

City of Ramsey
Agenda
City Council Work Session
Tuesday July 26, 2011
5:30 pm
Lake Itasca Room 7550 Sunwood Drive NW

1. **Call to Order**
2. **Topics for Discussion**
 1. Review Duties Assigned to Planning Commission and Board of Adjustment
 2. Review Park Dedication Proposal for Future Northfork Plat
 3. Consider Lease Terms for Dennis Sharp for Properties at 6701 and 6745 Hwy 10.
 4. Discuss Potential Lot Split at 14760 Bowers Dr NW
 5. Consider Acquisition of Drainage and Utility Easement at 16259 Coquina Street NW
PORTIONS OF THIS DISCUSSION MAY BE CLOSED TO THE PUBLIC
 6. Consider Closed-Circuit Programming for Lobby of Municipal Center
3. **Future Topics for Discussion - *See Attached Calendar***
 1. Review Future Topics/Calendar
4. **Mayor/Council/Staff Input**
5. **Adjournment**

Meeting Date: 07/26/2011**By:** Tim Gladhill, Community Development**Title:**

Review Duties Assigned to Planning Commission and Board of Adjustment

Background:

Currently, the seven (7) members of the Planning Commission also serve as the Board of Adjustment. The duties of the Planning Commission and Board of Adjustment given by the State of Minnesota are found in Minnesota Statute Chapter 462 (Housing, Redevelopment, Planning, Zoning). Through City Code, the City has created two separate boards, the Planning Commission and the Board of Adjustment. Minnesota Statute 462 allows the City to assign the tasks of the Board of Adjustment to an existing board, such as the Planning Commission. Staff would like to discuss the potential and merits of combining these two boards into one, thus streamlining the administrative portions of these two boards.

Minnesota Statute Chapter 462 can be found on-line at <https://www.revisor.mn.gov/statutes/?id=462>.

Notification:

No notification required.

Observations:

Minnesota Statute Section 462.354 enables the City to create a planning agency, including a planning commission, either by charter or ordinance. This section also enables the City to create a Board of Adjustment and Appeals to hear and decide appeals to administrative decisions of City Staff and to hear requests for a variance from the literal provisions of City Code. The Board of Adjustment and Appeals is also given the authority to hear appeals for land uses within Official Map Areas (such as the Highway 10 Official Map). This section essentially requires a Board of Adjustment and Appeals in order for the City to provide a zoning and subdivision ordinance. Finally, this section allows the City to assign these tasks to an existing board (such as the Planning Commission) or to create a separate board.

Historically, the City has chosen to separate the Planning Commission and Board of Adjustment for functional reasons. The Board of Adjustment has quasi-judicial authority, meaning the board has the authority to make the final decision, subject to appeal to the City Council. The Planning Commission is an advisory/recommending body, meaning it does not have the ability to make a final decision on an application. Two separate agendas are prepared. Two separate sets of minutes are prepared. Two separate sets of officers are selected.

Staff finds certain merit in assigning the tasks of the Board of Adjustment and Appeals to the Planning Commission. The Planning Commission is the most likely choice for assigning task, as this board is tasked with reviewing all land use applications and policy decisions for review. This is made evident in the fact that the same members of the Planning Commission serve as the Board of Adjustment. The format of cases presented to the Planning Commission would have to be revised slightly to ensure the Planning Commission is aware of what capacity they are reviewing certain cases (quasi-judicial versus advisory).

Staff would also like to discuss the Planning Commission having the ability to make final decisions on certain land use applications, subject to appeal to the City Council. Staff has identified two (2) possibilities on a trial basis. These applications would include Conditional Use Permits (CUP) for four (4) or more dogs and site plan review for smaller expansions of existing buildings in the business and employment districts.

Staff has made the Planning Commission/Board of Adjustment aware of the discussion and invited members to the Work Session for discussion. If there is consensus of the City Council to move forward with the request, Staff will

prepare a discussion with the Planning Commission/Board of Adjustment at their August meeting for review and include a formal ordinance update with the update to the zoning and subdivision code to be completed by the end of the year.

