey will reap the benefits of being part of our family!

WHY MFRA?

The remainder of this proposal supports the following reasons to select MFRA for your planning needs:

- **Extensive background providing the specific services you are seeking**
- **Tailored & economical service**
- **Demonstrated experience in ordinance writing including park dedication ordinances, office park zoning districts, and transitional regulations.**
- **Our planning services approach**
- **Ability to save the City money by utilizing similar efforts as a template in Ramsey**
- **Our strong references**

“Through the hard work and dedication of our employees, MFRA will continue to grow and position itself as the preeminent full-service consulting firm within the Twin Cities over the next five years. We see no reason to doubt this vision given our combined experience and the high-quality work products we produce!”

- Sirish Samba, President, MFRA, Inc.



SECTION 3: PROFESSIONAL STAFF

The key to excellent service is exceptional people. MFRA prides itself on hiring leaders within their field who understand the importance of clear communication and second to none customer service. For each of our prospective clients, we carefully suggest those staff members whom we believe will be a great fit for your needs. We are committed to providing the City of Ramsey with the following team.

Proposed Lead Staff Member

Ben Gozola, AICP

Ben Gozola, AICP, is our firm's primary contact for supplying day-to-day planning assistance for communities just like the City of Ramsey. **Ben has over twelve years of experience in the planning field** and has worked for communities both large and small.

You will find in contacting our references that Ben comes highly recommended for the planning services you are seeking. His experience in a wide variety of city types and political settings allows him to quickly integrate himself into the flow of City business and to begin addressing your needs from day one. The following is a brief overview of what he will bring to your City:

- Outstanding ability to craft ordinances tailored to specific community goals and desired outcomes – rewrote all zoning codes for both New Ulm and Monticello
- Thorough knowledge of comprehensive planning and the relation to city code requirements
- Exceptional in writing and interpreting city codes
- Skilled in developing new processes and procedures for organizations
- Extensive experience reviewing and presenting land use applications to city councils and boards
- Personable and well suited for interacting with residents as a representative for the community
- Excellent communication skills and an understanding of how to involve the public from the beginning of a project
- Detail oriented organizational skills to ensure all applications and/or tasks are reviewed and completed by the anticipated deadline
- Proficient in GIS and cartography for all your mapping needs



Education

Bachelor of Arts in Geography
University of Minnesota,
Duluth, MN (1995)

Professional Associations

The American Institute of Certified
Planners (AICP)

American Planning Association (APA)

Professional Experience

Over 12 years of municipal and
regional planning experience

4 years with MFRA

4 years as City Planner for the City of
Minnetrista

1 year as Zoning Administrator for the
City of Minnetrista

4 years as a transportation planner
with ARDC

City of Robbinsdale Charter Commis-
sion Member

Supplementary Planning Staff

Tom Goodrum, Director of Planning Services

Mr. Goodrum oversees all planning work performed by MFRA, and would assist Ben when necessary to provide the City of Ramsey with the highest degree of service. In the event Ben is unavailable to attend a meeting, Tom would be the City's back up planner. Tom understands the dynamics which exist in a suburban developing community like Ramsey thanks to his experiences in Minnetonka and Shakopee. Additionally, his experiences as a City Planner for Carver County, Independence, Maple Plain, and St. Bonifacius gives him a broad perspective in development types and methodologies.



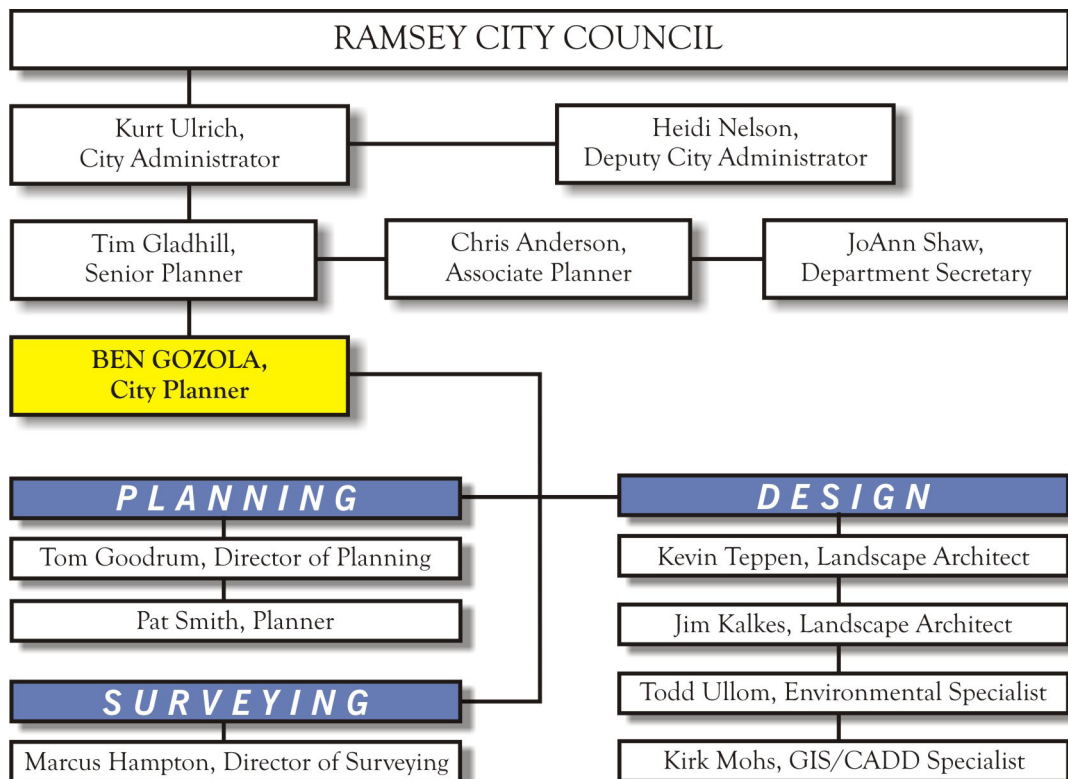
Pat Smith, AICP

Mr. Pat Smith is an accredited planner with over 11 years of municipal planning experience. He would be a secondary backup planner for Ramsey in the unlikely event that Ben or Tom would not be available. His experiences in the suburbs of Richfield and Chaska would benefit any projects in Ramsey, as would his background in historic preservation and economic development.



Organizational Chart

Ben Gozola is proposed to be the City's main contact for all services provided by MFRA and will report directly to Mr. Gladhill. Additional team members available to provide supplementary services as requested are also shown.



SECTION 4: EXPERIENCE

What percentage of the Firm's Business is related to Planning/Zoning?

MFRA is a multi-disciplined small company providing primarily engineering, surveying and planning services to our clients. Within the company, 18% of our professional staff (three planners, two landscape architects and one environmental scientist) focus their talents on planning related issues.

What percent of the Firm's Business comes from Zoning Code and Development Review?

For the planners at our firm, zoning code and development review makes up roughly one half of yearly income. Importantly, the proposed main planner for the City of Ramsey, Ben Gozola, devotes 100% of his time and yearly income specifically focusing on writing ordinances and providing exactly the type of services you seek. He has written entire zoning ordinances for the Cities of New Ulm and Monticello, and assists his other client cities with ordinance updates on an as-needed basis.

Philosophy on Zoning as it Relates to Economic Development

First and foremost, MFRA approaches all ordinance writing with a City's underlying goals in mind. For example, an ordinance we write to regulate hardcover in Orono (a city extremely focused on water quality above all other goals) will be far different than a set of hardcover regulations we'd craft for the City of Monticello (a city striving to be business friendly that does not want to create any unnecessary impediments to their growth). MFRA will work with your local staff to gain a deep understanding of what you want to accomplish, and will provide you with an ordinance tailored to meet your needs. We believe our broad spectrum of experiences is invaluable to meeting our clients goals.

How can Zoning be used to Foster Economic Growth & Residential Development

Easy to read, easy to understand, and easy to comply. Developers all understand there are certain things they will need to do in every community when plying their trade. What can set your community apart though is a straightforward set of regulations and clean process time lines. If a developer knows that $1 + 1$ always = 2 in your community (and there won't be any surprises), you'll already have a leg up on most of your competition.



Client List

MFRA's municipal clients for whom we've provided similar planning services to include:

- Monticello -- full zoning ordinance re-write
- New Ulm -- full zoning ordinance re-write
- Aitkin -- acting city planner
- Lake Elmo -- as-needed services to assist full-time staff
- Orono -- as-needed services to assist full-time staff
- North Oaks -- acting city planner
- St. Paul Park -- as-needed planning services
- Tonka Bay -- acting city planner
- St. Paul Park -- as-needed planning services
- St. Mary's Point -- acting city planner
- Maple Plain -- acting city planner
- Hampton -- acting City planner

References

The following is a brief list of references who can speak directly to MFRA's experience related to Routine Professional Planning Services. We strongly encourage you to contact all of our references as our clients can best inform you of the services you'll receive from MFRA. Additional references can also be provided upon request.

