

City of Ramsey
Agenda
Regular Planning Commission
Thursday July 12, 2012
7:00 pm
Council Chambers, 7550 Sunwood Drive NW

- 1. Call to Order**
- 2. Citizen Input**
- 3. Approve Agenda**
- 4. Approve Minutes**
 1. Approve the Following Meeting Minutes:

Planning Commission Meeting Minutes Dated June 7, 2012
Planning Commission Meeting Minutes Dated June 19, 2012
- 5. Public Hearing/Commission Business**
 1. PUBLIC HEARING: Request for an Interim Use Permit for Grading and Mining Activities on Outlots A & B Elmcrest Sanctuary; Case of Oakwood Land Development Inc.
 2. PUBLIC HEARING: Consider Revised Comprehensive Plan Amendment for The COR
 3. PUBLIC HEARING: Consider GF Game Fair Off-Street Parking Overlay District
 4. Staff Update
 5. Zoning Bulletins
- 6. Commission/Staff Input**
- 7. Adjournment**

Regular Planning Commission

4. 1.

Meeting Date: 07/12/2012

By: JoAnn Shaw, Community Development

Information

Title:

Approve the Following Meeting Minutes:

Planning Commission Meeting Minutes Dated June 7, 2012

Planning Commission Meeting Minutes Dated June 19, 2012

Background:

n/a

Notification:

Observations:

Funding Source:

Staff Recommendation:

Committee Action:

Attachments

06.07.12

06.19.12 Special

Form Review

Inbox	Reviewed By	Date
Tim Gladhill	Tim Gladhill	07/05/2012 12:57 PM
Form Started By: JoAnn Shaw		Started On: 07/05/2012 09:18 AM
	Final Approval Date: 07/05/2012	

**PLANNING COMMISSION
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

The Ramsey Planning Commission conducted a regular meeting on Thursday, June 7, 2012, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Chairperson Gary Levine
 Commissioner Randy Bauer
 Commissioner Ralph Brauer
 Commissioner Joseph Field
 Commissioner Robert Schiller
 Commissioner Gary Van Scoy
 Commissioner Jessica Perez

Members Absent: None

Also Present: Senior Planner Tim Gladhill
 Associate Planner/Environmental Coordinator Chris Anderson
 Development Manager Darren Lazan

1. CALL TO ORDER

Chairperson Levine called the regular meeting to order at 7:00 p.m.

2. CITIZEN INPUT

None.

3. APPROVAL OF AGENDA

Motion by Commissioner Brauer seconded by Commissioner Bauer, to approve the agenda as presented.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Brauer, Bauer, Field, Perez, Schiller, and Van Scoy. Voting No: None. Absent: None.

4. APPROVE PLANNING COMMISSION MINUTES

4.01: Approve the Following Planning Commission Minutes:

4.01.1: Planning Commission Meeting Minutes Dated May 3, 2012

Motion by Commissioner Van Scoy, seconded by Commissioner Brauer, to approve the following minutes as presented: Planning Commission Meeting Minutes dated May 3, 2012.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Van Scoy, Brauer, Bauer, Field, Perez, and Schiller. Voting No: None. Absent: None.

5. NOTE CITY COUNCIL MINUTES

5.01: Note the Following City Council Meeting Minutes:

5.01.1: City Council Meeting Minutes Dated March 13, 2012

5.01.2: City Council Meeting Minutes Dated March 24, 2012

5.01.3: City Council Meeting Minutes Dated April 10, 2012

5.01.4: City Council Meeting Minutes Dated April 24, 2012

5.01.5: City Council Meeting Minutes Dated May 8, 2012

Informational; no action required.

6. PUBLIC HEARINGS/COMMISSION BUSINESS

6.01: Public Hearing: Request for an Interim Use Permit to Allow for the Operation of a Church in the H-1 Highway 10 Business District on the Property Located at 6937 Highway 10 NW Suite 160; Case of Freedom Christian Church

Public Hearing

Chairperson Levine called the public hearing to order at 7:03 p.m.

Presentation

Associate Planner/Environmental Coordinator Anderson presented the staff report. An interim use permit was issued in 2009 and will expire June 2012. Their location is in a district that is not currently permitted for places of assembly. The one issue, which was remedied in 2009, was to stripe additional on-site parking stalls. They have been operating for three years and there have been no complaints or issues brought to the City. Staff recommends approval of this interim use permit for a term of five years.

Citizen Input

Ms. Annah Reid, 600 Weaver Boulevard, representing the church, stated support for approval and offered to answer questions.

Commissioner Bauer asked about the right of first option.

Ms. Reid replied they would like to occupy Suite 120, if the City permits, for youth and children's ministry.

Associate Planner/Environmental Coordinator Anderson stated should that opportunity come to fruition, it could be addressed administratively through the City Council.

Motion by Commissioner Van Scoy, seconded by Commissioner Field, to close the public hearing.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Van Scoy, Field, Bauer, Brauer, Perez, and Schiller. Voting No: None. Absent: None.

Chairperson Levine closed the public hearing closed at 7:10 p.m.

Commissioner Brauer stated the parking issue was resolved so he sees no reason to not continue the use.

Commissioner Van Scoy asked about amending zoning.

Senior Planner Gladhill replied it is an interim use in the H-1 District but could shift to a conditional use or permitted use if so decided by the Planning Commission and City Council. He stated the City Council held general policy discussions at a recent Work Session and it will be considered again at a future Work Session with a public hearing scheduled in July or August.

Commissioner Schiller asked about the options to streamline and reduce costs for the renewal process in five years.

Senior Planner Gladhill explained that renewal cannot be handled administratively; however, the Council has authority to extend beyond the five year term. He suggested the permit be written so it does not need to follow the entire process with published and posted public hearing, subject to City Attorney review. Senior Planner Gladhill indicated staff will look at that option prior to City Council consideration.

Commissioner Field asked about the process should the terms of the use change.

Senior Planner Gladhill indicated if there is a change to the terms during the five year period, it would be brought back for consideration of revocation. If there is a change to terms when renewed, it would be brought back to the Planning Commission with a public hearing. Senior Planner Gladhill raised the option of tying the permit term to the order of a project or event (such as expansion of Highway 10) rather than a number of years. He indicated staff will look at that option prior to City Council consideration.

Motion by Commissioner Bauer, seconded by Commissioner Schiller, to recommend that City Council adopt Findings of Fact relating to the request for an Interim Use Permit, noting the applicant has indicated interest in leasing adjacent space.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Bauer, Schiller, Brauer, Field, Perez, and Van Scoy. Voting No: None. Absent: None.

Motion by Commissioner Bauer, seconded by Commissioner Schiller, to recommend that City Council approve the request for an Interim Use Permit and declaring the terms as proposed, noting if the applicant leases additional space that it be administratively added to the interim use permit and upon renewal in five years it be considered by Council action without need for additional public hearing

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Bauer, Schiller, Brauer, Field, Perez, and Van Scoy. Voting No: None. Absent: None.

Ms. Jessica Perez introduced herself to the Commission.

6.02: Review Sketch Plan for The COR, a Phased Major Plat; Case of the City of Ramsey Housing and Redevelopment Authority

Presentation

Senior Planner Gladhill presented the staff report and the sketch plan for The COR consisting of five plats.

Development Manager Lazan presented the sketch plan for COR II through COR VI, noting the area and functions of each.

Senior Planner Gladhill advised that access has been created for North Star Market and addressed the realignment of Sunwood Drive.

The Planning Commission discussed zoning and asked questions of staff.

Chairperson Levine asked why Commercial is not acceptable in the northeast node and questioned the ability to gain access.

Development Manager Lazan explained the access points to the project are static, noting the locations, and indicated due to restricted access the property was changed from commercial to residential.

Senior Planner Gladhill explained the difficulty in obtaining access on County roadways and access spacing guidelines.

Commissioner Brauer agreed that retail was not a good use on that corner.

Commissioner Van Scoy asked about questions raised by Staff in the sketch plan review letter.

Senior Planner Gladhill explained those questions are to be answered with the preliminary plat.

Commissioner Van Scoy noted the alignment of Center Street will significantly impact other streets.

Senior Planner Gladhill explained staff created a sketch plan for remaining platting to assure all elements work together. He noted Center Street will be realigned to create one north/south major arterial.

Development Manager Lazan addressed safety components and improved sight lines of Center Street.

Commissioner Brauer stated he finds this sketch plan to be easier to conceptualize than the previous plan, so it should also be easier to market. He stated the public also has a better understanding of the locations being referred to with this plan.

Commissioner Bauer asked whether this land will meet the community's retail needs for the next 20 to 30 years.

Development Manager Lazan stated that is a long forward look but based on the marketplace of the past several years, he thinks there is more retail in The COR than can be filled in the next 7 to 10 years.

Commissioner Bauer stated it appears the bulk of the retail, long term, will be between Highway 10 and Bunker Lake Boulevard and Armstrong Boulevard and Ramsey Boulevard, which is The COR. He noted the rest of the community will be recreational and residential.

Senior Planner Gladhill advised that space is guided for retail outside of The COR and based on market studies, he feels there is sufficient retail for the amount of housing forecast.

Chairperson Levine stated he remains concerned with the northeast node and need to provide access to commercial opportunities.

Development Manager Lazan thanked the Planning Commission for its input.

6.03: Staff Update

The Staff Update was noted.

6.04: Zoning Bulletins

Zoning Bulletins were noted.

7. COMMISSION/STAFF INPUT

Senior Planner Gladhill advised of upcoming agenda items.

Commissioner Bauer stated he would support an amendment to the zoning code to allow a church along a highway to be something other than an interim use, possibly a permitted use.

8. ADJOURNMENT

Motion by Commissioner Bauer seconded by Commissioner Schiller, to adjourn the meeting.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Bauer, Schiller, Brauer, Field, Perez, and Van Scoy. Voting No: None. Absent: None.

The regular meeting of the Planning Commission adjourned at 8:04 p.m.

Respectfully submitted,

Tim Gladhill
Senior Planner

ATTEST:

JoAnn Shaw
Planning Division Secretary

Drafted by Cheryl Felix
TimeSaver Off Site Secretarial, Inc.

**PLANNING COMMISSION
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

The Ramsey Planning Commission conducted a special meeting on Thursday, June 19, 2012, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Chairperson Gary Levine
 Commissioner Ralph Brauer
 Commissioner Joseph Field
 Commissioner Jessica Perez
 Commissioner Robert Schiller
 Commissioner Gary Van Scoy

Members Absent: Commissioner Randy Bauer

Also Present: Senior Planner Tim Gladhill
 Development Manager Darren Lazan

1. CALL TO ORDER

Chairperson Levine called the regular meeting to order at 7:00 p.m.

2. CITIZEN INPUT

None.

3. APPROVAL OF AGENDA

Motion by Commissioner Brauer, seconded by Commissioner Schiller, to approve the agenda as presented.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Brauer, Schiller, Field, Perez and Van Scoy. Voting No: None. Absent: Commissioner Bauer.

4. APPROVE PLANNING COMMISSION MINUTES

4.01: Approve the Following Planning Commission Minutes:

4.01.1: Planning Commission Meeting Minutes Dated June 7, 2012

Senior Planner Gladhill indicated since this is a special meeting there are no minutes for approval.

5. PUBLIC HEARINGS/COMMISSION BUSINESS

5.01: Public Hearing: Consider Preliminary Plat Approval and Zoning Amendment for COR THREE (North Commons) Located North of Bunker Lake Boulevard and West of Armstrong Boulevard; Case of the City of Ramsey Housing and Redevelopment Authority (HRA)

Public Hearing

Chairperson Levine called the public hearing to order at 7:02 p.m.

Presentation

Senior Planner Gladhill presented the staff report. He indicated this is a 17 unit single-family development with a gross density of three units per acre. The subdivision will be serviced by existing streets but would need cuts to these streets for utilities. Landscaping will be reviewed before building permits. Staff recommends approval of the preliminary plat with the following contingencies – required amendments as outlined in the staff file. There is a zoning amendment because four units are part of North Commons, a park.