Recommendation:

Based on discussion.

Funding Source:

Review is being handled as part of regular staff duties.

Council Action:

Provide Staff feedback on proposed revisions to Planning Commission and Board of Adjustment duties.

Form Review

Inbox	Reviewed By	Date
Aaron Backman	Aaron Backman	07/19/2011 05:29 PM
Heidi Nelson	Heidi Nelson	07/21/2011 09:03 AM
Kurt Ulrich	Kurt Ulrich	07/21/2011 03:22 PM

Form Started By: Tim Gladhill Started On: 07/18/2011 02:11 PM

Final Approval Date: 07/21/2011

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2. 2.

Meeting Date: 07/26/2011**By:** Tim Gladhill, Community Development

Title:

Review Park Dedication Proposal for Future Northfork Plat

Background:

Mr. Dennis Peck, developer of Northfork Inc., has requested that the City consider a proposal for pre-payment of park dedication requirements for a 30+ acre parcel identified for future development through a land contribution in fee-title. This proposal would also satisfy the remainder of park dedication requirements for those parcels of Northfork that are already platted as part of the 1987 Planned Unit Development (PUD). At the time of the original plat, it was agreed that the remainder of park dedication for this subdivision would be satisfied at a future date when a suitable parcel was identified to satisfy this requirement.

Mr. Peck has identified his inquiry as a fact-finding discussion to see what the City would be willing to accept for park dedication before proceeding forward with the future development.

Mr. Peck is proposing to convey an approximately 30 acre parcel (Outlot E, Moors Addition) adjacent to the existing Lake Itasca Trail (see attached map).

Notification:

No notification required.

Observations:

The 30+ acre identified as Proposed Future Development (map attached) has been calculated to have a park dedication requirement for 3.35 acre as land dedication or \$30,600 to \$51,975 (depending on final number of lots) as cash contribution. In addition, Northfork currently owes the City approximately one (1) acre of park dedication requirement from existing PUD development. Outlot E, proposed to potentially be conveyed, is approximately 30 acres. Finally, Mr. Peck has stated he would like to retain soil rights to Outlot E for purposes of grading needs on the Proposed Future Development site or export of soil for sale. Outlot E is identified as a future/proposed park on the Master Park and Trail Map.

Staff relayed the recent discussions regarding the ultimate disposition of certain City-owned properties to Mr. Peck. Staff has, however, identified several benefits to considering this parcel (and his proposal), as it is contiguous to the Lake Itasca Trail and could serve as a future community park. First, the future land use of the surrounding area with larger tracts of medium and high density residential may necessitate the demand for an additional community park, as identified on the Master Park and Trail Map.

Second, as the City Council may recall, the City accepted a 4.17 acre parcel in fee-title from Legacy Christian Academy to satisfy their park dedication requirements. Acceptance of Outlot E would free up this parcel for sale. Outlot E may provide more benefit to the Park and Trail System than the Legacy parcel as it is contiguous to existing park and trail infrastructure.

Further, Outlot E could also replace park and open space if Whispering Pines and Forest Hideaway (or other area parcels) are identified for sale. Finally, conveyance of Outlot E would provide public access to Lake Itasca, where no public access exists today. (The current trail along the east side of Lake Itasca exists on this parcel through a trail easement.)

As it relates to retaining soil rights, Staff would recommend some sort of sunset clause in order to not preclude or delay development of the park at such time the City would contemplate construction. The sunset clause could be

10-20 years, or when significant park construction is planned, whichever comes first.

As a further point of information, Mr. Peck is also in discussions with the Minnesota Department of Natural Resources and the Minnesota Land Trust on a potential conservation easement, in the event that the City is not interested in the park dedication proposal.

Recommendation:

Based on discussion.

Funding Source:

Review of the request is being handled as part of regular staff duties.

Council Action:

Based on discussion. Provide direction to Staff if further discussions with Mr. Peck are desired in regards to the proposal for park dedication.