Angela Schumann, Community Development Director, City of Monticello
(763) 271-3224
angela.schumann@ci.monticello.mn.us

Jessica Loftus, City Administrator, City of Orono
(952) 249-4601
jloftus@ci.orono.mn.us

Joseph Kohlmann, City Administrator, City of Tonka Bay
(952) 474-7994
jkohlmann@cityoftonkabay.net

Susan Hoyt, Sector Representative, Metropolitan Council Sector Representative
(former City Administrator in Lake Elmo)
(651) 602-1330
susan.hoyt@metc.state.mn.us

Dean Lotter, City Administrator, City of New Brighton
(former supervisor of Ben Gozola with the City of Minnetrista)
(651) 638-2100
dean.lotter@newbrightonmn.gov



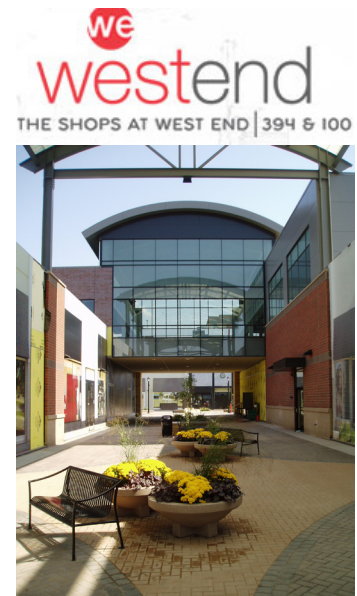
SECTION 5: PLANNING PROJECTS

MFRA understands that the COR development is vital to the economic prosperity of the City of Ramsey. Our planners and engineers have been involved with the design and development of the region's most significant development projects and are familiar with the economic impact that they bring to a community. Our most recent relevant projects are listed here:

REDEVELOPMENT PROJECTS

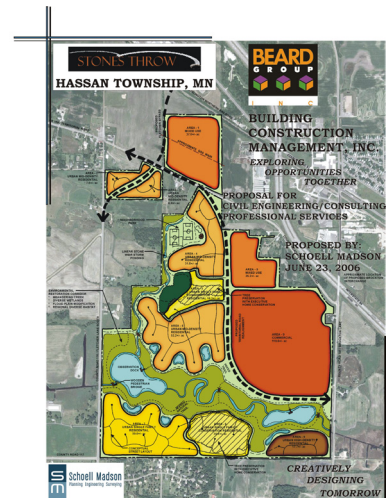
The Shops at West End..... St. Louis Park, MN

MFRA provide the site design and engineering for this class "A" urban office and lifestyle center. The Shops at West End is the first phase of a new regional destination mixed-use retail and office development with 375,000 square feet of retail and 33,000 square feet of office space. Open in late 2010, the upscale project has taken off and is currently leased at approximately 70% in spite of the down economy. MFRA's design for the development included upscale streetscaping, site furnishings, banners, lighting, public art, and gathering spaces which worked in harmony to create a vibrant and attractive setting.



Stones Throw Rogers, MN

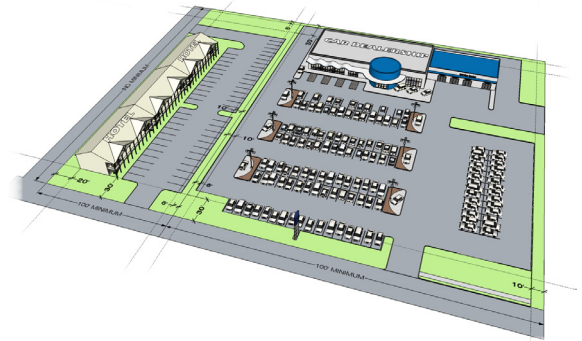
MFRA provide the planning and engineering design for this 619-acre master planned community consisting up to 1,361 units of life-cycle housing plus 183 acres of commercial retail, office, industrial and mixed uses with two hundred acres of public open space and 14 miles of trails. While all parties were excited to see this plan come to fruition, the downturn in the economy coupled with delayed implementation of a new interchange with I-94 has put this project on-hold.



Other Redevelopment Projects:

MFRA was also involved in the following redevelopment projects:

- Arbor Lakes, Maple Grove, MN
- Excelsior & Grand, St. Louis Park, MN
- Red Rock Territory, Woodbury, MN
- Tamarack Hills, Woodbury, MN

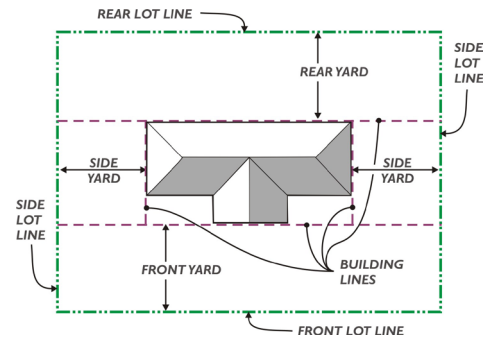


ZONING CODE UPDATE PROJECTS

City of Monticello Zoning Code

MFRA led an 18 month effort to fully revise and rewrite the City of Monticello's zoning ordinance which included multiple avenues for public input including:

- A Kick-Off Open House Meeting
- Twelve (12+) Steering Committee Meetings
- IEDC Meetings (4 meetings/2 agenda items)
- Chamber of Commerce Meetings (2)
- Usage of an Email Distribution List
- One-on-one meetings with residents
- Direct email responses to those with questions
- Newsletter & Website Updates
- Concluding Comments Open House
- and a Joint Planning/Council workshop



The end result of the process was a new code that encapsulated the community's vision outlined in their comprehensive plan, addressed old code deficiencies and inaccuracies, and is easy to read and user friendly thanks to the use of graphics, tables, and other communication tools. Additionally, the final document was formatted in a web-friendly manner so as to allow for easy use on the City's website. We strongly encourage you to view the final results on the City's website (www.ci.monticello.mn.us).



City of New Ulm Zoning Code

MFRA completed a similar zoning code update project for the City of New Ulm but utilizing a different process. In this effort, MFRA was simply asked to draft a new draft ordinance that the City would then use/rework utilizing in-house staff. Local work on this project is still on-going as of the writing of this proposal, so final results cannot yet be viewed.



DOWNTOWN REVITALIZATION PROJECTS

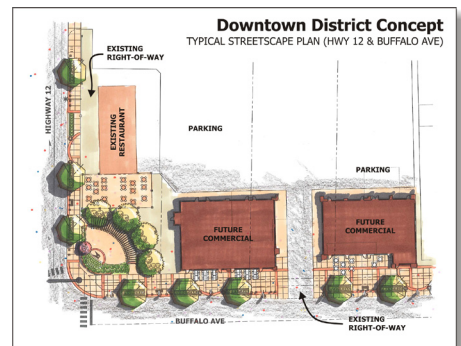
Downtown Master Plan.....Maple Plain, MN

As the City's planning consultant, MFRA along with a City task force created three distinct plans for revitalization of the City's Downtown and Gateway districts. The plans included design guidelines and new zoning standards for each area which invited redevelopment. Since its adoption, the plan has led to the establishment of a new park-and-ride from metro transit that was initially proposed to be located outside of town, a proposed redevelopment of a city block for a mixed-use project which includes a new City Hall, and has invited new businesses such as ACE Hardware to locate within the City. Like Ramsey, Maple Plain needed new zoning regulations to govern a new Office Park designation in their comprehensive plan, so this effort also addressed that need.



Highway Corridor Plan.....Montrose, MN

The City of Montrose hired MFRA to prepare a downtown and highway corridor plan to proactively address a planned MnDOT project through their community. The planners at MFRA worked with a City task force in capturing their vision and devising plans to make that vision a reality. Since the plans adoption, the City has begun to implement the suggested improvements starting with pedestrian friendly street reconfigurations and the installation of municipal banners. Local business leaders have also embraced the plan and are actively implementing the proposed design elements as part of their private growth initiatives.



Eau Claire Central Area Plan.....Eau Claire, WI

MFRA lead an effort in the City of Eau Claire to prepare a master plan for the city's educational and medical districts with a focus on developing a sense-of-place and acceptance by a diverse group of land owners. The plan assessed the current conditions and major planning issues facing the area including the existing land use patterns, automobile circulation issues, alternative transportation options, natural features, the pattern of property ownership, adopted development plans and city zoning regulations. The end product was widely accepted by the community as it addressed the needs of a diverse range of interests and represented a win-win for all parties involved.