Development Manager Lazan indicated they have a developer willing to build this fall with an aggressive schedule. The HRA is the applicant and will take the lead in the subdivision work creating and marketing the lots. Part of the project includes creating four lots in the park parcel; however, they are dedicating the remaining extra land acquired for park land.

Senior Planner Gladhill noted that the front porch is an important design piece in the framework.

Chairperson Levine questioned the homes in the park and wetland.

Citizen Input

None.

Motion by Commissioner Van Scoy, seconded by Commissioner Schiller, to close the public hearing.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Van Scoy, Schiller, Brauer Field, and Perez. Voting No: None. Absent: Commissioner Bauer.

Chairperson Levine closed the public hearing at 7:10 p.m.

Commission Business

Commissioner Van Scoy questioned the relationship between the City, HRA and the developer regarding fees.

Development Manager Lazan commented fees have been set up, structured and approved by the HRA. The first home that has come forward is for an end user builder to build on one of these lots.

The Commission questioned if the fees will be paid by the HRA to the City of Ramsey.

Development Manager Lazan noted the HRA will take on all fees associated with the development so as the lots are sold, the City will receive the development fees. Also, the HRA will incur the development costs and defer the fees to each lot sale when they get paid.

Senior Planner Gladhill noted that the fees will be paid back over time.

Commissioner Brauer questioned the fees on a house-by-house basis. He asked about putting in infrastructure and how that would be paid for.

Senior Planner Gladhill stated the infrastructure is for downstream and ensures capacity. He noted the SAC and WAC fees will be collected during the building permit stage.

Commissioner Field asked about the margin.

Development Manager Lazan noted the HRA owns the property, has put together a number of performas, and it is substantially a break even proposition.

Commissioner Van Scoy questioned the storm pond and the purpose considering it was steep.

Development Manager Lazan showed a rendering of the pond and stated it provides for a maximum slope down and the safety bench as required. The intent was to have water in the pond and to maximize house pads due to shortage of materials.

Commissioner Van Scoy questioned the storm water retention pond and the capacity proposed.

Development Manager Lazan noted the slope is required to get to water elevation and anything below doesn't add capacity but does improve water quality.

Discussion ensued regarding the pond and its depth in regard to safety.

Commissioner Brauer noted that for depth such as this pond, usually safety fences are installed.

Development Manager Lazan stated the acceptable depth and safety bench required for ponds.

Commissioners questioned if the depth of the storm water retention pond is the same as everywhere in the City of Ramsey.

Commissioner Field asked about cattails in the pond. It was noted depth would prevent cattails. He also questioned the elevation of backyards to the pond and if this has been addressed.

Commissioner Van Scoy expressed concern regarding the maximum depth.

Development Manager Lazan stated they could modify plans to a maximum six foot depth.

The Commission asked Senior Planner Gladhill for his recommendation who stated he would like to get feedback from the engineering department but believes a six-foot depth would work.

Commissioner Schiller questioned the water level throughout the year.

Development Manager Lazan discussed input to the pond from adjacent street and yard storm water and from ground water.

Commissioner Schiller questioned dropping it down to six feet.

Commissioner Van Scoy questioned what are the normal level or depth and the amount of variation. It was noted it is the amount to the point of overflow. The wetland elevation was explained.

Chairperson Levine questioned being down ten feet versus six feet. It was noted you need a certain volume of water below the water level.

Development Manager Lazan noted they can go to six feet. The majority of quality treatment will be done in the ponds elsewhere in The COR so this is additional treatment. But, they need the dirt to build the paths, although could make it up elsewhere.

Commissioner Van Scoy noted he wanted to ensure engineering, HRA and the public has reviewed what is reasonable – water quality, cost of fill and safety concerns. He expressed concern with a ten-foot depth. He requested another review to ensure safety at ten feet.

Commissioner Field also questioned the depth but indicated if the down slope is efficient to provide exit points, it would be fine. He favored ten feet but questioned winter and ice freezing over the pond.

Development Manager Lazan noted Commission's concern but stated these are generally accepted practices.

Commissioner Perez stated having more depth would be better in the long run and when there are dry seasons it won't fill.

Motion by Commissioner Field, seconded by Commissioner Schiller, to recommend that City Council approve the Preliminary Plat and the Zoning Amendment from COR-5 to COR-4a contingent upon the following criteria:

- Required amendments as outlined in the Staff Review File dated June 15, 2012
- Approval of the Zoning Amendment for the four single-family units within North Commons
- Response from the Anoka County Highway Department.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Field, Schiller, Perez, and Van Scoy. Voting No: Commissioner Brauer. Absent: Commissioner Bauer.

6. ADJOURNMENT

Motion by Commissioner Van Scoy, seconded by Commissioner Field, to adjourn the meeting.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Van Scoy, Field, Brauer, and Perez, and Schiller. Voting No: None. Absent: Commissioner Bauer.

The special meeting of the Planning Commission adjourned at 7:49 p.m.

Respectfully submitted,

Tim Gladhill
Senior Planner

ATTEST:

JoAnn Shaw
Planning Division Secretary

Drafted by Cheryl Felix
TimeSaver Off Site Secretarial, Inc.

Meeting Date: 07/12/2012

Submitted For: Tim Gladhill

By: Tina Goodroad, Community Development

Information

Title:

PUBLIC HEARING: Request for an Interim Use Permit for Grading and Mining Activities on Outlots A & B Elmcrest Sanctuary; Case of Oakwood Land Development Inc.

Background:

The City has received an application from Oakwood Land Development, Inc. for an Interim Use Permit (IUP) for grading and mining activities on Outlots A & B Elmcrest Sanctuary. The Applicant is requesting the IUP to export approximately 60,000 cubic yards of soil to create a wetland on these parcels for the purposes of a wetland mitigation bank. Per City Code Section 117-359, all excavations in excess of 400 cubic yards of material require an interim use permit.

Notification:

All property owners within 350 feet of the Subject Property were notified of the Public Hearing via Standard US Mail. A Notice of Public Hearing was also published in the Anoka County Union.

Observations:

The purpose of creating the wetland is to establish a wetland mitigation bank. A wetland mitigation bank is a wetland, stream, or other aquatic resource area that has been restored, established, enhanced, or (in certain circumstances) preserved for the purpose of providing compensation for unavoidable impacts to aquatic resources permitted under Section 404 or a similar state or local wetland regulation. A mitigation bank may be created when a government agency, corporation, nonprofit organization, or other entity undertakes these activities under a formal agreement with a regulatory agency, in this case the Lower Rum River Watershed Management Organization (LRRWMO) under the requirements of the Wetland Conservation Act (WCA). The Applicant proposes to create the wetland by excavating upland area down to water depths of six (6) feet or less and then re-vegetate the created wetland and adjacent upland with native herbaceous species. The area to be graded is approximately eleven (11) acres. The subject property seems to be an ideal site for a wetland bank due to its limited development potential. The wetland bank provides some monetary return on the property.

The Applicant is proposing to complete the project in a single phase. The grading is anticipated to be completed within three (3) months, with the restoration (plantings) completed as areas are final graded. Through the wetland bank procedure requirements, maintenance and monitoring is required for a period of five (5) years after project completion. This monitoring will be completed by the LRRWMO. Due to this, the City will not need to require any type of landscape surety/guarantee; however, the IUP will be conditioned upon collection of an erosion control escrow of \$1,500. As the IUP is specific for the grading and mining activities, Staff recommends that the IUP term expire six (6) months from the date of City Council approval or when grading activities are completed, whichever occurs first.

The Applicant provided plans for dust and noise control during excavating activities. Plans call for watering and sweeping of roads as needed to minimize dust. Any associated noise will be from the excavating equipment and trucks hauling soil away. Existing single family residences are located immediately southwest and north of the subject property. Due to the proximity to existing residential homes, staff recommends a condition of the IUP to limit the grading/excavating activities between the hours of 7:00 AM and 7:00 PM, Monday through Saturday.

The Applicant has indicated that the project is currently under review by other agencies, as required by the WCA. Any other required permits, such as that from the LRRWMO, will be required as part of the IUP. City Engineering Staff reviewed the application and provided comments to the LRRWMO expressing support for the proposed

wetland bank, with a request for some revisions to address potential overflow issues north of 167th Avenue. Properties north of 167th Ave NW and west of Sodium St NW have an unmapped wetland extending across the rear of several properties and have experienced high water conditions in 2011 and 2012. City Engineering Staff have requested the plans be revised to provide greater separation between the existing homes and the 100 year HWL of the North Wetland. Staff recommends a condition requiring that these existing water issues be addressed in the plans and that no proposed excavation and restoration activity to create the wetland bank shall negatively impact existing drainage patterns. In addition, City Engineering Staff have identified an outlet ditch downstream from the main wetland that will require cleaning to be able to pass the proposed 100 year flow. The City proposes that this could be a joint City and Oakwood Land Development project.

Funding Source:

All costs associated with the application are the responsibility of the Applicant.

Staff Recommendation:

Staff recommends approval of the IUP for grading and mining activities.

Committee Action:

Motion to recommend that City Council adopt Resolution # _____ adopting Findings of Fact relating to the request for an Interim Use Permit.

-and-

Motion to recommend that City Council adopt Resolution # _____ approving the request for an Interim Use Permit and declaring the terms as proposed.

Attachments

Site Location Map

Existing Conditions Map

Wetland Construction Plan

End Use Plan

Proposed Haul Route

Proposed Findings of Fact

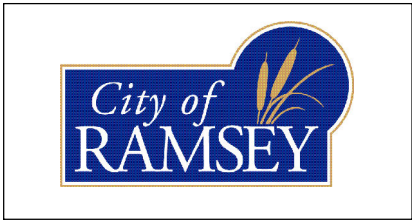
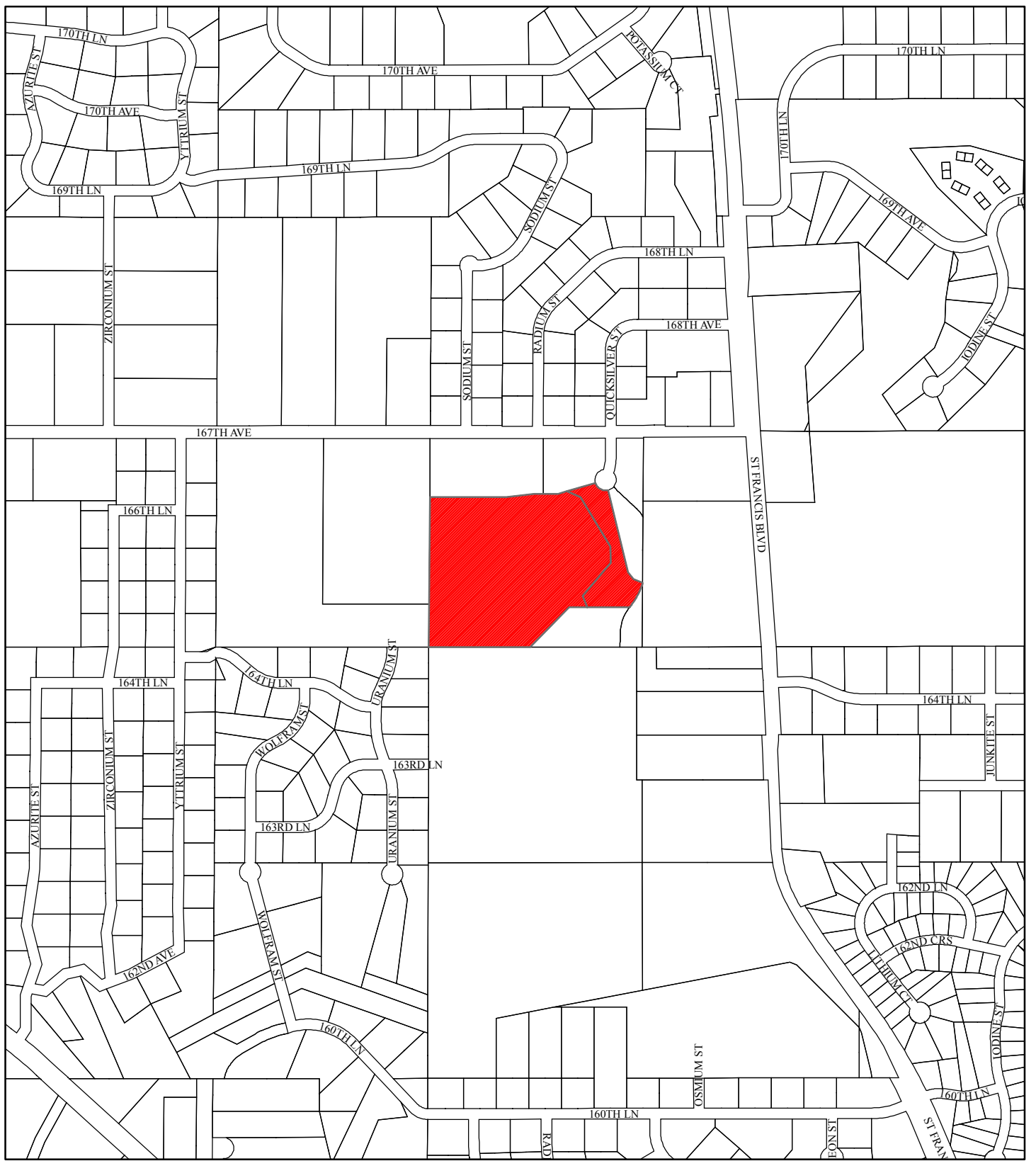
Proposed Interim Use Permit