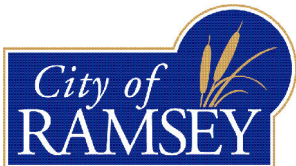
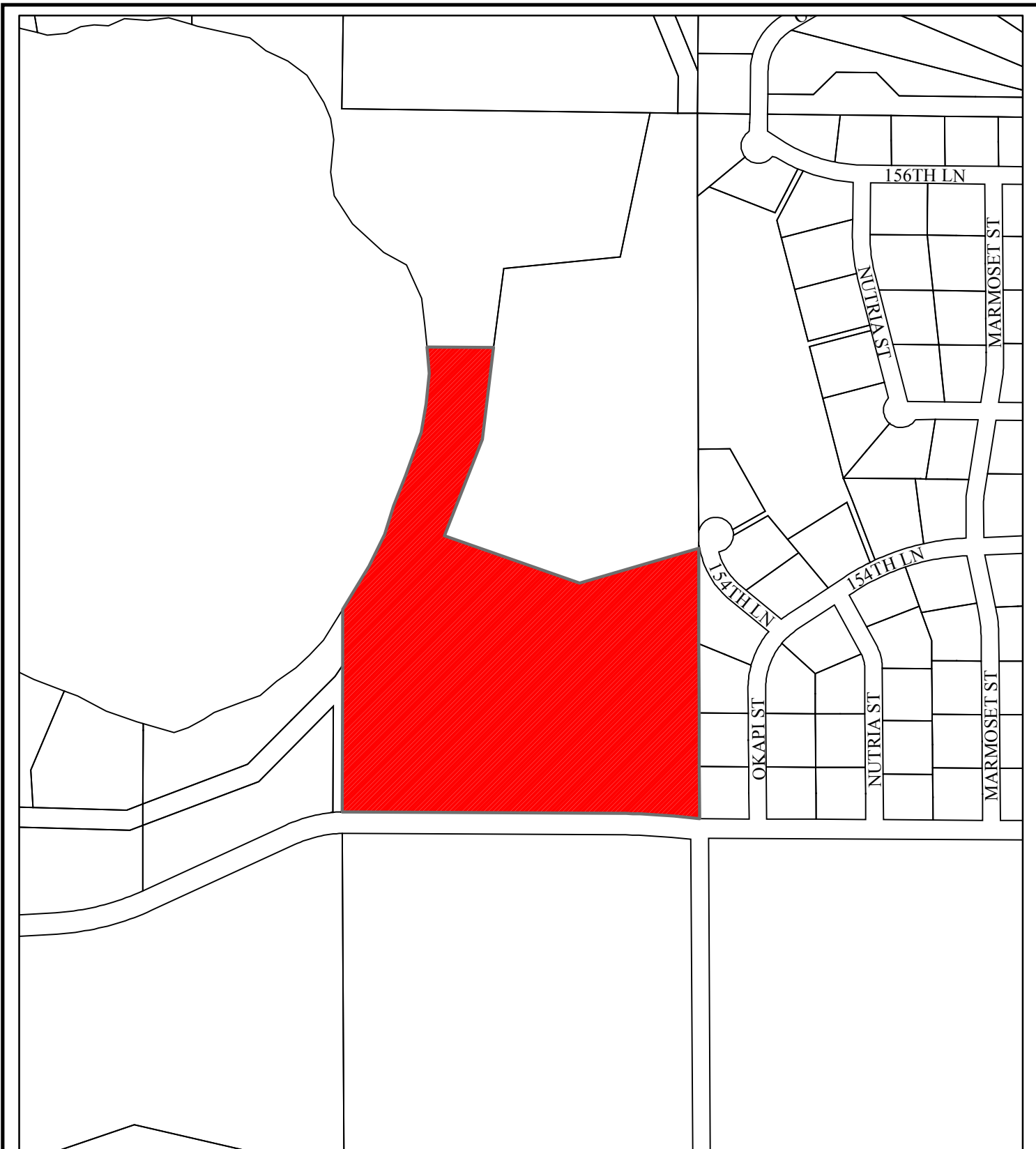
Attachments

Site Location Map



Area Map

Form Review

Inbox	Reviewed By	Date
Mark Riverblood	Mark Riverblood	07/19/2011 02:13 PM
Brian Olson	Brian Olson	07/21/2011 12:23 PM
Kurt Ulrich	Kurt Ulrich	07/21/2011 03:22 PM
Form Started By: Tim Gladhill		Started On: 07/18/2011 02:12 PM
	Final Approval Date: 07/21/2011	



Outlot E, Moors Addition

Legend
 Site
 Parcels



0 625 1,250 Feet

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2. 3.