MFRA's top priority is client satisfaction. More than half of our yearly workload is derived from repeat clients who appreciate our commitment to timely service and quality products. If selected to provide you with services, the city will have one main contact at our company who would be responsible for your satisfaction and through whom all communication would go. This approach ensures clear communication between both parties, and delineates who at MFRA will be responsible for your satisfaction. Our employees thrive in this environment, and we are anxious to put our team to work for you.

Approach to General Planning Services.

MFRA's approach to providing planning services is to serve the community as a member of the City staff and not be simply an outside resource. In general, the following items exemplify the approach and/or services we provide to our municipal clients.

- Be knowledgeable of the requirements of the City's comprehensive plan, zoning ordinances, subdivision regulations and other codes and policies.
- Lead efforts to identify short and long-range planning/economic goals, and establish plans to bring such goals to fruition.
- Be available to meet with potential applicants to explain the City review process, provide feedback on proposed plans, and to do whatever is necessary to ensure the land use process is user friendly.
- Provide thorough reviews of land use applications by analyzing requests in relation to City codes, and to do so in a timely manner which allows the applicable commissions and the City Council ample time to consider the facts surrounding a case well before the night of a meeting.
- Conduct special project research as directed by City Staff.



SECTION 6: PROCESS AND SERVICES



- Track and manage all land use applications to ensure the City is always in compliance with state mandated deadlines for application review. This includes the coordination of reviews by internal staff, other consultants and outside governmental agencies.
- Attend meetings as directed by the City to present our reports and recommendations.
- Be available to knowledgeably answer questions that arise during the review.
- Attend staff meetings as requested to provide a planning perspective on current issues and to receive direction on needed services.



- Write or amend City codes as needed to implement necessary regulations to ensure the City continues to build towards its vision.
- Manage code enforcement activities by conducting investigations as directed, tracking complaints from beginning to end, and rectifying identified non conformities through an orderly and consistent process.
- Provide administrative support to Commissions and Councils, and recommend new policies or procedures to proactively address future concerns.
- Represent the City in a friendly, respectful, and efficient manner; and make reasonable estimates on the cost of requested services.



- Provide detailed maps and graphics as needed utilizing our Geographical Information System (GIS) and other professional graphics software.
- Maintain detailed records of projects and service time to ensure that costs and fees are accurately assessed.

“

I have been very pleased with MFRA's planning services for the City of Tonka Bay. [MFRA has] consistently provided the City with excellent work while navigating through the intricate planning issues that Lake Minnetonka cities consistently face.

- Joseph Kohlmann
City Administrator,
City of Tonka Bay

”

Distribution of Work

MFRA's is comfortable doing as-much or as-little of a project depending upon the City's needs. With some of our clients, MFRA is asked to complete projects from stem to stern; with others, we may only provide graphical assistance. Whatever the task, MFRA will be there to help. Unless we are asked to do work outside of our expertise (and we have received authorization from the City), we will not sub-contract any work requested of us.

The above holds true with regards to the specific ordinance updates outlined in the RFP. In our experience, a code update process using a steering committee made up of commission members and council members is an excellent way to tackle goals the public has already established in the comprehensive plan. That said, "process" is not a one-size-fits-all endeavour. MFRA will work with local staff to identify not just the problems to be solved, but also the outside challenges that need to be considered. Is there a deadline to complete the update? Is the issue publicly contentious thereby requiring significant public involvement, feedback and input? Are there special groups that need to be directly consulted to ensure all voices are heard?



Public Participation

People are very busy in today's world, so convincing them to participate in a planning process can be difficult. MFRA therefore recommends certain principles be followed:

- **Make it Personal:** Tell them how the outcome may affect their lives or property.
- **Make it Significant:** Tell them how the process may have great impact on their community.
- **Make it Easy and Fun:** Provide various ways to participate. Overcome any literacy barriers. Encourage individual expression without criticism. Make it hands-on.

Again, in working with your City staff, we will identify the specific public involvement procedures that will ensure a successful outcome on a project-by-project basis. Options we have found to be successful include:

Newsletters: Newsletters could be mailed to every address in the city and include summaries, schedules and contact names.

Post Cards: Post cards could be used to announce meetings and lead people to the project Website.



SECTION 6: PROCESS AND SERVICES

Mobile Display: A display of project graphics with “word boards” could be set up in libraries, City Hall, Chamber of Commerce office, banks, etc.

Website: A page can easily be established on the Website of the City of the consultant, or an individual site can be created.

Radio Call-In Show: City staff and consultant could participate in a local radio talk and call-in show.

Cable Television Show: City staff and the consultant could be video taped while discussing the draft plan with project graphic boards. The local cable TV provider will gladly produce and distribute the thirty minute program.

Televised Meetings: Meetings of the advisory committee could be video taped by the local cable television franchisee.

Newspaper Articles: Newspapers are often hungry for local content. Build a relationship with a reporter and help him or her find ways to find human-interest angles for the story. In Green Bay, the local paper won a National APA award for their coverage of the comprehensive plan.

Newspaper Editorial Support: Seek editorial support for the draft plan by involving the editor and reporter throughout the process.

“Open House” Presentations: Provide opportunities for people to casually learn about the plan and provide comments at convenient times through City staff and consultants.

Citizens Advisory Committee: The most effective single method of receiving public opinion. Representatives of various local “groups” can be involved from beginning to end, thus building understanding of the intricacies of the issues. They serve as liaisons to their constituencies.

Product(s) to be Delivered

MFRA will complete all draft ordinances in a style and format consistent with the City’s current practices. We are very experienced in notice requirements for public hearings and can assist with all administrative steps as needed. Additionally, we have in-house expertise to take care of any graphics needs (CADD, GIS, Sketch-up, Photoshop, etc). In choosing MFRA to provide planning services, the City will receive exactly what it is looking for on a project-by-project basis.



Schedule of Work

MFRA would strongly recommend the City focus its energies during this process to find the consulting group your staff is most comfortable working with and that you believe will best represent the City. We believe our proposal clearly demonstrates our strong qualifications, and we know our references will confirm that MFRA is an ideal choice. Furthermore, it is our belief that telling the City what you should specifically do prior to having all of the facts and input from your staff and local officials is contrary to MFRA's way of doing business.

In updating the City code to be compliant with the comprehensive plan, there will be some tasks that can likely be accomplished in a quick time frame (i.e. application submittal requirements review) while other implementation issues may require a more lengthy process (i.e. park dedication process updates). Once selected as your consultant, MFRA will sit down with city staff and local officials to develop a schedule that meets any state mandated deadlines for comprehensive plan implementation, and prioritizes the remaining issues (residential architectural standards, creation of an office park zoning district, other district updates, etc) as the City sees fit.

Importantly, MFRA already has experience completing the specific work you are seeking. In the City of Maple Plain, we assisted with Comp Plan implementation efforts which included the creation of a new office park zoning district, creation of architectural guidelines for redevelopment areas, and reworked the City's park dedication ordinance.

Because you are seeking a consultant to provide services on an hourly basis, we will work closely with your staff to understand your budgetary constraints and assist in prioritizing how the limited dollars available can best be spent given all identified needs. Based on our past experiences, we find that the final process to be used will have a major impact on how drawn out the update process becomes. The following are estimated time frames for updates using different methodologies:

| <u>TASK</u> | <u>LANGUAGE DRAFT ONLY</u> | <u>USE OF TASK FORCE</u> |
|---|----------------------------|--------------------------|
| Compliance with the 2030 Comp Plan | 3 to 5 weeks..... | 2 to 4 months |
| Residential Architectural Standards | 6 to 8 weeks..... | 3 to 5 months |
| Office Park Zoning District..... | 2 to 4 weeks..... | 2 to 4 months |
| Revisions to existing zoning districts..... | 2 weeks per section | 1 to 4 months |
| Form based codes | 6 to 8 weeks..... | 3 to 5 months |
| Sign Ordinance..... | 2 to 4 weeks..... | 2 to 4 months |



Standard Review Process

MFRA has assisted many communities with updating their internal procedures to ensure the community can always adhere to Minnesota Statute 15.99. The following pages depict a process checklist we've used in other communities.

Lake Elmo City Process Handbook

Last Updated 11.1.07

Chapter 1: Processing New Land Use Applications (in general)

Each month, the city may receive new land use applications which require review by the Planning Commission and City Council. The date applications are submitted will dictate the resulting review timeline as staff must ensure the City Council is provided with adequate time to make a decision. Regardless of the type of application, the following procedure should be followed to ensure the application is complete and is sent to the appropriate commenting agencies.