Form Review

Inbox	Reviewed By	Date
Tim Gladhill	Tim Gladhill	06/29/2012 09:53 AM
Chris Anderson	Chris Anderson	06/29/2012 01:43 PM
Tim Gladhill	Tim Gladhill	07/03/2012 07:53 AM

Form Started By: Tina Goodroad Started On: 06/28/2012 10:49 AM

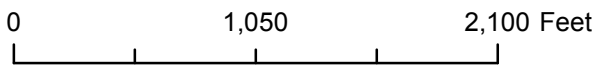
Final Approval Date: 07/03/2012

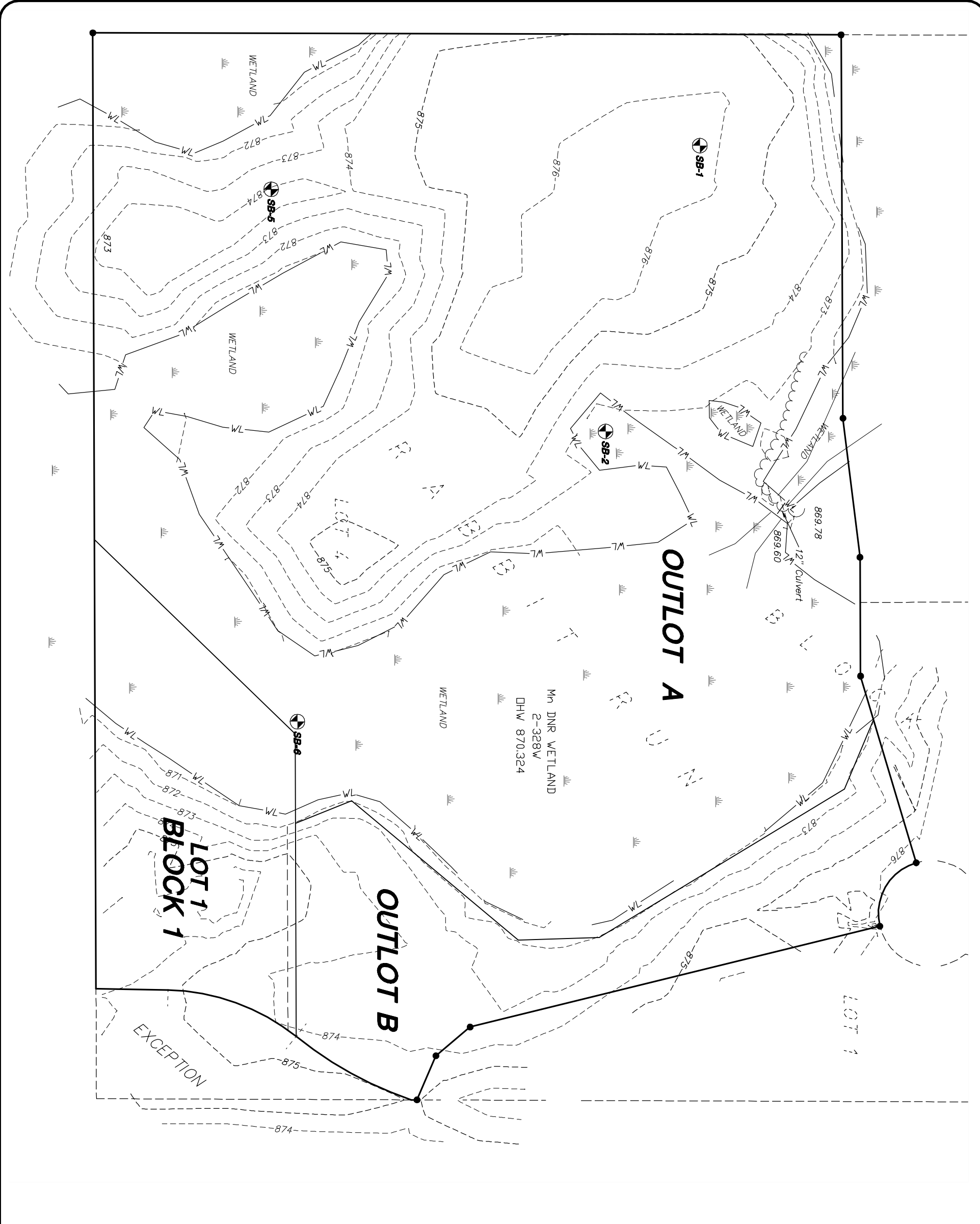


Outlots A and B
Elmcrest Sanctuary

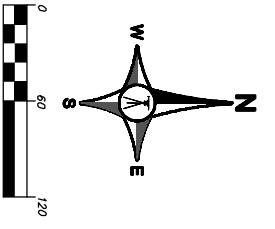
Legend

- Site
- Parcels



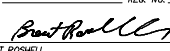


Mn DNR WETLAND
2-328W
DHW 870.324



1 INCH = 60 FEET (22" X 34" SHEET)
1 INCH = 120 FEET (11" X 17" SHEET)

MAP 1

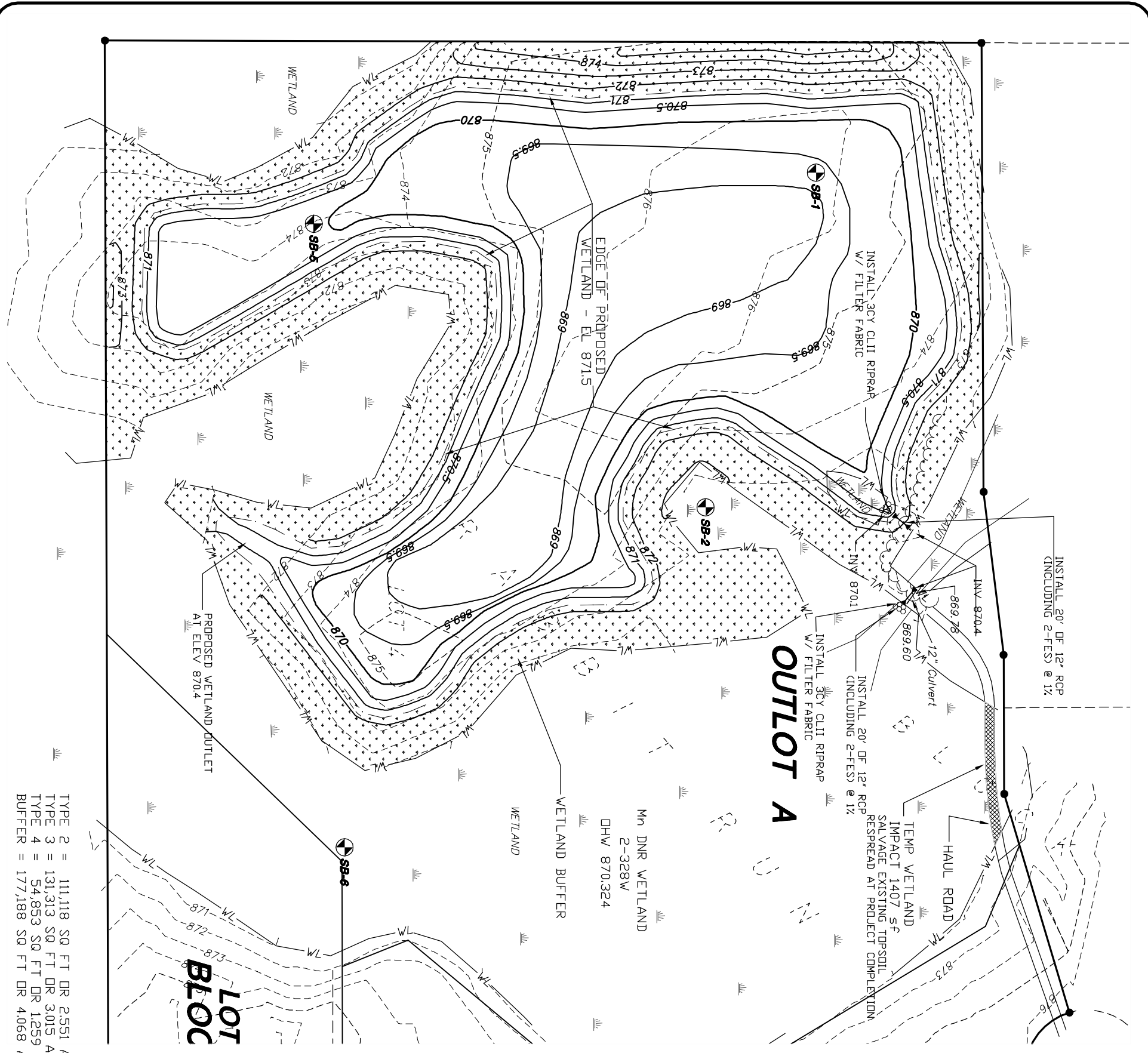
DRAWN	BTR/PAD	<small>I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.</small>
DATE	2/15/12	
SCALE	1"=60'	
PROJECT	523-09	
CHECKED	BTR	
APPROVED	BTR	DATE 5/29/12 REG. NO. 24019  BRENT ROSNELL