Meeting Date: 07/26/2011

By: Diana Lund, Finance

Title:

Consider Lease Terms for Dennis Sharp for Properties at 6701 and 6745 Hwy 10.

Background:

The city purchased, with RALF funds, the properties at 6701 and 6745 Highway 10 in 2006. Since that date, the city has leased the cold storage portions of these properties to Dennis Sharp companies. Starting in 2008 the city required that the leases be amended to collect a base rent plus each property's pro-rata share of property taxes. Mr. Sharps current leases are through July 31, 2011.

The rents paid by Mr. Sharp the last couple of years are as such:

6701 Highway 10:

Thru July 31, 2010: \$3,266/mo

Thru July 31, 2011: \$2,983.50/mo

6745 Highway 10:

Thru July 31, 2010: \$1,886/mo

Thru July 31, 2011: \$1,820/mo

Mr. Sharp presented his rental concerns to city council at the June 14, 2011 worksession and staff was directed to negotiate with Mr. Sharp.

Staff had sent to Mr. Sharp on June 23 the following proposal:

6701 Hwy 10: \$1.86/sq ft or \$2,845.80/month (Reduces lease rate from current \$1.95/sq foot)

6745 Hwy 10: \$1.97/sq ft or \$1,820.00/month (Holds the current lease rate constant)

Staff met with Mr. Sharp on June 28 to discuss proposal and Mr. Sharp countered with a \$1.45/sq ft on each property.

Mr. Sharp's proposal would calculate as such:

6701 Hwy 10: \$2,218.50/month or \$26,622 annually

6745 Hwy 10: \$1,336.42/month or \$16,037 annually

The City's proposal and Mr. Sharp's proposal listed above was brought to the July 12, 2011 Work session. Staff was once again directed to determine a rental rate that would cover the city costs associated with the two properties, while bringing the lease rates closer to Mr. Sharp's proposal overall.

City staff met on Thursday, July 14 and presented the following proposal to Mr. Sharp:

6701 Hwy 10: \$1.21/sq ft or \$1851.33/month (Reduces lease rate from current \$1.95/sq foot)

6745 Hwy 10: \$1.97/sq ft or \$1,820.00/month (Holds the current lease rate constant)

The total rent generated on the two properties would be \$44,004 annually, which is more in line with Mr. Sharp's proposal of \$42,669 and which would allow for a 10% maintenance to be set aside for major repairs and for an increase in property taxes and insurance in 2012.

On July 18, 2011, Mr. Sharp agreed to the rental terms stated above. Mr. Sharp would also like to address the installation of a fence, which he would like the city to purchase with rental funds. Mr. Sharp was told that the fence

was not going to be included within the rental terms of the contract. He agreed to this statement.

In the alternative, if it is decided to terminate the lease, either party may terminate this lease by giving written notice on or before August 1, 2011. The notice to terminate the lease by either party shall be effective July 31, 2012. Mr. Sharp would be required to pay that current lease rate until the termination.

If a conclusion is reached at the worksession, this item will be placed on the consent agenda to be adopted at the July 26, 2011 regular city council meeting.

Funding Source:

These properties were purchased with RALF funds and any rental revenue generated is used to cover costs of the property.

Council Action:

Based upon discussion.