- STEP 1: Administrative staff will take in and date stamp all new land use applications and associated materials when submitted by an applicant. Of greatest importance at this time is to ensure the required fee was paid and the application is signed. Each application must be placed in a file, and then be provided directly to the Planner for processing. The transfer of the file to the Planner should occur on the same business day the application was submitted (and no later than the next business day if circumstances dictate such).
- STEP 2: The Planner will assign the file(s) a unique land use number to indicate the year and order in which the application was received (i.e. 2007-11 would indicate the eleventh application received in the year 2007). All applications shall be given such a unique number (using subdivision as an example; the phases of concept plan, preliminary plat, and final plat would each have their own separate file even though all focus on the same issue). The Planner shall log each new application into a tracking spreadsheet stored in the folder {S:/Land Use} on the City's server. It is critical that all information is entered at this time (application date, review expiration date, etc.)
- STEP 3: The Planner shall review the provided information, and make a determination on whether the application is complete according to the City's submittal requirements outlined in code. Note that state statute currently gives the City 15 business days to complete this application review to determine whether it is complete.
 - If an application is incomplete, the Planner shall send a letter to the applicant explaining what information was missing, and provide instructions on how to "complete" the application so that it may be reviewed ([Appendix A](#)). The Senior Planner shall be copied on all such letters. Sending of an "incomplete" letter will end all review on the submitted application, and will close the applicable file. One copy of all submitted materials along with the City's "incomplete" letter should remain in the file. All other paperwork can be set aside for pick up by the applicant by a specified time. If the paperwork is not picked up, it should be recycled. Note that any future resubmission will require a new land use application, and will receive a new unique file number.¹ <END REVIEW>

¹ Closing out incomplete files and requiring a new application with resubmittals will ensure the City adequately documents the beginning and end dates of all applications, thereby ensuring adherence to MN State Statute 15.99.

- If an application is deemed complete, the Assistant Planner shall continue to Step 4.
- STEP 4: The Planner will begin by placing all items on the appropriate future agenda(s). This will differ based on the type of application submitted.
- Most land use items will need to be placed on both a Planning Commission and City Council agenda. Begin by placing the item on the Planning Commission agenda for the fourth Monday of the following month (which should be approximately 30 days out).
 - Next, the item is to be placed on the next available City Council agenda (the first Monday of the following month).
 - If the application is for... (will be updated to include only those items which go to council) only City Council review will be necessary. As such, the item should be placed on the first available agenda only once the item is ready for presentation. Planning staff will track such items on the land use spreadsheet administered by the Planner.
- STEP 5: The Planner must then ensure that all required public hearings are properly noticed. Begin by placing all items which require a public hearing on a notice to be published in the paper of record ([Appendix B](#)). Once prepared, the Planner should email the notice to the paper for publication (be sure the notice is provided three weeks prior to the Monday of the scheduled Planning Commission meeting in order to meet the 10 day notification requirement²). Then you must prepare two forms of public hearing notices for each application: one to send to surrounding neighbors ([Appendix C](#)), and one to send directly to the applicant (see [Appendix D](#)). Once prepared, provide all notices to administrative staff for mailing. Be sure to clearly communicate the date by which the notices MUST be sent³.
- STEP 6: The application(s) then need to be organized and relevant information sent to interested agencies for comment. Fill out a review request sheet ([Appendix E](#)) by identifying the new applications and agencies to which the information is to be sent⁴. Then go through each application and identify which information other agencies may want to review (the consultant planner, legal council, and consultant engineer should receive copies of all submitted information). Provide the review request sheet and identified information for each application to the administrative staff for mailing.

² The publication deadline at the _____ is _____ p.m. every _____.

³ All materials must be sent to the appropriate parties a minimum of ten days prior to the public hearing. **It is always recommended to complete the mailings as soon as possible to avoid missing a time deadline.**

⁴ If you are unsure of whether an agency will be interested in a given item, be sure to send them the information; better to go the additional mile than regret not having provided the information.



SECTION 7: TIMING

- STEP 7: The lead planner on the application is now responsible for preparing the staff report(s) for the applicable meeting(s).
- STEP 8: Once the City Council takes action on the application, the lead planner on the application shall prepare any applicable resolutions approving the request. It is recommended to have the City Attorney draft all resolutions of denial as these are the documents most likely to be scrutinized in court if a lawsuit ensues. The resolution should then be placed on the consent agenda for the following City Council meeting. Once the resolution has been approved by the Council, Administrative staff shall mail one copy to the applicant(s), and file one copy in the appropriate land use file. Administrative staff should take this opportunity to organize the materials in the file for future reference (i.e. removing duplicate pieces of information, putting items in a consistent order with other land use applications, etc).
- STEP 9: As a final step, the Planner shall update the land use tracking spreadsheet to indicate whether an application was approved or denied, and to signify the application is no longer active. <END REVIEW>

MFRA can easily amend this and other “planning department handbook” items we’ve previously created. Doing so will not only address the City’s review issues, but also conserve your limited planning dollars as we will not be recreating the wheel,

MFRA is open to negotiating a compensation schedule that works for both parties, and we offer the following proposal for your consideration. Please note that we understand the budgetary concerns that currently exist for all cities and therefore offer the City of Ramsey the minimum hourly rate for our planners and the elimination of some reimbursable costs typically included in consulting services.

MFRA proposes to be compensated at an hourly rate for services provided. If the City would like us to complete a specialty study (e.g. a park study or a neighborhood redevelopment plan), that can either be completed at our agreed upon hourly rate or be subject to a separate negotiated contract per the City's preference. For the City of Ramsey, we are proposing the following fees for our planners:

- **Ben Gozola, Proposed consulting planner for the City of Ramsey – \$110/hour**
- Tom Goodrum, Backup Planner – \$135/hour
- Pat Smith, Planner / Secondary Back-up – \$70/hour

We believe these rates for our planners will meet the City's goal of securing a professional planner at the best possible price. Please know that we are open to locking in these rates and/or exploring alternative compensation rates provided both parties can agree to a win-win compensation schedule.



Planning Commission And City Council Meetings

MFRA proposes to cap hourly fees for Planning Commission or City Council meetings at four (4) hours for any commission or council meeting we are asked to attend (this price is INCLUSIVE of travel time).

Mileage

Mileage will be charged to the City at the standard rate adopted by the State of Minnesota yearly.

Reimbursable Expenses

MFRA will not invoice the City for the following expenses:

- Invoicing (accounting time)
- Copies (unless budgeted as part of a specialized project)
- Faxes
- Mailings

Fee Schedule

All services not specifically discounted by this proposal will be billed using the 2011 MFRA Fee Schedule shown on the following page.

Sample Invoice

A sample MFRA invoice is provided herein. We believe the level of detail we provide when documenting our time is a great asset to our client communities as they allow a municipality to recoup its costs in a fair and transparent manner.

“ [MFRA] has been extremely helpful assisting the City through numerous planning issues including a city-wide rezoning effort and adoption of an updated Zoning Ordinance. [Ben Gozola] is very professional and has displayed excellent communication skills when dealing with controversial or complicated issues, both with the Planning Commission and with the public.

- Kathy Brophy
City Clerk,
City of Aitkin

”

MFRA, Inc.
Hourly Fee Schedule **
(Effective 01/01/2011)

The hourly charges are in the following ranges, depending on the associates involved:

| | |
|--|-------------------------|
| Principal Engineer/Land Surveyor/Planner | \$ 135.00 - 151.00/Hour |
| Registered Engineer/Land Surveyor | \$ 100.00 - 140.00/Hour |
| Supervisory and Senior Technician | \$ 95.00 - 125.00/Hour |
| Certified Planner | \$ 95.00 - 125.00/Hour |
| Landscape Architect | \$ 100.00 - 126.00/Hour |
| Engineer | \$ 90.00 - 95.00/Hour |
| Soil Scientist | \$ 105.00 - 112.00/Hour |
| CADD/Technician | \$ 85.00 - 95.00/Hour |
| Construction Technician | \$ 95.00 - 100.00/Hour |
| Survey Technician/Surveyor (Crew Chief) | \$ 99.00 - 103.00/Hour |
| GPS-GEOXH Crew | \$ 126.00/Hour |
| Survey Crew | \$ 125.00 - 200.00/Hour |
| Clerical | \$ 62.00 - 77.00/Hour |

** Subject to annual adjustment.

S:\MAINFILE\MFRA\Hourly Rates\Hourly Fees -2011.DOC





Sample Invoice

Invoice

Invoice Number: 66445
February 01, 2010

To: City of XXXXXXXX
Attention: XXXXXXXX
4901 Address
XXXXXX, MN XXXXXX

Project: 16907 General Planning Services

Project Manager: Benjamin Gozola
Professional Services thru: 1/31/2010
Billing Group: 001