ELMCREST SANCTUARY
EXISTING CONDITIONS PLAN
RAMSEY, MINNESOTA

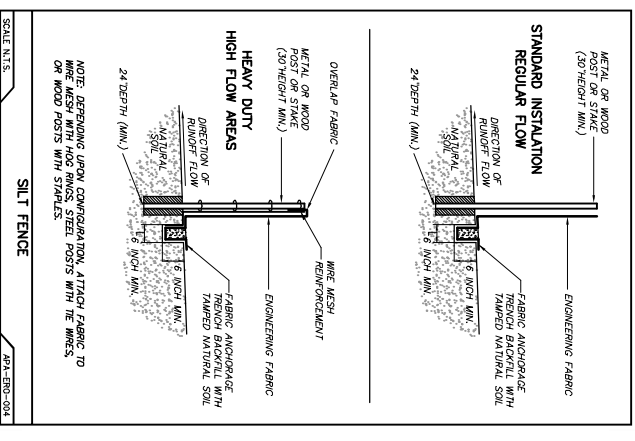
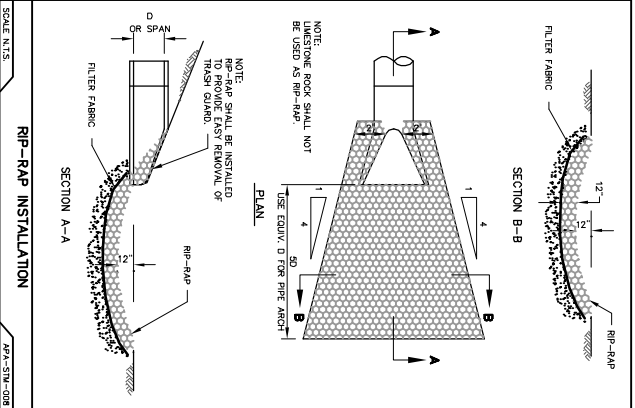
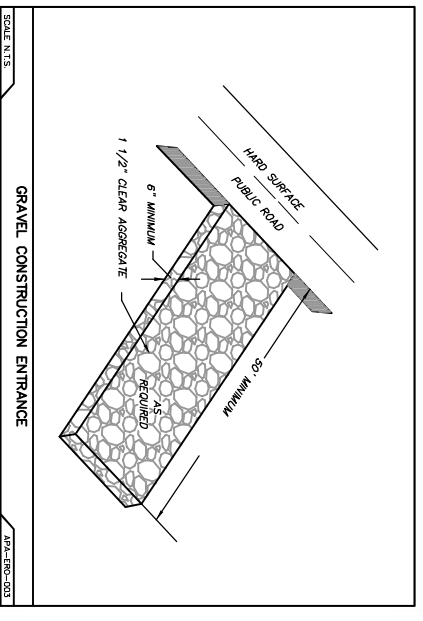
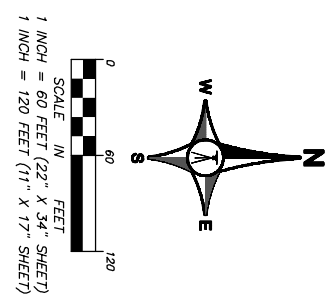
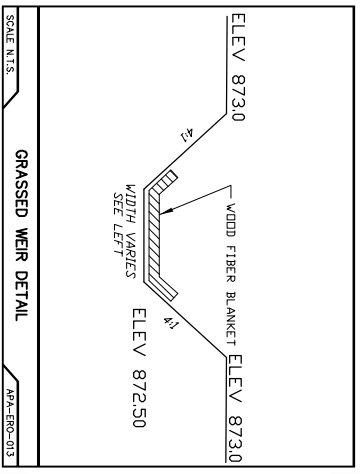
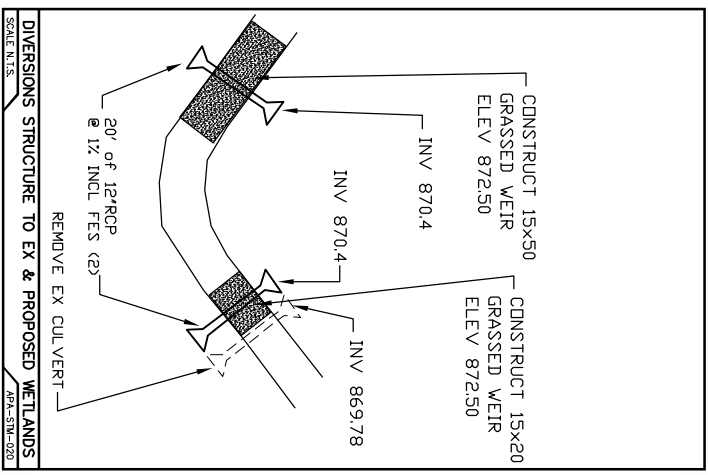


DATE	REVISIONS	BY

RECORD DRAWING



TYPE 2 = 111,118 SQ FT OR 2.551 ACRES
 TYPE 3 = 131,313 SQ FT OR 3.015 ACRES
 TYPE 4 = 54,853 SQ FT OR 1.259 ACRES
 BUFFER = 177,188 SQ FT OR 4.068 ACRES



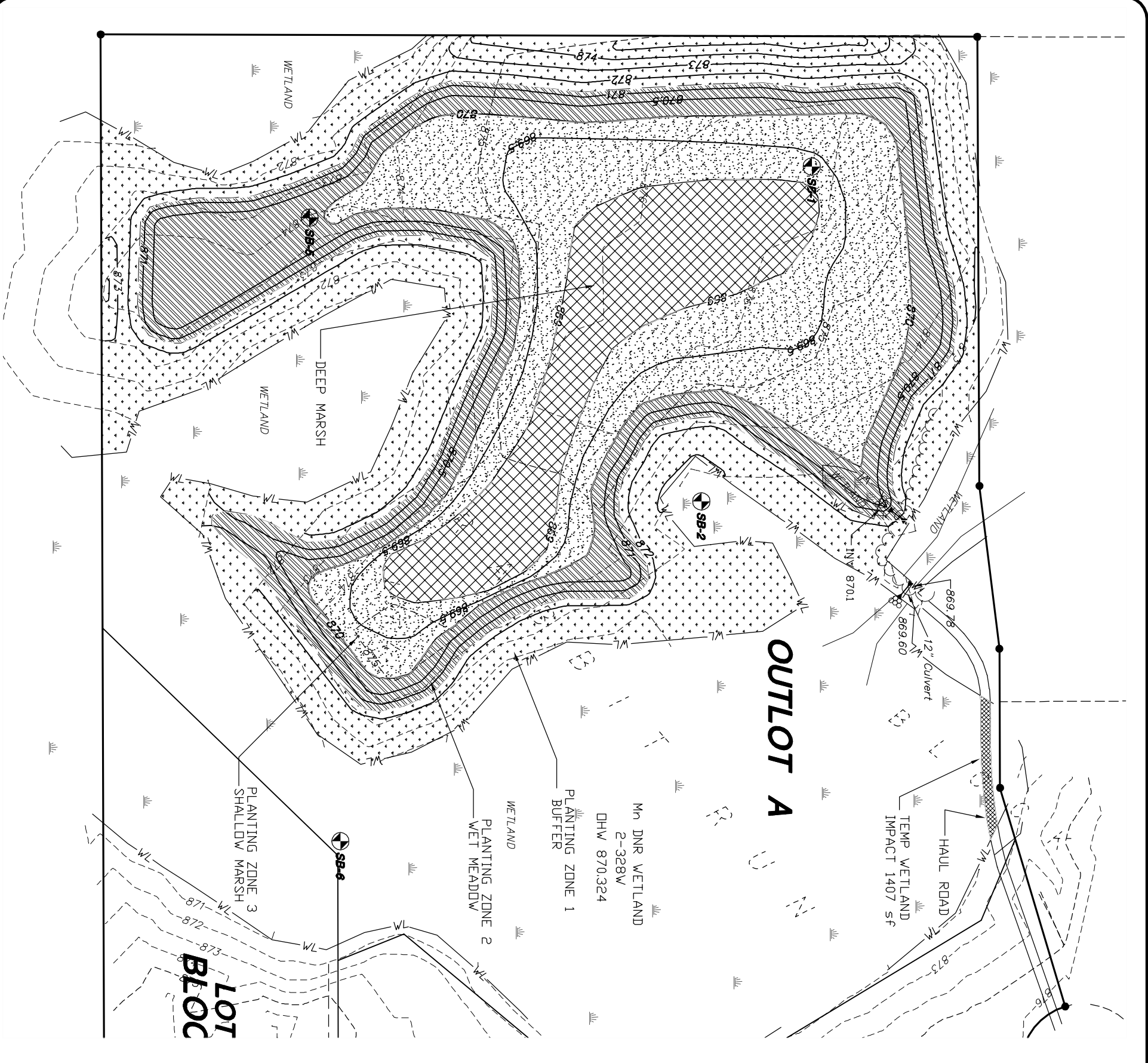
MAP 2
 DRAWN: BTR/PJD
 DATE: 2/15/12
 SCALE: 1"=60'
 PROJECT: 523-09
 CHECKED: BTR
 APPROVED: BTR

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
 DATE: 5/29/12 REG. NO. 24019
Brent Roszell
 BRENT ROSZELL

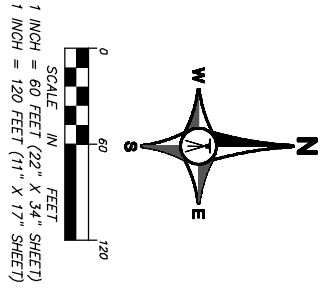
ELMCREST SANCTUARY
WETLAND CONSTRUCTION PLAN
RAMSEY, MINNESOTA
ANDERSON PASSE & ASSOCIATES

DATE	REVISIONS	BY

RECORD DRAWING



OUTLOT A



PLANTING ZONE 1 BUFFER	4.07 AC	ABOVE ELEV 871.5
PLANTING ZONE 2 WET MEADOW	2.55 AC	ELEV 870.5 to 871.5
PLANTING ZONE 3 SHALLOW MARSH	3.02 AC	ELEV 869.0 to 870.5
PLANTING ZONE 4 DEEP MARSH	1.26 AC	BELOW ELEV 869.0

Mn DNR WETLAND
2-328W
DHW 870.324

LOT BLOC

ELMCREST SANCTUARY
END USE PLAN
RAMSEY, MINNESOTA



I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE 5/29/12 REG. NO. 24019

Brent Rosell
BRENT ROSHELL

DATE	REVISIONS	BY

RECORD DRAWING

MAP 3

DRAWN	BTR/PJD
DATE	2/15/12
SCALE	1"=60'
PROJECT	523-09
CHECKED	BTR
APPROVED	BTR

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #12-07-___

A RESOLUTION ADOPTING FINDINGS OF FACT #___ RELATING TO A REQUEST FROM OAKWOOD LAND DEVELOPMENT FOR AN INTERIM USE PERMIT FOR GRADING AND MINING ACTIVITIES AT THE PROPERTIES GENERALLY KNOWN AS OUTLOTS A & B ELMCREST SANCTUARY

Oakwood Land Development, Inc. hereinafter referred to as "Applicant", properly applied to the City of Ramsey (the "City") for an Interim Use Permit for grading and mining activities on the property generally known as Outlots A & B Elmcrest Sanctuary and legally described as follows:

Outlot A, Elmcrest Sanctuary, except road subject to easement of record, Anoka County, Minnesota.

and

Outlot B, Elmcrest Sanctuary, except road subject to easement of record, Anoka County, Minnesota

(the "Subject Property")

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

- 1) That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 117-52 (Interim Use Permits) of the Ramsey City Code on July 12th, 2012 and that the public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.
- 2) That the Subject Property is approximately eleven (11) acres in size and is zoned R-1 Residential (Rural Developing); the surrounding properties are zoned R-1, Rural Developing.
- 3) That Section 117-52 (Interim Use Permits) of the Ramsey City Code allows for interim uses to allow a use for a limited period of time that reasonably utilizes the property where it is not reasonable to utilize it in the manner provided by the comprehensive plan and to allow a use that is presently acceptable but that, with anticipated development will not be acceptable in the future.
- 4) That Section 117-359 (Grading, Mining and Filling Permits) states that only excavation projects of less than 400 cubic yards of earth material shall be exempt from obtaining an Interim Use Permit.