Attachments

Sharp Proposed Rents

Form Review

Inbox	Reviewed By	Date
Kurt Ulrich	Kurt Ulrich	07/20/2011 10:45 AM
Form Started By: Diana Lund		Started On: 07/19/2011 11:40 AM
		Final Approval Date: 07/20/2011

Sharp's Leases

Current Lease:			Sq Ft Cost	Current Contract
6701 Hwy 10	18,360 Sq ft		1.95	35,802
6745 Hwy 10	11,060 Sq ft		1.97	<u>21,788</u>
				57,590

Sharp's Proposal	6701 Hwy 10	18,360 Sq ft	1.14	20,930
	6745 Hwy 10	11,060 Sq ft	1.97	<u>21,788</u>
				42,719

Staff Proposal:	6701 Hwy 10	18,360 Sq ft	1.21	22,216
	6745 Hwy 10	11,060 Sq ft	1.97	<u>21,788</u>
				44,004 23.6% decrease
Calculation of Proposal:				
	Actual Annual Expense Taxes & Insurance		\$ 38,085	
	10% Maintenance-Set Aside for Major Repairs		\$ 4,400	
	4.0% increase taxes & insurance		<u>\$ 1,523</u>	
			\$ 44,008	

Actual Annual Expense (Sharps share of)

	Insurance	Taxes	
<u>6701 Hwy 10</u>	\$ 2,501	\$ 17,012	\$ 19,513
6745 Hwy 10	\$ 3,728	\$ 14,844	<u>\$ 18,572</u>
			\$ 38,085

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2. 4.

Meeting Date: 07/26/2011

By: Tim Gladhill, Community Development

Title:

Discuss Potential Lot Split at 14760 Bowers Dr NW

Background:

City Staff has been approached by Sandra Porter, owner of 14760 Bowers Dr NW, regarding a request to split the existing parcel into two (2) buildable lots. The area is zoned R-1 Residential MUSA and is located in the Critical River Overlay District as well as the Wild and Scenic Overlay District. As part of the Critical River Overlay standards, the parcel is located in the Rural Service Area district. Bowers Drive is not served by sanitary sewer and water.

Notification:

No notification required at this time.

Observations:

The Subject Property is approximately 1.27 acres in size with a lot width of approximately 150 feet (as measured at the front yard [street facing] setback). City Staff acknowledges the difficulty in applying the current overlay standards to this development that was subdivided prior to the enactment of the current overlay standards. However, this request is somewhat different from typical lawful, non-conforming requests that the City reviews, as this involves the creation of a new buildable lot, versus working through design constraints of setbacks and other bulk standards on an existing lot of record. Nonetheless, Staff finds it reasonable to review the request as it relates to the essential character of the surrounding area. Applicable zoning standards are as follows:

Lot Size	2.5 acres
Lot Width	200 feet
Front Yard Setback	40 feet
Rear Yard Setback	35 feet
Side Yard Setback	10 feet
OHW Setback	200 feet
Bluff Setback	35 feet
Max Impervious Surface	30%
Septic Setback OHW	75 feet

The Subject Property is currently classified as lawful, non-conforming and is afforded certain protections under Minnesota Statutes and City Code in its current configuration. Further subdivision of the Subject Property would constitute an expansion of a non-conforming use, and would require the issuance of a Variance if to be considered. This lot is one of the largest, if not the largest lot along Bowers Drive. A lot split would appear to create a lot width and lot size fairly close to the average size of the surrounding lots. In addition to the deficiency in lot dimensional standards, zoning standards such as setbacks may be of concern. Details on specific zoning standards would be reviewed as part of a subdivision review if Ms. Porter decides to proceed forward.

A newly created lot would be subject to certain development fees including Park Dedication, Trail Development, and Stormwater Management. Development fee obligations are estimated to be approximately \$3,500.

Ms. Porter would like feedback from the City Council prior to engaging the services of a surveyor and applying for

the necessary subdivision requirements.

Recommendation:

Based on discussion.

Funding Source:

Review of the request thus far has been handled as part of regular staff duties. All costs associated with reviewing a subdivision and variance request would be the responsibility of the Applicant.

Council Action:

Based on discussion.