Hours worked, charge rate, and final billing per item is clearly denoted

Professional Services

Each entry clearly denotes the project that was completed

**Project Administration
Senior Planner**

70 WEST PT PL (1-4-09)
-- discussing upcoming meeting with Jeff , identifying alternative engineer if needed
-- reviewing MCWD delineation with Jeff

Senior Planner

70 WEST POINT PLACE (1-5-09)
-- organizing new information received to date
-- email to Rose regarding updated narrative
-- communication with City on latest submittals from both sides
-- conversation with Jim on legal concerns
-- revisions to the report
-- emails from Rose and Charles
-- email response to Charles regarding table request

Senior Planner

70 WEST POINT PLACE (1-6-09)
-- conversation with Charles regarding request to table
-- conversation with Jim on options
-- draft email and letter penned for attorney review
-- email to Charles describing options
-- final email to City staff on application withdrawal

Senior Planner

165 LAKEVIEW (1-6-10)
-- conversation with the City Attorney regarding applicant's procedural complaint
-- email to Jessica requesting she send an email to the applicant
-- beginning initial review of application

| <i>Bill Hours</i> | <i>Rate</i> | <i>Charge</i> |
|-------------------|-------------|---------------|
| 0.25 | 105.00 | 26.25 |
| 2.50 | 105.00 | 262.50 |
| 1.50 | 105.00 | 157.50 |
| 1.50 | 105.00 | 157.50 |

Detailed notes on how the time was used are also provided

An Equal Opportunity Employer

TERMS: Due on



MFRA, Inc
Project: 16907

Monday, February 01, 2010
Invoice: 66445

Invoice date is shown at the top of each page

Professional Services

| | <u>Bill Hours</u> | <u>Rate</u> | <u>Charge</u> |
|---|-------------------|-------------|---------------|
| Senior Planner 165 LAKEVIEW (1-6-10) -- full code review of application -- notations for quick discussion with the City Attorney | 2.00 | 105.00 | 210.00 |
| Senior Planner 165 Lakeview (1-8-09) -- conversation with Jim on my findings -- discussion with Jeff on engineering concerns -- phone conversation with Steve regarding problems and needed plan changes | 1.75 | 105.00 | 183.75 |
| Senior Planner 165 Lakeview (1-12-10) -- VM from applicant on new plan sets -- drafting report for DRC review -- DRC meeting -- travel | 6.25 | 105.00 | 656.25 |
| Senior Planner 165 LAKEVIEW (1-13-10) -- call to Scott regarding application review and meeting date | 0.13 | 105.00 | 13.65 |
| Senior Planner 165 LAKEVIEW AVE (1-20-10) -- public hearing notice creation -- report update (still need engineering comments) | 0.50 | 105.00 | 52.50 |
| Senior Planner 165 LAKEVIEW (1-25-10) -- 60 day review extension letters -- completing report for delivery to city -- executive summary creation -- area map creation | 2.00 | 105.00 | 210.00 |
| Senior Planner 165 LAKEVIEW (1-26-10) -- completing area map -- delivering packet materials to City Hall for review -- sending materials to DNR and MCWD for review | 0.50 | 105.00 | 52.50 |
| Senior Planner 165 LAKEVIEW (1-27-10) -- call from mortgage company regarding 60-day extension -- review of application/discovery of two addresses -- informing attorney of ownership/application issue; decision to send out letter to applicant as well -- preparation of applicant extension letter / sending | 0.50 | 105.00 | 52.50 |

Reimbursables are clearly denoted and organized

Professional Services Totals: \$2,034.90⁽¹⁾

Reimbursables

| | <u>Date</u> | <u>Bill Units</u> | <u>Unit Bill Rate</u> | <u>Charge</u> |
|------------------------------|-------------|-------------------|-----------------------|----------------|
| Mileage | 1/12/2010 | 30.00 | 0.50 | 15.00 |
| Mileage | 1/21/2010 | 30.00 | 0.50 | 15.00 |
| Reimbursables Totals: | | | | \$30.00 |

Project Totals:

***** Total Project Invoice Amount: \$2,064.90**

The final total due is clearly shown as the final invoice item

14800 28th Avenue N - Suite 140 ~ Plymouth, Minnesota ~ 55447
phone 763/476-6010 ~ fax 763/476-8532 ~ e-mail: mfra@mfra.com
TERMS: Due on receipt. Past due accounts subject to finance charge of 1% per month (12% APR).

An Equal Opportunity Employer

SECTION 9: ADDITIONAL INFORMATION

Avoiding Conflicts of Interest

If hired as your consultant, MFRA will represent Ramsey without conflicts. While we do represent private clients who develop land throughout the state, we will refrain from taking any new planning or engineering work in the City to avoid even the appearance of a conflict of interest while we act as representatives for the City. We also pledge to disclose to the City if an application includes a client that we had served in the past, and will recuse ourselves when requested to do so by the City.

At this time, MFRA is working with OPUS on a potential project at St. Thomas Academy. We do not anticipate this to cause a conflict, but will recuse ourselves if/when the project moves forward, and can offer suggested secondary service providers if needed.

Sample Report

On the following pages, we have provided a sample report prepared by Ben Gozola for the City of Tonka Bay. We believe this report exemplifies the thorough reviews done by MFRA. Please note that all code criteria for approving the specific application type(s) are listed along with staff's recommendations as to whether or not the requirement has been met. Full findings are provided at the end of the report as are recommended Council options.

City of Tonka Bay Planning Department
Variance & Conditional Use Permit Report

To: **City Council**
From: Ben Gozola, City Planner
Meeting Date: **11-11-08**
Applicant: **James & Catherine Gray**
Owner: Same
Location: **115 Clay Cliffe Drive**
Zoning: **R1-A**

Introductory Information

Proposed Project: The applicant is seeking to build a “lanai” [lah-nah-ee, luh-nahy] on the northeast side of the home. “Lanai” is a Hawaiian term for porch or veranda. The proposed structure will essentially be a roofed porch that will include retractable screens (please see the attached exhibit for a rendering of the lanai).

Variance Request(s): The proposed lanai will require an 18-foot variance from the required 50-foot lakeshore setback from Lake Minnetonka.

CUP Request(s): The proposed changes will require approval of a Shoreland Impact Plan CUP for total hardcover in the amount of 41.08%.

Applicable Codes: **Section 1017.06. Lot Area and Setback Requirements.** Requires that all principal structures in the R1-A zoning district be at least 50 feet from the front property line (the lakeshore), and at least 8 feet from all side lot lines.

1070.09 Minimum Setback Requirement. Requires that all principal structures in the shoreland district be at least 50 feet from the ordinary high water mark.

Section 1070.11 Impervious Surface Coverage. Requires that a shoreland impact plan and conditional use permit be obtained if the proposed impervious surface on a lot is proposed to be between 35% and 45%.



SECTION 9: ADDITIONAL INFORMATION

Variance: 115 Clay Cliffe Drive
City Council Report; 11-11-08

Findings

| | |
|----------------------------|--|
| Site Data: | Lot Size – 24,630 square feet Existing Use – Residential Existing Zoning – R1-A Property Identification Number: 28-117-23-21-0009 |
| Building Height: | <ul style="list-style-type: none">▪ The proposed lanai will not exceed the allowable height in the R1-A zoning district. |
| Flood Plain Buffer: | <ul style="list-style-type: none">▪ The elevations within 15’ of the proposed lanai are all conforming to the required floodplain buffer elevation. |
| Floor Area Ratio: | <ul style="list-style-type: none">▪ The proposed structure will essentially be a porch / entryway with a roof that includes retractable screens, and will be open to the elements throughout the year. An exterior door will be used to separate the lanai from the remainder of the home. These features lead us to conclude the proposed structure is not part of the floor area of the home and therefore the addition would have no bearing on the existing FAR for this lot. <p>If Council disagrees with staff’s interpretation of the lanai and finds that it should be included in the calculation, there is still no problem as the FAR. Including the lanai square footage as part of the floor area would increase the FAR from 24.1% to 25.0% according to calculations provided by the applicant.</p> |
| Hardcover Analysis: | <ul style="list-style-type: none">▪ The existing impervious surface on the property covers 10,393 square feet (or 42.2% of the lot).▪ The proposed impervious surface coverage following construction of the lanai will be 10,118 (or 41.08% of the lot). Note that the applicants are proposing to remove significant areas of stone walkway to ensure that even though a covered porch is being built, the overall hardcover will still be going down as part of this project.▪ In accordance with section 1070.11 of City Code, a proposal that creates impervious surface totals between 36% and 45% requires approval of a shoreland impact plan and a conditional use permit by the City Council. Reviews of both requests are included herein. |

Application Review:

| | |
|-------------------------------------|--|
| Applicable Code Definitions: | Building. Any structure built for the support, shelter or enclosure of persons, animals, chattel or movable property of any kind, and includes any structure. |
|-------------------------------------|--|

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Page 2

Variance: 115 Clay Cliffe Drive
City Council Report; 11-11-08

(cont.)