- 5) That the Applicant submitted an application requesting an interim use permit to excavate and export approximately 60,000 cubic yards of soil from the Subject Property.
- 6) That the purpose of the excavation is to create a Wetland Mitigation Bank.
- 7) That the Applicant will be responsible for the excavating and restoration (plantings) to be completed in a single phase extending no more than six (6) months.
- 8) That the Subject Property is a good location for development of a wetland mitigation bank due to existing costly development constraints.
- 9) That security fencing or barricades must be in place to secure the areas of excavation and to prevent public access to the project area.
- 10) That the Applicant is required to obtain approvals and permits from the Lower Rum River Watershed Management Organization (LRRWMO) for the excavation and wetland creation. The LRRWMO will require monitoring and maintenance of the site for five (5) years after completion.
- 11) That the excavation work and use of equipment will be limited to the hours of 7:00 AM and 7:00 PM.
- 12) That the Applicant has submitted a proposed haul route indicating the route the trucks shall travel when exiting the Subject Property.
- 13) That the proposed interim use will/will not result in adverse effects on the public health, safety and welfare of the residents of the City.
- 14) That the proposed use will/will not adversely impact traffic in the area.
- 15) That the proposed use will/will not be dangerous or detrimental to persons residing or working in the vicinity of the use or to the public welfare.
- 16) That the proposed use will/will not substantially or adversely impair the use, enjoyment or market value of surrounding properties.
- 17) That the proposed use will/will not be operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and such use will/will not change the essential character of the area.
- 18) That the proposed use will/will not create additional requirements at public cost for public facilities and services.
- 19) That the proposed use will/will not be detrimental to the economic welfare of the community.

- 20) That the proposed use will/will not involve uses, activities, processes, materials and equipment and conditions of operation that may be detrimental to any persons, property or the general welfare, by reason of excessive production of traffic, noise, smoke or glare.
- 21) That the proposed use will/will not be in accordance with the objectives of the Comprehensive Plan and the intent of Section 117-52 (Interim Use Permits) of the City Code.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 24th day of July, 2012.

Mayor

ATTEST:

City Clerk

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #12-07-_____

RESOLUTION APPROVING THE ISSUANCE OF AN INTERIM USE PERMIT FOR GRADING AND MINING PURPOSES ON OUTLOTS A & B ELMCREST SANCTUARY BASED ON FINDINGS OF FACT #____ AND DECLARING TERMS OF SAME.

WHEREAS, the Ramsey City Council adopted Resolution No. 12-07-_____ adopting Findings of Fact #____ for this use and herein approves the Interim Use Permit subject to the following conditions.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

WHEREAS, Oakwood Land Development Inc., hereinafter referred to as "Permittee", has properly applied to the City of Ramsey (the "City") for an interim use permit (the "Permit") for grading and mining activities on the property generally known as Outlots A & B Elmcrest Sanctuary and legally described as follows:

Outlot A, Elmcrest Sanctuary, except road subject to easement of record, Anoka County, Minnesota.

and

Outlot B, Elmcrest Sanctuary, except road subject to easement of record, Anoka County, Minnesota

(the "Subject Property")

WHEREAS, the Planning Commission met on July 12, 2012, conducted a public hearing and recommended that the City Council approve/deny the Interim Use Permit request for grading and mining activities;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

This **Permit** is issued pursuant to Section 117-52 (Interim Use Permits) and 117-359 (Grading, Mining and Filling Permits) of the Ramsey City Code. The conditions of this **Permit** are as follows:

1. This **Permit** shall allow the **Permittee** to excavate and export approximately 60,000 cubic yards of earth material from the **Subject Property** for the purposes of creating a wetland.

2. This **Permit** shall commence on the date of City Council approval and shall expire on January 24, 2013 or upon completion of the grading and mining activities, whichever occurs first.
3. That in addition to this **Permit**, the **Permittee** shall be responsible for obtaining and complying with any permits deemed necessary from the Lower Rum River Watershed Management Organization (LRRWMO), Anoka County, and/or any other applicable agency.
4. The **Permittee** shall be responsible for removing any spilled material from the public roads immediately; roads shall be swept daily or as directed by the City Engineer. Must have a sweeper on site or have one available within three (3) hours. Failure to do so shall be cause for the City Engineer to order the necessary work to be done and billed to the **Permittee**. The **City** may require an escrow to ensure the work is completed.
5. All excavation and mitigation operations shall be conducted in accordance with Figure Map 2, dated May 29, 2012 and submitted by the **Permittee**, incorporated herein as Exhibit 1. The proposed area to be graded is approximately eleven (11) acres in size.
6. All equipment used for grading and hauling operations shall be maintained and operated in such a manner to minimize noise, dust, and vibrations adversely affecting surrounding properties. All equipment shall be kept in good repair. No maintenance or repair is allowed on City owned property.
7. The **Permittee** shall deposit an erosion control escrow of \$1,500 with the **City** prior to excavation activities. The escrow may be drawn upon if erosion control measures are not secured throughout the duration of the project. The escrow will be refunded to **Permittee** upon establishment of vegetation in all disturbed areas and removal of silt fence.
8. Existing water/drainage issues north of 167th Avenue shall be addressed prior to the development of proposed wetland and that no proposed excavation and restoration activity to create the wetland bank shall negatively impact existing drainage patterns.
9. The **Permittee** and the **City** shall enter into a joint project to clean the existing outlet ditch downstream from the main wetland and ensure it has capacity for the 100 year storm.
10. All grading and excavation activities may occur only between the hours of 7:00 AM and 7:00 PM Monday through Saturday.
11. That the project area shall be properly safeguarded to prevent the general public from depositing garbage or other refuse on the work site.
12. That safety fencing must be installed and maintained around the project area to prevent the general public from entering the project area.

13. The maximum noise level at the perimeter of the work site shall be within the limits set by the Minnesota Pollution Control Agency and the Environmental Protection Agency of the United States.
14. Upon completion of the grading activities, the restoration planting plan shall be completed in accordance with Map 3, End Use Plan herein incorporated as Exhibit 2.
15. That this **Permit** shall not be considered modified, altered, changed or amended in any respect unless in writing and signed by the **City** and the **Permittee**.
16. That the **City** shall have the right to inspect the premises for compliance and safety purposes at any time, upon reasonable request.
17. That the terms of this **Permit** shall be binding upon its successors and assigns.
18. In the event the **Permittee**, or its successors, or assigns, violates the terms of this **Permit**, said violation shall be ground for suspension or revocation pursuant to Section 117-52 (d) of the Ramsey City Code.
19. In the event any part of this **Permit** is declared void or unenforceable by a court or competent jurisdiction, the other provisions shall not be affected but shall remain in full force and effect.
20. That all costs incurred by the **City** in administering and enforcing this **Permit** shall be the responsibility of the **Permittee**.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 24th day of July, 2012.

Oakwood Land Development Inc. hereby acknowledges receipt of this Permit and that they have reviewed the conditions of this Permit and have agreed that they will comply with the terms of this permit.

By: _____ Its: _____

STATE OF MINNESOTA)

Ramsey, MN 55303

Anoka, MN 55303

Meeting Date: 07/12/2012

By: Tim Gladhill, Community Development

Information

Title:

PUBLIC HEARING: Consider Revised Comprehensive Plan Amendment for The COR

Background:

In August, 2011, the City approved a Comprehensive Plan amendment that included, among multiple other amendments, a change to the Master Plan for the former Ramsey Town Center, now known as The COR. As it relates to The COR, that amendment was based on Development Plan 5.03. After further analysis and comments, attached for review is the approved Development Plan 6.0 by the City's Housing and Redevelopment Authority (HRA). The HRA acquired approximately 150 acres of the former Ramsey Town Center development. Through a series of public open houses and HRA workshops, the City, through the development management services of Landform Professional Services, has developed a proposed new master plan for the development.

After initial review with Metropolitan Council Staff, the City Council directed Staff to provide a new analysis of the Development Plan and potential revisions that would reduce or eliminate reductions in forecasted households. Metropolitan Council Staff recommends that the City address in the revised amendment, statements that illustrate that the changes to the Master Plan are consistent with investments previously made within The COR. Development Plan 6.0 and associated forecast analysis appears to indicate a plan that will remain consistent with current forecasts. It is important to note that the Development Plan is a conceptual site plan that assists in illustrating how the City intends to meet forecasts in this mixed-use land use designation. The City is not asking for an amendment to the future land use designation, and the current density thresholds appear to prove that the original forecasts are not impacted at this time.

Notification:

The Public Hearing was properly notified in the Anoka County Union.

Observations:

The intent of the original amendment was to focus density closer to the center of the development, near the rail station, now under construction. The area of the greatest change is focused on the western portion of the development consisting of approximately 30 acres. A majority of this area is currently guided as COR-4b, which is best characterized as medium density residential. This area is now proposed to include larger scale retail to anchor the development to support the smaller scale retail still currently envisioned in the center of the development. The plan also impacts what was previously envisioned as West Meandering Commons, which is now configured as Lake Ramsey Park. The grading activities for Lake Ramsey Park will accommodate at least a portion, if not all, of the fill required to complete the development.

The largest area of focus within the revised amendment and difference between Development Plan 5.03 and Development Plan 6.0 is the undeveloped area on the western half of the development, yet within a half-mile radius of the Ramsey Station (the TOD Area). This area also provides additional density, and reduces the amount of future surface parking. There are also other changes to the Development Plan that include additional area of residential as well as higher densities than included in the original traffic analysis.

No actual change to the Future Land Use Map is required, as the area is listed as Mixed Use. However, according to the Metropolitan Council, due to the level in change in the conceptual site plan for the Master Plan as well as changes to the design guidelines, a Comprehensive Plan Amendment is required.

A detailed analysis is included in the attached Revised Comprehensive Plan Amendment Memo. To be included as

exhibits to the Memo will include the Design Framework (which now also serves as the Master Plan), the original and revised Traffic Generation Memo (to support the analysis of no change to future land use or forecasts). The Memo is still in working draft form. Staff is forwarding Development Plan 6.0 and associated forecasts and traffic analysis for recommendation by the Planning Commission. Staff will continue to work with the Metropolitan Council Staff on format of the Memo.

Funding Source:

All costs associated with the amendment are being handled as part of regular Staff duties.

Staff Recommendation:

Staff recommends approval of the Revised Comprehensive Plan Amendment for The COR.

Committee Action:

Motion to recommend that the City Council adopt a resolution granting approval of the Revised Comprehensive Plan Amendment for The COR.

Attachments

Amendment Memo

Design Framework

Traffic Analysis

Development Plan 6.0

Resolution

Original Presentation to Metropolitan Council Staff

Form Review

Inbox	Reviewed By	Date
Tim Gladhill (Originator) Form Started By: Tim Gladhill	Tim Gladhill	07/06/2012 01:23 PM Started On: 07/03/2012 04:18 PM
	Final Approval Date: 07/06/2012	

The COR (Formerly Ramsey Town Center)
City of Ramsey

THE
COR
AT RAMSEY



The COR Master Plan (Amended)

Original Master Plan: 2003
Revised 2012

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Introduction and Background

Encompassing over 400 acres of commercial, residential, and recreational venues, The COR is becoming the most active development in the north metro with over \$80m in active projects. In addition to being the largest TOD development assemblage on the Northstar Commuter Rail Line, The COR is located on one of the fastest growing corridors in the Midwest. Existing structured parking and infrastructure positions The COR to attract development that makes sense, grows jobs, and expands the regional economy. Whether you are enjoying The COR's many parks and trails, shopping at the farmers market, commuting to downtown Minneapolis, or just relaxing in your home, The COR offers residents and visitors an authentic lifestyle that comes with living in a city that reflects those who call this area home.

Project Highlights:

- Immediate exposure to approximately 40,000 ADT on Highway 10
- Over \$80m in new projects under construction or contract: Over 60,000 S.F.
- Medical, Over 300 residential units, 200 additional structured parking stalls
- Existing transit station with 800 structured parking stalls
- Construction commenced on Ramsey Station
Scheduled to begin Fall 2011
- Armstrong Overpass currently in design phase
- \$65m TIF in place for funding infrastructure and development

In 2003, groundbreaking occurred under the original Master Plan. In 2011, the City approved The COR Development Plan to replace the original Ramsey Town Center Master Plan. In addition, in 2012 the City approved a new document entitled The COR Design Framework. This document incorporates specific design elements and site plan information from both the original Master Plan document as well as the former Ramsey Town Center Design Guidelines. Rather than having two (2) separate documents specifying private and public design components, the City chose to merge these two (2) documents into one (1) concise document for ease of administration.