Attachments

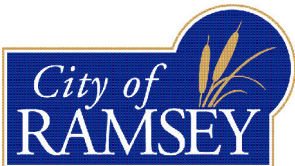
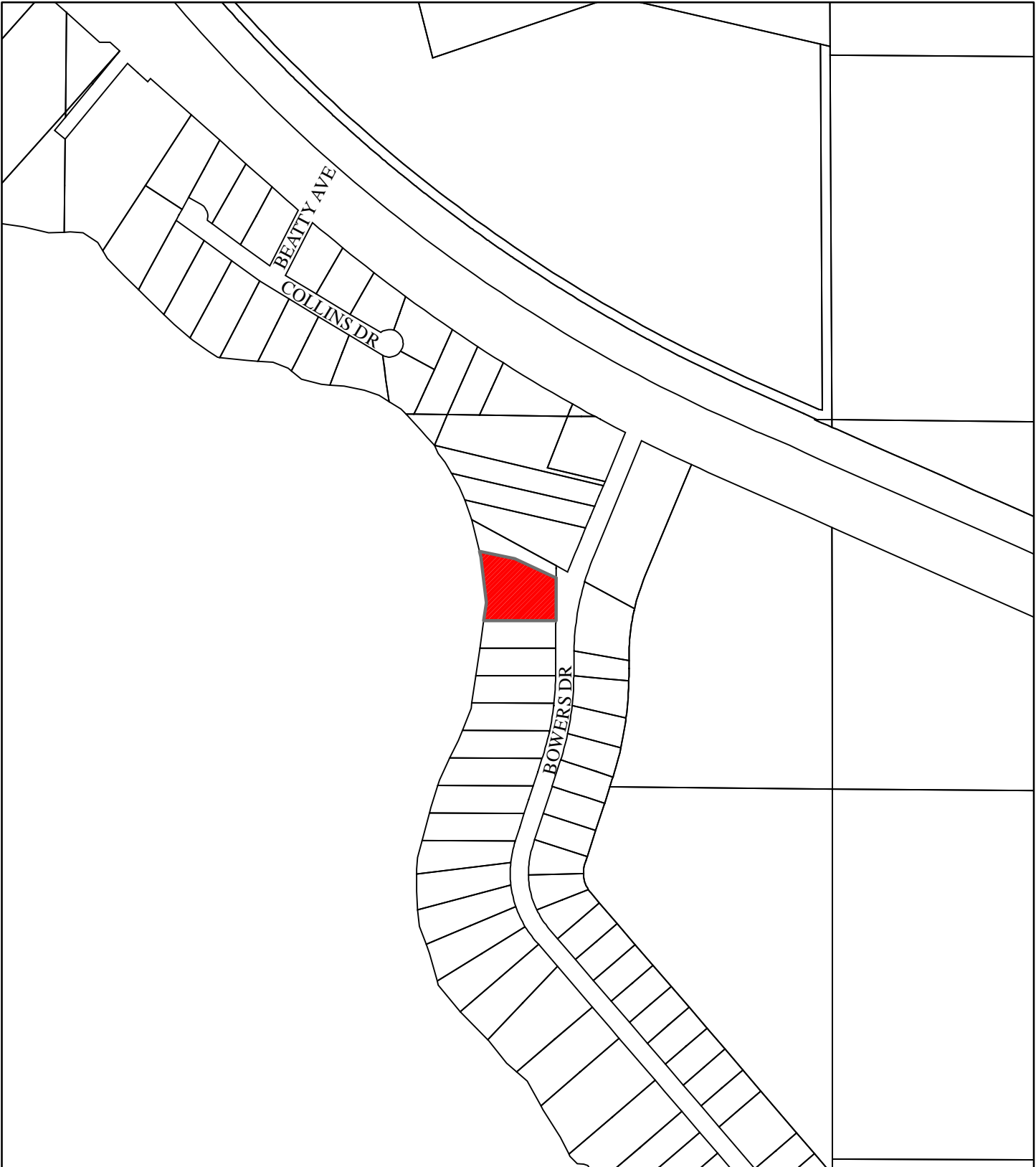
Site Location Map