Building Setback. The minimum horizontal distance between the building and the lot line.

Conditional Use. Those occupations, vocations, skills, arts, businesses, professions, or uses and/or related building/structures, or improvements specifically designated in each zoning use district or by this Ordinance, which for the respective conduct or performance may require reasonable, but special, peculiar, unusual or extraordinary limitations, facilities, plans, structures, conditions, modification, or regulations for the promotion or preservation of the general public welfare, health, convenience and the integrity of the City Comprehensive Municipal Plan and this Ordinance.

Deck. A horizontal, unenclosed platform with or without attached railings, seats, trellises, or other features, attached or functionally related to a principal use or site.

Floor Area, Gross. The sum of the gross horizontal areas of all floors of the building or portion thereof devoted to a particular use, including accessory storage areas located within selling or working space such as activities, to the production or processing of goods, or to business or professional offices. However, the floor area shall not include basement or cellar floor area other than area devoted to retailing activities, the production or processing of goods, or to business or professional offices. The floor area of a residence shall not include the cellar area.

Floor Area Ratio (FAR). The floor area of a building or buildings on any lot divided by the area of such lot, or in the case of planned developments by the net site area. The floor area ratio requirements, as set forth under each zoning district, shall determine the maximum floor area allowable for a building or buildings (total floor area of both principal and accessory buildings) in direct ratio to the gross area of the zoning lot.

Impervious Surface. Any structure or surface which interferes to any degree with the direct absorption of water into the ground, including but not limited to, roofs, sidewalks, paved driveways and parking areas, patios, tennis courts, swimming pools, or any other similar surface.

Lot, Frontage. The front of a lot shall be, for purposes of complying with this Ordinance, that boundary abutting a public right-of-way. For lots abutting on two streets, the front shall be the boundary with the shortest length. For lakeshore lots, the boundary abutting the lakeshore shall be considered the front.

Setback. The minimum horizontal distance between a building and street or lot line. Distances are to be measured from the most outwardly extended portion of the structure at ground level.

SECTION 9: ADDITIONAL INFORMATION

Variance: 115 Clay Cliffe Drive
City Council Report; 11-11-08

(cont.)

Variance. A variance is a relaxation of the terms of the Zoning Ordinance where such deviation will not be contrary to the public interest and where, owing to conditions unique to the individual property under consideration and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship.

**Variance
Criteria:**

By state statute, there are three definitive criteria that all variances must address. The three criteria are as follows, along with staff's analysis of the applicant's request.

A. *Is the variance request reasonable? The hardship requirement does not mean that a property owner must show the land cannot be put to any reasonable use without the variance. Rather, the property owners must show that they would like to use their property in a reasonable manner that is prohibited by the ordinance.*

Staff Comments: Staff finds this request is reasonable as the proposed lanai is conforming to all setbacks specific to the lot lines defining this lot; most notably it meets the two eight (8) foot setback requirements from the northwestern and northeastern property lines. The nonconformity relates to the required OHW setback from the lakeshore *on the adjacent lot*. This lakeshore setback cuts into the otherwise buildable area on the northeastern side of the home, making it difficult to locate a porch off the back of the home. **Staff finds this criteria is met.**

B. *Does the application present unique circumstances?*

Staff Comments: The lot in question presents a unique circumstance in that it must comply with an additional setback not related to the lot lines defining this lot. This additional setback limits the landowners ability to construct a porch off the rear of the home that would otherwise be allowed. **Staff finds this criteria is met.**

C. *If approved, would the variance alter the essential character of the locality?*

Staff Comments: Granting of the requested lakeshore setback variance would not impact the character of the neighborhood. Please note that the Clay Cliffe Homeowners Association architectural control committee has reviewed the proposed lanai and has approved the plans. It is the Homeowners association that owns the adjacent lakeshore, so they would be the only party potentially impacted by the proposed construction. **Staff finds this criteria is met.**

The applicant must also establish and demonstrate compliance with the variance criteria set forth in Tonka Bay City Code Section 1004.02 Subd 3. before an exception or modification to city code requirements can be granted by the City Council. The following are the nine additional criteria established by code, along with staff's analysis of the applicant's request(s).

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Page 4

Variance: 115 Clay Cliffe Drive
City Council Report; 11-11-08

(cont.) In considering all requests for a variance and in taking subsequent action, the City Council shall make a finding of fact that proposed action will not:

A. Impair an adequate supply of light and air to adjacent property.

Staff Comments: The requested variance will have no if any impact on the availability of light and air to adjacent properties. **Staff finds this criteria is met.**

B. Unreasonably increase the congestion in the public street.

Staff Comments: The addition of a lanai to this home will have no impact on traffic. **Staff finds this criteria is met.**

C. Increase the danger of fire or endanger the public safety.

Staff Comments: The addition of a lanai to this home will have no impact on fire danger related to a single family dwelling, nor will it pose a danger to public safety. **Staff finds this criteria is met.**

D. Unreasonably diminish or impair established property values within the neighborhood, or in any way be contrary to the intent of this Ordinance.

Staff Comments: Improvements to properties such as this will typically (if anything) increase surrounding property values rather than have a negative impact. With regards to fulfilling the intent of the ordinance, the unique location of this home and the unique configuration of the lakeshore ensure that no lakeshore views will be impacted. And provided the City finds the resulting hardcover and shoreland impact plan is acceptable, then the other reasons for meeting lakeshore setbacks will also be fulfilled. **Provided the requested CUPs are granted, staff finds this criteria is met.**

E. Violate the intent and purpose of the Comprehensive Plan.

Staff Comments: The Comprehensive Plan calls for this area of the City to be used for single-family dwellings, and for development to occur in an orderly fashion in a manner best for the community. **Provided the requested CUPs are granted, staff finds this criteria is met.**

F. Violate any of the terms or conditions of 1004.02 Subd 4.

1004.02 Subd 4. Conditions. A variance from the terms of this Ordinance shall not be granted unless it can be demonstrated that:

a. *Undue hardship will result if the variance is denied due to the existence of special conditions and circumstances which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same district.*

1. *Special conditions may include exceptional topographic or water conditions or, in the case of an existing lot or parcel of record, narrowness, shallowness, insufficient area or shape of the property.*

SECTION 9: ADDITIONAL INFORMATION

Variance: 115 Clay Cliffe Drive
City Council Report; 11-11-08

(cont.)

2. *Undue hardship caused by the special conditions and circumstances may not be solely economic in nature, if a reasonable use of the property exists under the terms of this Chapter.*

Staff Comments: The home at 115 Clay Cliffe Drive was the original home around which the Clay Cliffe development was platted. As such, it was not originally constructed with current codes and setbacks in mind which results in the existing home being nonconforming to lakeshore setbacks on both sides of the point. The age of the home, the narrowness of the point, and the fact that the proposed addition meets all setbacks specific to the lot lines defining the parcel work together to define a special set of circumstances for construction on this lot. **Staff finds this criteria is met.**

- b. *Literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance or deny the applicant the ability to put the property in question to a reasonable use.*

Staff Comments: Construction of a porch or deck off the rear of a home is commonplace throughout the City. Because of the unique lakeshore configuration *on the adjacent lot*, constructing a useable rear facing deck on this home would be difficult given the homes configuration. As we have also found the request is reasonable, we do find **this criteria is met.**

- c. *The special conditions and circumstances causing the undue hardship do not result from the actions of the applicant.*

Staff Comments: As previously noted, this was the original home on the point around which the Clay Cliffe development was established. The current owners did not build the home and are not responsible for the existing nonconformities or difficulties that arise for construction of the proposed lanai. **Staff finds this criteria is met.**

- d. *Granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures or buildings in the same district under the same conditions.*

Staff Comments: Construction of a porch off the rear of a home is normal and customary throughout the city. Provided the CUPs for hardcover and the shoreland impact plan are granted, there are no identified impacts being created by the proposed lanai. We find no reason to believe that a special privilege would be granted to the property owner given the facts outlined in our analysis. **Staff finds this criteria is met.**