Transit Oriented Development

The COR is a Transit Oriented Development (TOD) along the Northstar Commuter Rail. The Ramsey Station is the key node of the development. With the revised Development Plan, the energy of the development was refocused towards this center, as well as within a half-mile radius of this node. A portion of the development fall outside the official TOD Area (half-mile radius from the Ramsey Station). A portion of the land use designation and zoning district extend further beyond these limits, located west of Armstrong Boulevard.

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Land Use Designation and Boundary Clarification

The original Master Plan draft established a boundary of approximately 322 acres. The forecasts were derived on a unit-count instead of a density range, and included a population of 2,500 households. However, upon implementation of the Master Plan through the establishment of the Zoning District, the boundary was revised to include an area west of Armstrong Boulevard and an area north of Bunker Lake Boulevard. This area was established as a 'Mixed-Use' District within the Comprehensive Plan. Upon completion of the Zoning District and Alternative Urbanwide Area Review (AUAR), the expanded boundary area forecasted a total of 2,400 households. The intent of this document is to clarify the official project boundaries and zoning boundaries to clear confusion on previous forecasts.

Today, in order to work within the forecast methodology of the Metropolitan Council, a density of ten (10) units per acre was established to assist in forecasting purposes. This assumption alone supports the City's analysis that the revised Development Plan is consistent with previous forecasts. Residential densities range from 76 units per acre near the Ramsey Station, to approximately 15 units per acre in the middle portion of the development, to approximately four (4) units per acre on single-family areas adjacent to existing development. These progressively lower densities, or transects, are consistent with the original Master Plan contemplating much higher densities within the development, balanced by appropriate transitions to remain compatible with existing, surrounding development.

The area is guided as Mixed Use to allow flexibility in design and promote a mix of uses. The Development Plan, as well as the original Master Plan, were not intended to serve as an approved site plan, but to guide potential future development. The Mixed Use designation allows the City the flexibility to shift land uses without the need for a Comprehensive Plan Amendment or Zoning Amendment, provided that the requirements of Minnesota Statute 473 are maintained and consistent with Metropolitan approval and jurisdiction. The analysis shows that based on revisions found in Development Plan 6.0, that the amendment is consistent with the City's System Statement and approved Comprehensive Plan.

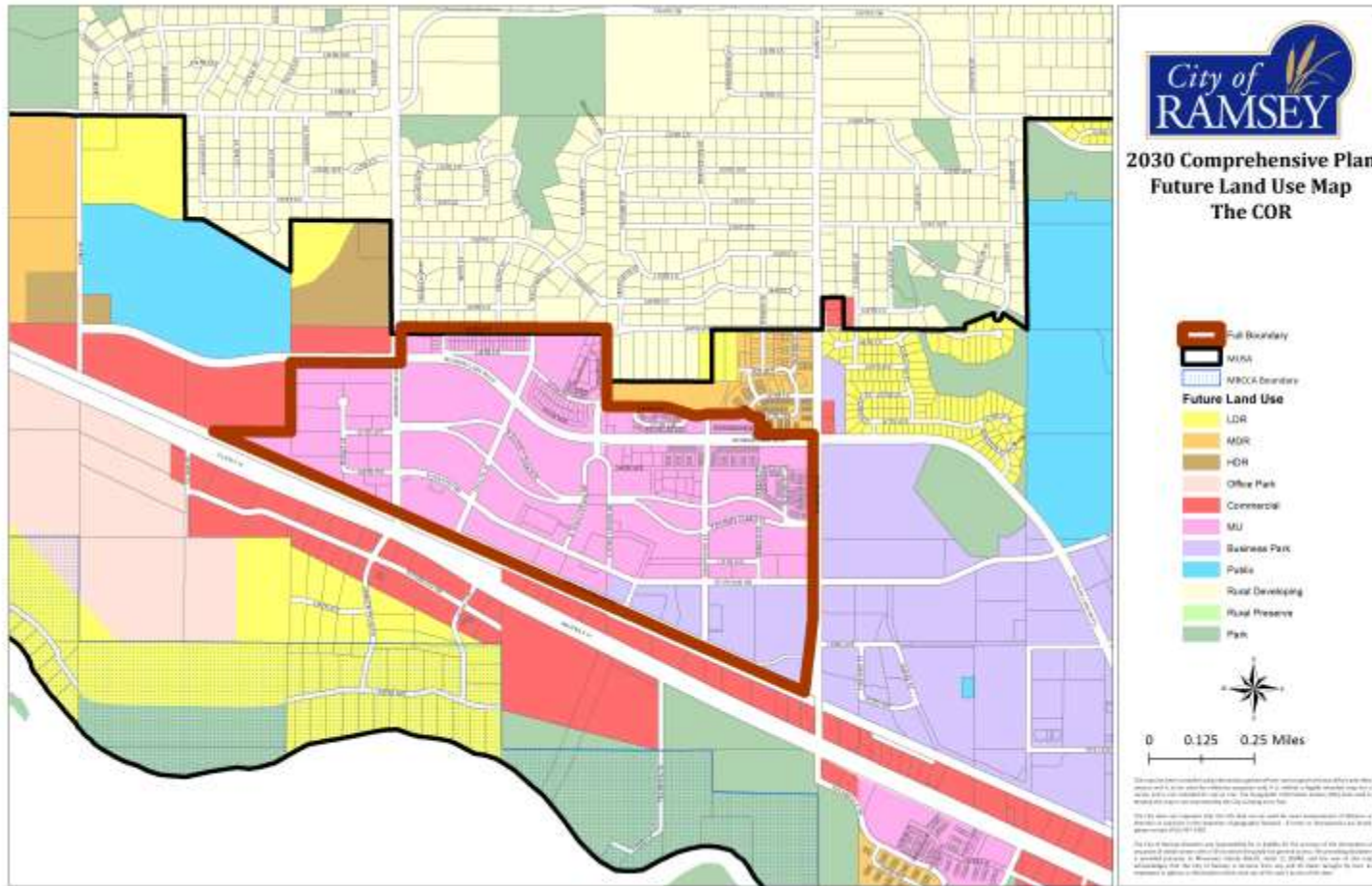
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Boundary Comparison Map



Future Land Use Map



Built Environment within the TOD Area

The COR is located along the Highway 10 and Burlington Northern Santa Fe Railroad corridors. This built environment creates lack of opportunity for connectivity to the area south of Highway 10 that would ultimately allow the City to achieve a full half-mile radius representing a TOD area. Multiple pedestrian connections are difficult and cost prohibitive at this time.

In addition, much of the area south of Highway 10 within the half-mile radius is a regional park known as Mississippi West Regional Park. This regional park has a Metropolitan Council approved Master Plan. The site itself was gifted by the original property owners and is deed-restricted for park uses. The site does not have the potential for future development other than park.

Due to the factors above, the area south of Highway 10 has been excluded from calculations related to the TOD Area.

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Built Environment Map



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Quarter Mile Radius

The quarter mile radius surrounding the station, north of Highway 10 and the railroad tracks, is commonly referred to as Transit Village. This area will have the highest density, most pedestrian connections, and connectivity of multiple land use types within walking distance of the Ramsey Station. For purposes of this analysis, if the quarter-mile boundary intersected a sub-TAZ, the entire sub-TAZ was calculated for the analysis. The forecasts within the quarter-mile radius are as follows:

Households	Population	Employment

Projects within the quarter-mile radius include.

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Quarter Mile Radius Map

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Half Mile Radius

The half-mile radius is commonly known as the TOD Area or Transit Improvement Area (TIA). The City has submitted an application to the Minnesota Department of Employment and Economic Development (DEED) for a TIA designation. For purposes of this analysis, if the half-mile boundary intersected a sub-TAZ, the entire sub-TAZ was calculated for the analysis. The forecasts within the half-mile radius are as follows (includes quarter-mile forecasts from above:

Households	Population	Employment

Projects beyond the quarter-mile radius, but within the half-mile radius include:

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Half Mile Radius Map

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Development Plan 6.0

The City has also completed a revised site plan for that encompasses the entire original Master Plan boundary. The City had previously applied for a Comprehensive Plan Amendment for Development Plan 5.03. After discussion, the City approved an amendment to Development Plan 5.03 that focused on that portion of the development that is located within the TOD area. As previous section indicate, the net result is an increase of the number of households forecasted for the TOD Area, while maintaining the overall original forecasts of the development.

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Development Plan 6.0 Exhibit



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Re-Visioning Process

The Development Plan is a revision of the original Ramsey Town Center Master Plan. As it relates to the Comprehensive Planning requirements of Minnesota Statute Chapter 473, the City is not requesting amendments at this time.

However, the Development Plan does represent an amendment to the conceptual site plan of the original master plan. The original Design Guidelines have been amended and now known as the Design Framework. The Design Framework included as Exhibit A to this document.

The re-visioning process began in 2009, and included an extensive public process. The City hosted a Visual Preference Survey as well as an Open House to review the original master plan and chart a course to set the development in a position for success. The following exhibits illustrate the various steps that were a part of the re-visioning process.

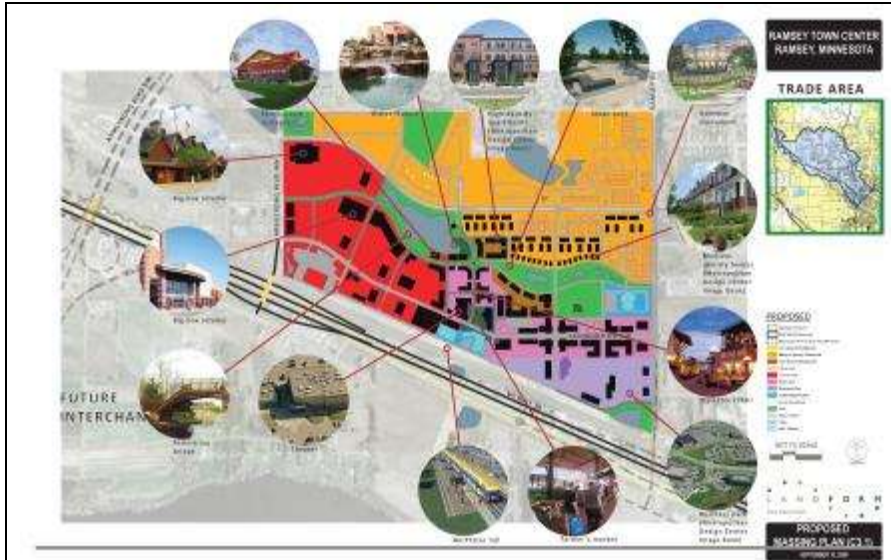
The re-visioning process began following the decision by the City's Housing and Redevelopment Authority to purchase the remaining 150 acres of the development that had been stalled due to foreclosure actions and the death of the Master Developer. The decision was made to purchase the development in order to protect the investment previously made by the City in infrastructure, recoup unpaid taxes, and position the development to become a successful development.

The outcomes of the re-visioning and re-branding process can already be seen in recent developments. The new plan has helped attract developments such as the Allina Medical Clinic, the VA Outpatient Clinic, the Falls Restaurant, the Residence at The COR, and the Northstar Commuter Rail.

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Re-Visioning Exhibits



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Transportation System and Sunwood Drive Realignment

As part of the AUAR review, it was determined that only one (1) access on Armstrong Boulevard between Highway 10 and Ramsey Boulevard would be permitted, which was included in a Joint Powers Agreement for regional roadway improvements. This had a dramatic effect on the future built-environment on the western edge of the development.