Form Review

Inbox	Reviewed By	Date
Aaron Backman	Aaron Backman	07/21/2011 12:10 PM
Heidi Nelson	Kathy Schmitz	07/21/2011 04:15 PM
Kurt Ulrich	Kurt Ulrich	07/21/2011 04:24 PM

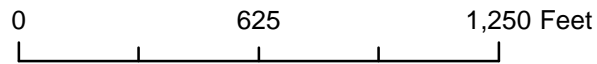
Form Started By: Tim Gladhill Started On: 07/20/2011 12:17 PM

Final Approval Date: 07/21/2011



14760 Bowers Dr NW

- Legend**
-  Site
 -  Parcels



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2. 5.

Meeting Date: 07/26/2011**By:** Tim Himmer, Engineering/Public Works

Title:

Consider Acquisition of Drainage and Utility Easement at 16259 Coquina Street NW
PORTIONS OF THIS DISCUSSION MAY BE CLOSED TO THE PUBLIC

Background:

During the process of gathering field information to implement the 2011 Street Maintenance Program (SMP), it was discovered that an exiting storm sewer was discharging runoff from the right-of-way onto private property at 16259 Coquina Street NW. After researching the available information there doesn't appear to be an existing drainage and utility easement over the pipes or encumbering the discharge/ponding area. Staff has met with the property owners to discuss this matter on a few occasions. They were familiar with the existing storm sewer condition that directed runoff onto their property, and haven't experienced any flooding concerns in the past. They are open to a right of entry to perform the corrective work identified in the plans, but they want to understand and investigate the option for a formal permanent drainage and utility easement.

Staff prepared an analysis of the easement area necessary to comply with ponding standards, which due to no outlet location from the area (isolated basin), requires the storage of back-to-back 100 year rainfall events. Before executing a right of entry the property owners are looking for feedback from the Council on advancing this easement acquisition, and seeking clarification on potential terms and timing to complete. This item was discussed in special session on July 19, 2011, and the consensus of the Council was to begin the process of acquiring the necessary drainage and utility easement.

Observations:

An easement, or right of entry, is necessary to complete the planned improvements for the overlay of Coquina Street. The adjacent intersection, at Coquina Street and Coquina Court, experiences localized flooding and pavement deterioration (see attached map) because the outlet pipe that discharges onto the property at 16259 Coquina Street NW is buried, and the catch basin and pipes in the street are full of water. Runoff cannot get off the road and into the storm sewer because there are flat pavement grades and restricted flow in the pipes. In order to correct the problem staff has prepared a design to install a concrete valley gutter through the intersection, replace the existing deteriorated pipes and structures, and perform minor excavation and grading below the outlet pipe for positive drainage.

Staff will provide additional information at the meeting, related to similar easement acquisition, so a discussion can be held on a potential offer to the property owners.

Recommendation:

Staff recommends the ability to negotiate the acquisition of a drainage and utility easement that would encumber the storm sewer system and ponding area located outside of the right-of-way on private property at 16259 Coquina Street NW, in an amount to be determined. If it is determined that the completion of this easement acquisition will extend beyond the timeline associated with the planned 2011 SMP improvements staff would like to execute a right of entry agreement, such that the required storm sewer improvements can be completed without affecting the rights of the property owner during the easement acquisition process.

Funding Source:

Funding for the acquisition of any necessary easement would be from the Storm Water Utility Fund.

Council Action:

Based upon discussion.

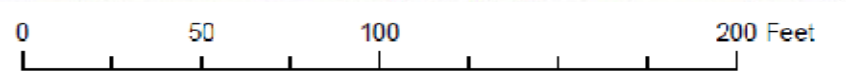
Attachments

Location Map

Potential Easement Acquisition

Form Review

Inbox	Reviewed By	Date
Bill Goodrich	Amy Dietl	07/21/2011 04:32 PM
Brian Olson	Brian Olson	07/21/2011 04:35 PM
Kurt Ulrich	Kathy Schmitz	07/21/2011 05:00 PM
Form Started By: Tim Himmer		Started On: 07/20/2011 02:45 PM
Final Approval Date: 07/21/2011		



EXISTING CONDITIONS
PROPOSED CORRECTIONS



CC Work Session

2. 6.