Variance: 115 Clay Cliffe Drive
City Council Report; 11-11-08

**Shoreland
Impact Plan
CUP:**

For applications proposing to have between thirty-five (35) and forty-five (45) percent hardcover, code requires an applicant obtain a shoreland impact CUP. Essentially, the applicant's plan must "...set forth proposed provisions for sediment control, water management, maintenance of landscaped features, and any additional matters intended to set forth proposed changes requested by the applicant and affirmatively disclose what, if any, change will be made in the natural condition of the earth, including loss of change of earth ground cover, destruction of trees, grade courses and marshes. The plan shall minimize tree removal, ground cover change, loss of natural vegetation, and grade changes as much as possible, and shall affirmatively provide for the relocation or replanting of as many trees as possible which are proposed to be removed. The purpose of the Shoreland Impact Plan shall be to eliminate potential pollution, erosion and siltation." For these types of CUPs, the following criteria are to be reviewed:

- a. *The projects shall be analyzed to determine the impact of impervious surfaces, storm water runoff, floodplain, and water quality implications. Only those projects shall be allowed where the adverse impacts have been mitigated through approved means to the extent possible.*

The city engineer has fully reviewed the proposed plans and has found the proposed reduction in hardcover is being done responsibly and in a manner than will not impact the adjacent property. Authorization of this project would actually reduce overall hardcover and benefit the property. Please see the attached memo and the associated findings of the engineer. **Staff finds this criteria is met.**

- b. *Storm water treatment measures including, but not limited to, sediment basin (debris basins), desilting basins or silt traps, installation of debris guards, and microsilt basins on storm water inlets, oil skimming devices, etc. shall be required subject to the review of the City Engineer and Minnehaha Creek Watershed District on projects where applicable.*

None of the listed BMPs are reasonable to require given the small changes proposed by this project. The applicant's willingness to eliminate existing hardcover in conjunction with this project, however, will provide benefits to this and the adjacent lot. **Staff finds this criteria is met.**

- c. *Projects shall be analyzed by the City in terms of provisions for maintenance and enhancement of landscape features, change in the natural condition of the soil, removal of trees, grade courses and marshes. The plan shall also minimize tree removal, ground cover change, loss of natural vegetation, and grade changes as much as possible. It shall further provide for the relocation or replanting as many trees as possible which are proposed to be removed.*

There will be little vegetation removal in the area of the proposed lanai, and no elevation changes where existing hardcover will be removed. Unlike many projects, the overall impacts created by construction will be very minimal and will be outweighed by the resulting benefits of additional plantings and hardcover removal. **Staff finds this criteria is met.**

SECTION 9: ADDITIONAL INFORMATION

Variance: 115 Clay Cliffe Drive
City Council Report: 11-11-08

- (cont.) d. *Projects shall be analyzed by the City in terms of the appearance of the structure when viewed from the lake's surface. Building materials, and color shall be analyzed to determine which facade and roof materials minimize the appearance and blend the structure into the shoreland and vegetation.*

The lanai is proposed to blend in with the existing structure by utilizing the same materials and colors. Additionally, because of the unique configuration of this lot and the surrounding lakeshore, the lanai will not impede any lakeshore views. **Staff finds this criteria is met.**

- e. *Lot coverage on a project basis shall be restricted to the provisions for maximum impervious surface coverage as provided for in this Ordinance.*

Tonka Bay city codes allows for requests of hardcover up to 45% without the need for a variance. As this request does not exceed this threshold, and is not subject to a variance review, **staff finds this criteria is met.**

- f. *Residential densities on a project basis shall not be allowed to exceed the maximum allowed density of the base zoning districts for which the project is proposed.*

As this proposal does not include subdivision of the parcel, **this criteria does not apply.**

- g. *All projects shall be in conformance with the Shoreland Management Plan, Comprehensive Plan, and Zoning and Subdivision Ordinances of the City of Tonka Bay.*

Provided all needed variances and conditional use permits are approved, the proposal would be in line with the noted documents. Engineering has conducted a full review of the proposed plans and is recommending approval. **Staff finds this criteria is satisfied.**

- h. *All projects shall be subject to the review by the Minnehaha Creek Watershed District and the City Engineer.*

As always, staff would propose to make any approval contingent upon the acquisition of all necessary permits from the MCWD. Additionally, the plan has been reviewed and is recommended for approval by the City engineer (review memo is attached). **As such, staff finds this criteria is satisfied.**

Resident Concerns: Staff is not aware of any resident concerns surrounding the requested variances. As noted, the Clay Cliffe Homeowners Association is aware of the project, and their architectural review committee has already approved the plans.

Additional Information: None.

Variance: 115 Clay Cliffe Drive
 City Council Report; 11-11-08

Conclusion:

The applicants are seeking approval of the following:

1. An 18-foot variance from the required 50-foot lakeshore setback from Lake Minnetonka for construction of a lanai of the northeastern side of the existing home.
2. A Shoreland Impact Plan CUP to authorize total hardcover in the amount of 41.08%.

Variance Findings:

Based on our analysis of the review criteria in state statute and in City Code, **staff would recommend approval of the requested lakeshore setback variance** based on the following:

- The request is reasonable as construction of a porch off the rear of a home is a normal and customary improvement on homes in Tonka Bay.
- The lot in question presents a unique circumstance in that construction must comply with an additional setback not related to the lot lines defining this lot.
- The lanai will be conforming to all setbacks specific to the lot lines defining this lot, and is only nonconforming to the required OHW setback from the lakeshore on the adjacent lot.
- The lanai will not impair an adequate supply of light and air to adjacent property, will not increase street congestion, and will not pose a fire or safety danger.
- The lanai will not impair surrounding property values, and its construction would not generate impacts designed to be avoided by city codes and the comprehensive plan.
- The age of the home, the narrowness of the point, and the fact that the proposed addition meets all setbacks specific to the lot lines define a special set of circumstances for construction on this lot.
- The current owners did not build the home and are not responsible for the existing nonconformities or difficulties that arise for construction of the proposed lanai.
- Granting of the variance will not confer a special privilege upon the landowner.

Shoreland Plan CUP Findings:

Based on our analysis of the review criteria in City Code, **staff would recommend approval of the requested shoreland impact plan CUP** based on the following:

- The proposed reduction in hardcover is being done responsibly and in a manner than will not impact the adjacent property.
- There will be little vegetation removal in the area of the proposed lanai, and no elevation changes where existing hardcover will be removed.
- The lanai will blend in with the existing home and will not impede any lakeshore views.



SECTION 9: ADDITIONAL INFORMATION

*Variance: 115 Clay Cliffe Drive
City Council Report; 11-11-08*

***Council
Options:***

The City Council has the following options:

- A) DIRECT STAFF TO PREPARE A RESOLUTION APPROVING one or more of the requests based on the applicant's submittals and findings of fact.
- B) DIRECT STAFF TO PREPARE A RESOLUTION DENYING one or more of the requests (based on the applicant's submittals and findings of fact).
- C) TABLE THE ITEMS and request additional information

By code, a 4/5 vote of the City Council is necessary to approve these requests. The 60-day review period for this application expires on 12-9-08, but can be extended an additional 60 days if more time is needed.

***Recommended
Conditions:***

Staff would recommend the following conditions be placed on any approvals granted by the City:

- 1. The applicant shall obtain all necessary permits and approvals from the City and other applicable entities with jurisdiction prior to any construction.**
- 2. Proof of securing an MCWD permit shall be required prior to the City issuing a building permit for the proposed construction.**
- 3. Additional conditions as listed in the City Engineer's memo.**

***Denial Motion
Template:***

I move that we direct staff to prepare a resolution of denial for the requested variance (and/or) CUP based on the following findings of fact...