The transportation system capacity is a key element of the success of The COR. The City has reviewed several iterations of land use scenarios that maximizing the existing and planned transportation system improvements. Improvements to Armstrong Boulevard and Highway 10 are key to the success of The COR.

With the construction of the Northstar Commuter Rail – Ramsey Station underway, the internal capture rate should assist in providing for acceptable levels of service on the transportation network. However, future roadway improvements will still be necessary in order to support the capacity of the development.

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Sunwood Drive Scenarios



RAMSEY TOWN CENTER
RAMSEY, MINNESOTA

-  TRANSIT
-  INTERSECTION (FULL ACCESS)
-  INTERSECTION (LOW-MODERATE ACCESS)
-  TRAILS

NOT TO SCALE



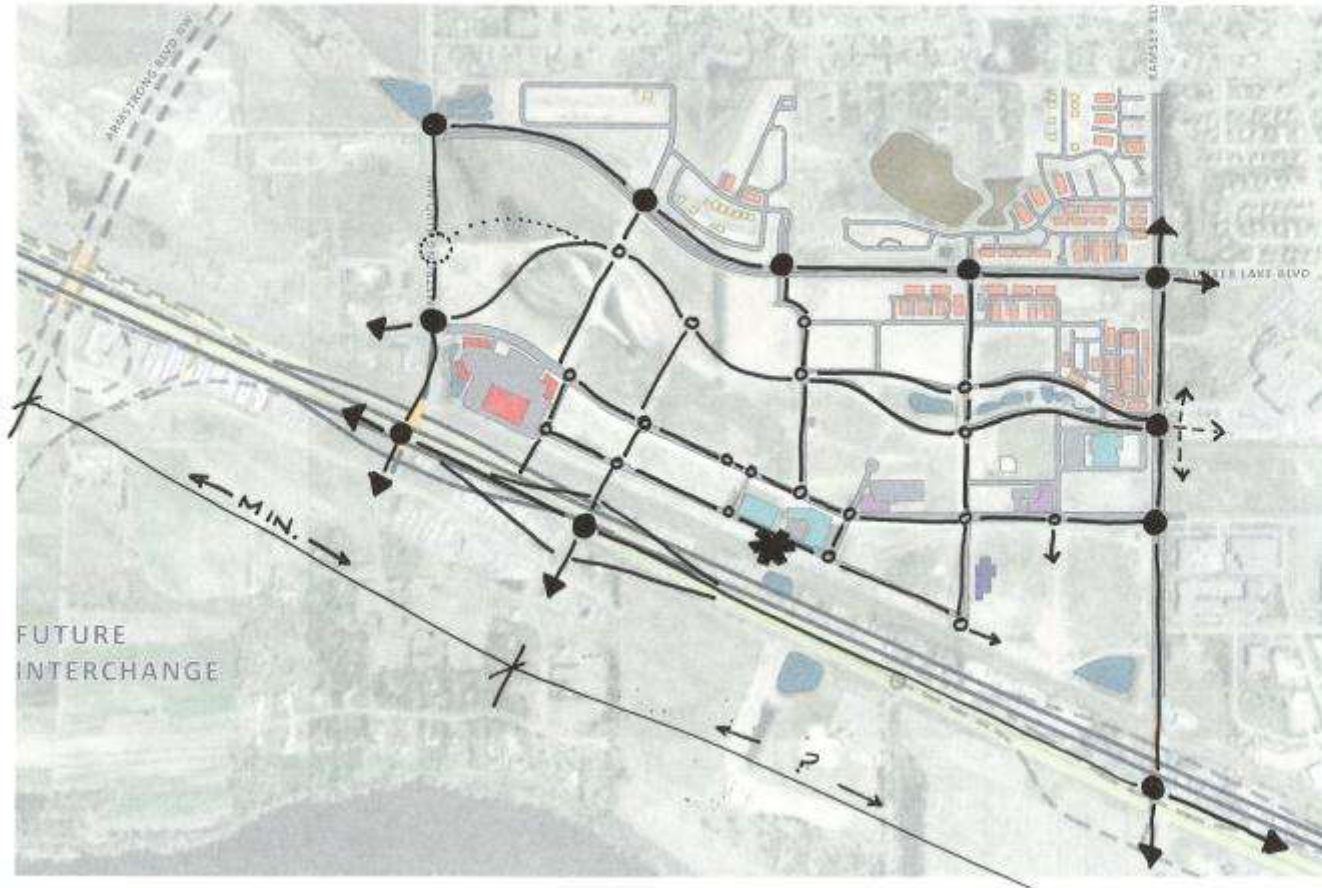
LANDFORM

From Vision to Form

EXISTING ACCESS
ANALYSIS (C2.3)
SEPTEMBER 15, 2009

Alternate Sunwood Drive Scenario

RAMSEY TOWN CENTER
RAMSEY, MINNESOTA



NOT TO SCALE

LANDFORM

PROPOSED ACCESS ANALYSIS (C3.0)

SEPTEMBER 2, 2008

Comparison to former Ramsey Town Center Master Plan

Although the revised plan does not impact the City's System Statement in terms of growth forecasts, it does represent a change to the conceptual site plan to illustrate the potential for future development.

The City of Ramsey is not requesting an amendment to the approved forecasts for ultimate build-out of the development. The City is requesting to replace the original Site Plan from the Ramsey Town Center Master Plan and amendment to the Design Framework (original Design Guidelines).

The revised Development Plan is a marketing tool to illustrate what development may look like through 2030. The site plan illustrates that the original forecasts can be achieved with the revised site plan through high floor area ratios, densities, and shared parking within the TOD Area.

The Vision

The revised Development Plan maintains much of the original vision for a transit-oriented, pedestrian-scale development, now refocused in the center.

Transit Village

The area immediately surrounding the Ramsey Station is commonly referred to as Transit Village. It currently includes the Ramsey Municipal Center, Municipal Parking Ramp, the VA Outpatient Clinic, and the Ramsey Office Plaza. Currently under construction is the Residence at The COR, a 230-unit apartment complex.

Office Park

The office park remains unchanged from the original plan. Currently completed are the PACT Charter School, NAU Country Insurance, Allina Medical Clinic, and the Midwest Medical Examiner.

Residential Development

There are several projects completed and under construction, totaling nearly 300 existing units. Within the original 322 acre boundary, nearly 1,900 housing units are forecasted. Floor Area Ratios and structured parking requirements will allow the City to exceed this forecast beyond the current planning period. With the clarified boundary, the original 2,500 household forecast is met or exceeded within the current planning period.

West Retail Area

The previous Master Plan did include medium-to-large scale retail on the western edge of the development. As part of the re-visioning process, the City determined that a solid anchor was necessary to support the desired land use within the TOD Area. The expanded large-scale retail anchor lies largely outside the TOD Area, and additional residential units within the TOD area have been added to off-set the shift in land uses.

Adjacent Development

There are several areas of adjacent development that have been a direct result of the energy surrounding The COR, maximizing value-capture potential of the Northstar Commuter Rail.

Legacy Christian Academy

In 2010, the City approved a site plan and subdivision request for 90 acre private school campus. Upon ultimate build out, the Legacy Christian Academy proposes to serve approximately 1,400 students and is expected to break ground in Spring of 2013. The site is located approximately $\frac{3}{4}$ mile from the Ramsey Station. Not originally part of the City's Comprehensive Plan, this high-quality development not only changed the landscape of future land use on the site itself, it changed the dynamics of the surrounding area as well. It is anticipated that some adjacent residential, not currently shown within the Comprehensive Plan, may be desirable as support for the success of Legacy Christian Academy. As Legacy Christian Academy and the rest of the area west of Armstrong Boulevard are truly connected and an extension of The COR, the future land use planning of this area, explained in more detail below, may continue to add additional energy and capacity to The COR and potentially include additional households. This area will be re-evaluated as part of the 2040 Comprehensive Plan Update.

Town Center Gardens

Another private development has been spurred as a result of The COR. This development, known as Town Center Gardens, began developing in 2004, and consists of approximately 300 housing units. Much of this area is located with the TOD Area, with the remainder being within $\frac{3}{4}$ of a mile from the Ramsey Station. A portion of this development is part of the expanded boundary of The COR previously mentioned.

West of Armstrong

The area west of Armstrong, also part of the expanded boundary of The COR, was traditionally thought to be exclusively retail. This was the City's first attempt to create a retail anchor for The COR, but complications in redevelopment causes the previous development, known as Ramsey Crossings, to not become a reality. The Future Land Use of this area is COR Mixed Use, consistent with the same designation of The COR itself. Given this fact, the Comprehensive Plan would not only allow retail, but residential uses as well. As stated above, as part of the Legacy Christian Academy, this area will be re-evaluated as part of the 2040 Comprehensive Plan Update.

Maximizing Investments Previously Made

Numerous entities have invested in the success of The COR. Without these private and public partnerships, the success of the development would not be possible.

Northstar Commuter Rail

With approximately 2,500 households within walking distance of the Northstar Commuter Rail – Ramsey Station, the investment made by the various partners continues to be consistent with the new

Development Plan. The area around the Ramsey Station, referred to as Transit Village, provides a mix of uses including residential, public, and commercial.

The investment made to attract a 230 unit apartment complex is planned to attract a high return on ridership use on the Northstar Commuter Rail, with direct connections to the rail station. This development also includes a retail component, intended to serve as an amenity to the residents of the building, the broader community, as well as ridership for the Northstar Commuter Rail.

The Ramsey Municipal Center is located adjacent to the rail station, and provides a wide variety of services to residents and riders, including the Anoka County License Center.

The Municipal Parking Ramp was recently expanded to ensure capacity of surrounding uses (to maximize density and development potential) and ensure capacity for ridership on the Northstar Commuter Rail.

The Draw Park and Amphitheater (formerly East Meandering Commons)

The City received a grant from the Livable Communities Demonstration Account (LCDA) of the Metropolitan Council. The investment was made in amphitheater and bridges for The Draw – Park and Amphitheater. This project was recently completed, and already has been shown to be a large success. This site is the location of the weekly Farmer’s Market and Draw Event Series during the summer and has even been the location of multiple weddings. This area is unchanged in the new Development Plan, and is consistent with the investment made.

Insert Photo Here.

Sunwood Drive

The City received a grant from the Livable Communities Demonstration Account (LCDA) of the Metropolitan Council for construction of Sunwood Drive to create a connection to the Ramsey Station. The impacts of the new Development Plan and realignment of Sunwood Drive are not of impact to the scope of this grant.

Municipal Parking Ramp

The City received funding to construct portions of the Municipal Parking Ramp from both the LCDA program as well as a Congestion Mitigation and Air Quality (CMAQ) grant. The Phase I of the ramp was completed a number of years ago and Phase II (CMAQ grant-funded) is in the final construction phases. This project was intended to serve the surrounding development, including the Northstar Commuter Rail.

Ramsey Star Express

The City of Ramsey has shown its commitment to continued funding of a pilot program for Northstar Commuter Rail-Ramsey Station. Investment built ridership base to support Ramsey Station.

Insert Grant Improvement Map Here.

Document Comparison

With an amended master plan, many of the documents have been revised. The table below shows the location of the previous documentation.

<u>Previous Document</u>	<u>Current Location</u>
Master Plan	Design Framework
Site Plan	Development Plan
Design Guidelines	Design Framework
Zoning Code-Permitted Uses	Zoning Code-Permitted Uses
Zoning Code-Dimensional Standards	Design Framework

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Design Framework



February 28, 2012

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Appendix A: Specifications and Details

Design Framework – The COR

Purpose

The primary purpose of Design Framework is to set basic parameters, describe preferences and illustrate design intent. These framework standards serve as a framework within which creative design can and should occur – there is no one solution, but many options that meet the basic requirements of this document.