Meeting Date: 07/26/2011

By: Heidi Nelson, Administrative Services

Title:

Consider Closed-Circuit Programming for Lobby of Municipal Center

Background:

At the request of the Ramsey Foundation, staff was asked to research the opportunity to provide closed-circuit programming on the existing screen in the lobby as well as adding additional screens for display. The programming would include community programming and could include ad space to be sold, similar to what is sold for the city newsletter, with the ad sale proceeds or a portion thereof being contributed to the Ramsey Foundation. In exchange, the Ramsey Foundation would consider managing the display space in the City Hall lobby areas (e.g., historical society exhibits, tribute to veterans, art displays, educational displays, etc.).

If additional screens are to be added, there would be some costs associated with the project, they are estimated as follows:

40" LED screens: \$2500 each (cabling, mount, install)
cabling \$2000

For a total estimated cost approximately \$9500 for three additional screens.

In the alternative, the City could begin by programing the existing screen above the fireplace in the City Hall lobby for a minimal investment. The opportunity to sell advertising space (and collect revenue) improves with additional screens.

Recommendation:

Provide direction to staff regarding closed-circuit programming for the lobby of the Municipal Center.

Funding Source:

Funding from the QCTV Capital Funds could be utilized. The current balance is \$10,000.

Council Action:

Provide direction to staff regarding closed-circuit programming for the lobby of the Municipal Center.

Form Review

Inbox
Kurt Ulrich

Reviewed By
Kurt Ulrich

Date

07/21/2011 03:22 PM

Form Started By: Heidi Nelson

Started On: 07/21/2011 01:13 PM

Final Approval Date: 07/21/2011

CC Work Session

3. 1.

Meeting Date: 07/26/2011

By: Amy Dietl, Administrative Services

Title:

Review Future Topics/Calendar

Background:

Attached is a list of future topics and calendar.

Funding Source:

N/A

Council Action:

For review - no formal action required.

Attachments

Future Topics/Calendar

Form Review

Inbox	Reviewed By	Date
Kurt Ulrich	Amy Dietl	07/22/2011 09:11 AM
Form Started By: Amy Dietl		Started On: 07/22/2011 09:08 AM
		Final Approval Date: 07/22/2011

**Work Session Calendar
2011**

Month	Date	Topics for Discussion
Others on List – including 2011 Strategic Planning Items		<ul style="list-style-type: none"> • Look at pilot programs (e.g. volunteer programs – low maintenance) • Proactively recruit residential development and seek builders input • Review development fees and standards regarding construction • Develop TIF tracking plan with regard to fiscal disparities impact • Establish fund reserve policy • Review City-owned lands and create plan for it – <i>scheduled for July 12 agenda</i> • Review park programming and potential reallocation of parks – <i>scheduled for July 12 agenda – included in Review City owned land . . .</i> • Construct boat landing at River’s Bend – <i>was reviewed with Council and determined it was not a priority at this location.</i> • Build on outdoors/sportsmen’s market (e.g. stock pond/lake) • Coordinate COR marketing and City marketing • Create Master Plan 167th Avenue/Highway 47 – plan for redevelopment – Discuss after Joint Meeting between CC & EDA • Develop community center/indoor sports complex • Old Town Hall relocation • Review & revise Development Management contract and manage COR expenditures • Consider creation of a Transportation Taxing District • Seek grant funding for transportation projects and service delivery • Complete US 10/ County Road 83 interchange design – pursue funding • Establish position on TH #47 South of Bunker to Highway #10 <p><u>Public Works</u></p> <ul style="list-style-type: none"> • Review plan for US Highway #10 pedestrian overpass and connection with Municipal Center ramp • Review Dirt Road Elimination Policy (DREP) • Create opportunities for snowmobile, four-wheeler & golf cart use • Review sidewalk plowing policy