***Approval
Motion
Template:***

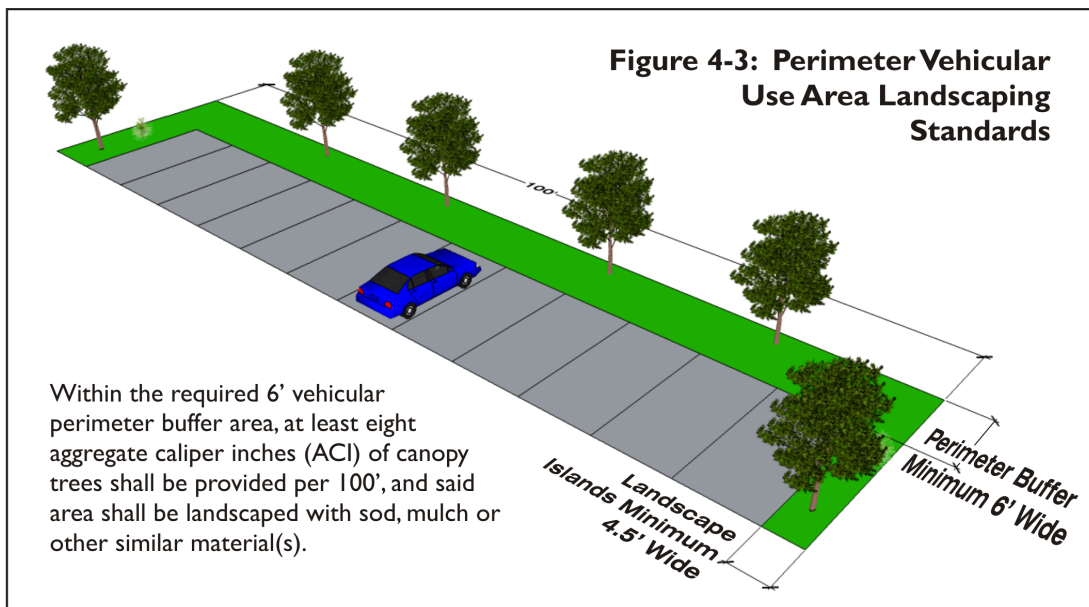
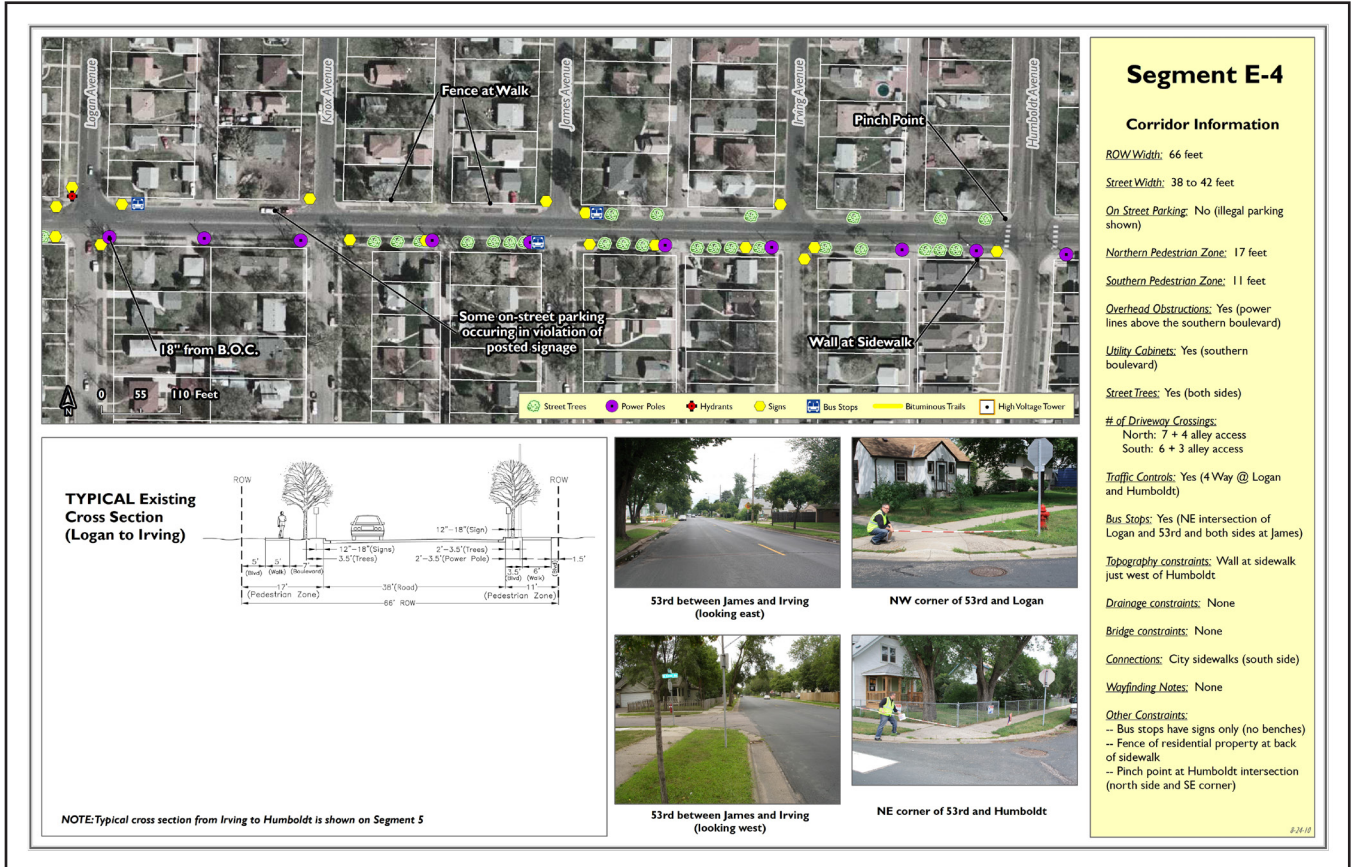
I move that we direct staff to prepare a resolution of approval for the requested variance and CUP based on the following findings of fact...

...with the following conditions:

cc: James and Catherine Gray, *Applicants*

Graphics

The example images on this page (and those found throughout this proposal) illustrate the strong graphic abilities MFRA can bring to the City of Ramsey





Education

Bachelor of Elective Studies (BES),
1987, St. Cloud State University, St.
Cloud, MN

Planning Internship, City of Shakopee

Professional Associations

American Planning Association

Sensible Land Use Coalition

Met Council Natural Resource Task
Force

Local Government Unit (LGU)

Representative for Carver County, MN
and City of Minnetonka, MN

Professional Experience

24 Years Total

7 Years consulting

15 Years of City, County and
Regional Planning:

Metropolitan Council
City of Minnetonka
Carver County
St. Bonifacius
Northwest Consultants

Primary Backup Planner Full Resume

Tom Goodrum, Director of Planning Services

Mr. Goodrum is the Director of Planning Services at McCombs Frank Roos Associates. His experience covers Commercial Development, Residential Development, Urban Planning, and Re-development, Conservation Development, Rural Planning, Parks and Recreation Planning and Design, Regional Policies, Streetscapes and many other specialties. Duties performed within these projects include Project and Construction Management, Site Design, Government Liaison, Code and Regulation Interpretation, Coordination with special interest groups and municipalities, Public Presentation, Report and Summary Writing.

His experiences have provided comprehensive knowledge in planning and development implementation in the following areas:

- A planner for the full-spectrum of residential and commercial development with previous employment in rural, urban and regional units of government, including consulting services.
- Preparing comprehensive reports with a detailed analysis of the proposed project and providing recommendations to assure a quality project.
- Drafting and administering environmental sensitive ordinances (wetland, shore-land, floodplain and erosion control) within land use plans as they relate to specific projects.
- Guiding cities through conservation developments that used alternative planning practices to create harmonious developments within environmentally sensitive sites.
- Thorough knowledge in developing a comprehensive plan that best suites the goals of the community and the strategies of the regional plans.
- Focal person in gathering information from communities, outside government agencies, consultants, affected parties, neighborhood meetings and other resources to effectively explain the facts of a project and to provide appropriate measures in resolving issues.
- Lead in overseeing projects, from initial contact through final approval, providing guidance throughout the planning process to create a favorable project.

Secondary Backup Planner Full Resume

Pat Smith, AICP

Mr. Smith is a Community Planner with MFRA. His experience as a Municipal planner for multiple communities has prepared him to be a consulting planner providing general city services. He is highly skilled in analyzing local ordinances, writing detailed reports, and presenting difficult information to elected bodies and members of the public. His understanding of statutory requirements coupled with his experience in tracking and administering application reviews will ensure your City complies with all regulations while providing exemplary service to your citizens.

Mr. Smith brings to the table a comprehensive knowledge in the planning and development field. The following is a brief overview of what he will bring to your City:

- Extensive experience leading neighborhood redevelopment projects
- Skilled in bringing different interest groups together to provide public input on difficult projects
- Thorough knowledge of comprehensive planning and economic development
- Strong design and site plan review skills
- Excellent communication skills and able to lead quality, professional presentations
- Ambitious team player who is willing to take on difficult challenges
- Outstanding ability to craft ordinances tailored to specific community goals and desired outcomes
- Exceptional in writing and interpreting city codes
- Personable and well suited for representing a city in any venue
- Detail oriented organizational skills to ensure all applications and/or tasks are reviewed and completed by the anticipated deadline



Education

Master of Science in Urban & Regional Planning
University of Wisconsin, Madison

Bachelor of Science in Economics
University of Wisconsin, Eau Claire

Post Graduate Study of Historic Preservation, Real Estate Finance, and Architectural Drawing

Professional Associations

The American Institute of Certified Planners (AICP)

American Planning Association (APA)

Professional Experience

Over 10 Years of Municipal and Regional Planning Experience

1 Year with MFRA

5 Years as a City Planner for the City of Chaska, MN

4 Years as a City Planner for the City of Burien, WA

2 Years as the Community Development Manager for Richfield, MN





MFRA
14800 28th Avenue North
Suite 140
Plymouth, MN 55447
763-476-6010
www.mfra.com