Application

The format and content of this framework are specifically tailored for use as a supplement to the Zoning Ordinance. This document is organized into two sections. The first section outlines issues and recommendations that apply to the entire COR. The second section highlights specific framework that apply to each sub-district within The COR. The City of Ramsey has adopted Development Plan 5.03 as the Master Plan for The COR. This master plan provides illustrative guidance for building locations and orientation. Any changes to this approved master plan must be reviewed and approved by the City Council as part of the development application. This Development Plan will be updated by the City as changes are approved.

Implied Responsibility

All participants in the development of The COR recognize the local and regional impacts of this project and the various systems that play an important role. Each parcel and each building must fit within the context of the entire plan. Individual projects must complement, not compete with, adjacent development in terms of public green space, walk and trail connections, stormwater management solutions, street layout, parking strategies, land use mix and building design.

Part One: Overall Framework

There are a number of framework standards that apply to the entire COR, including recommendations for stormwater management, parks, streets, land use, parking, transit and other development components. Many of these overall COR framework standards overlap, or are integrated with one another. For ease of discussion they are categorized according to the same list of 'layers' that formed the basic structure for the Master Framework:

- Context – local, city, regional
- Street Hierarchy--access, circulation, arrangement
- Streetscape—preferred design, location
- Parking -- quantity, location, type
- Building Design-- preferred uses, horizontal/vertical mixed use, built form, character of development
- Signage—design, location, quantity, type
- Stormwater Management-- surface water features, stormwater management
- Parks/Public Spaces – parks, trails and open space

It is essential that proposed design solutions for development projects and other improvements within The COR demonstrate an understanding of the interplay between these layers.

Overall Framework - Context

Overview

The COR is a unique area within the City; but it is a part of, and connected with, a variety of local, city-wide and regional systems (See Figure 1: Development Master Plan 5.03). Each development project, whether a single building, one lot, or a series of blocks, must provide reasonable links to these systems as a primary design objective.

Guideline Recommendations

To ensure that The COR takes full advantage of local and regional systems, development should:

- Provide safe, easily recognized connections to city, county and state trail corridors
- Make provisions for city and regional transit service and amenities (including the Northstar Line) and encourage their use
- Tie into, and improve, the Ramsey utility network
- Integrate with and complement the existing (and future) street framework
- Become an integral part of the city and county drainage/stormwater management plan

Objectives

- Overall COR design (and all new private development within The COR) will accommodate stormwater from new projects and from off-site, and highlight stormwater features as an amenity
- Bikeways and pedestrian routes into The COR from adjacent neighborhoods must be designed for safety and ease of access, suggesting that a person on a bicycle has an equally accessible route to downtown.
- Parks and open space will be easily accessible to all COR residents, visitors, people who work here and also for the citizens of Ramsey and the surrounding area. This connected green system is reminiscent of the world renowned 'Grand Rounds' of Minneapolis.

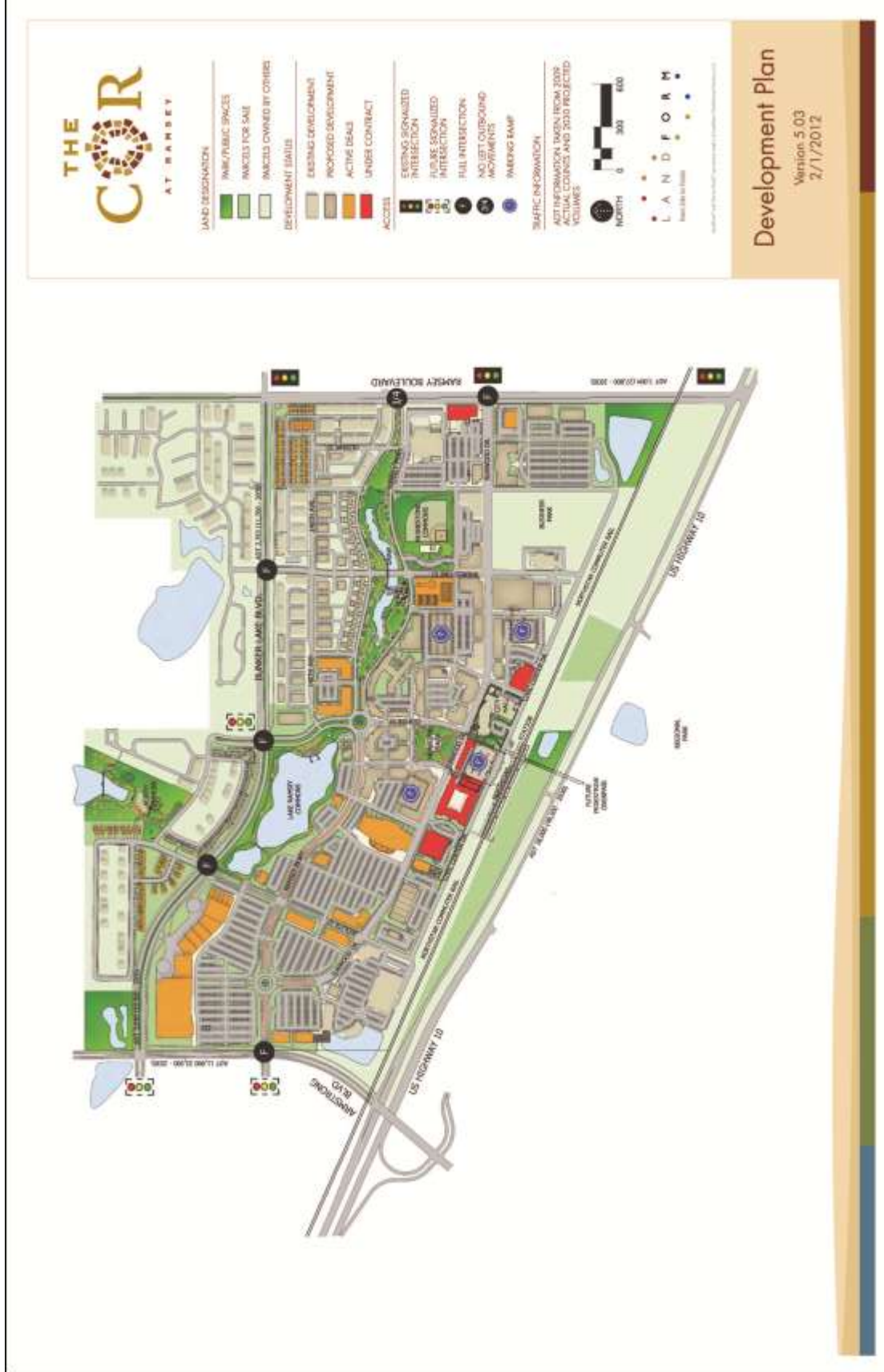


Figure 1: Development Master Plan 5.03

Overall Framework – Street Hierarchy

Overview

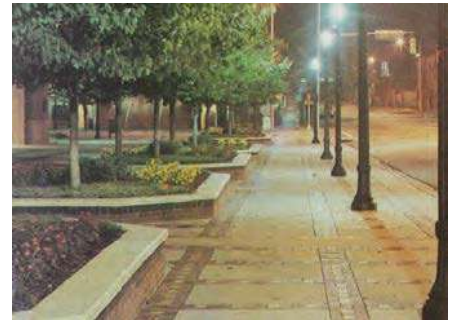
The Development Master Plan defines a specific strategy for the layout of streets and blocks within, and around The COR. The size, type and configuration of this street hierarchy (See Figure 2: Street Hierarchy) is based on a combination of projected traffic volume, level of service at intersections, proposed adjacent land use (destination commercial, residential, civic, recreation, etc.) and desired aesthetic character.

Great streets are essential components of an attractive and inviting public realm. These guidelines promote a street system that balances pedestrian and vehicular use. Providing streets that support traffic flow is important, but also creating ample space for street-side activities, strolling promenades, pockets of green and other amenities is critical to the success of The COR. Streets will promote convenient access by car – to storefronts, to parking lots and ramps, to entertainment attractions – but will also encourage foot traffic as a primary way to move about and conduct business in the core area.

Guideline Recommendations

The proposed street and block pattern reflects a compact urban character, not allowing dead end streets or cul-de-sacs, in favor of a traditional grid pattern and connected streets including the following:

- Provide a street network that distributes pedestrian and vehicular traffic throughout the various districts in The COR and encourages a more dispersed and less congested traffic flow (many choices or travel paths).
- Provide a clear hierarchy of streets resulting in a simple and understandable system for movement – easy access and convenient circulation throughout The COR.
- Work with Anoka County to convert primary perimeter streets (arterials such as Ramsey, Armstrong and Bunker Lake Boulevards) to urban street sections, providing sidewalks and street trees to replace roadside ditches.
- Promote improvements that invite pedestrian and bicycle use including wide sidewalks, streetscape amenities and designated bicycle trails (both on and off-street).



Objectives

Creative design solutions for public realm improvements should reflect these basic street classifications (street hierarchy) including:

- Arterial street – these streets provide the boundary of The COR and all access into The COR will be from one of these three streets:
 - Bunker Lake Boulevard
 - Armstrong Boulevard
 - Ramsey Boulevard
- Destination street – signature addresses for shopping, entertainment, services, work place and other primary amenities
 - Sunwood Drive



- Parkway – premier ‘green streets’ adjacent to primary public park / green space, with more landscaping than other streets in The COR
 - Ramsey Parkway
 - Center Street (north of the roundabout)
- Connector street – primary routes that link various districts within The COR, usually providing the most direct means of getting from point A to point B
 - Rhinestone Street
 - Zeolite Street
 - Veterans Drive
- Downtown street – the most urban of street sections where high pedestrian traffic is intended and traffic calming measures such as on street parking, bump outs and other methods will be employed
 - Center Street (south of the roundabout)
 - Sapphire Street (north of Sunwood)
 - Other streets as shown on the Street Hierarchy Map
- Local street – neither destination nor primary connector routes, these streets provide much of the rest of the street grid throughout The COR.



These street hierarchy classifications are intended to provide guidance regarding the streetscape, but it should be noted that within a street classification, there may be construction or design distinctions, based on the sub-district classification. For example, Sunwood Drive is defined as a destination street throughout The COR, but the design may be different between the COR1 and COR2 sub-districts. The Master Streetscape Map will provide design direction.

Transit Overview

The COR is designed to be a Transit Oriented Development (TOD) in a variety of ways that go beyond providing a walkable public realm and connected street grid. The Master Plan also includes a multimodal transit station, with dedicated commuter parking, integrated with other uses at the heart of the retail, restaurant and entertainment district. This station functions as a hub where local circulator transit comes together with regional transit service and the Northstar Corridor. The COR is the Twin Cities' first and only transit-oriented development along the new Northstar Commuter Rail Line. Ramsey Station at The COR will open for riders boarding the train in November 2012. As Northstar's most visible station, The COR will immediately bolster the ridership on the line and continue to build recognition for this regional service.



Transit components include the following:

- Ramsey Star Express service provides peak period, peak direction bus service between downtown Minneapolis and Ramsey until the Northstar Commuter Rail station stop is complete
- Northstar Commuter Rail provides train service between Big Lake and downtown Minneapolis
- 350 park and ride parking spaces are provided for commuters adjacent to the transit station
- Pedestrian and bicycle connections are emphasized in the Master Plan as major links between the transit station, various districts within The COR and into the surrounding neighborhoods
- The COR can accommodate Metro Mobility, citywide circulator bus or town trolley connections as part of local and regional service to the transit station



The COR also encourages developers to participate in a Travel Demand Management (TDM) program to both assist and encourage residents and visitors to take advantage of the various modes available for their commuting and travel needs. The TDM program draws from incentives and services available through Anoka County and Metro Commuter Services that match riders with carpools and vanpools, provide discounted transit passes and manage work hours among other functions.

- Developers shall submit a TDM plan with their site plan application for new development and work with the City to implement their plans.

Transit Guideline Recommendations

Transit is an important component of the overall plan, with expectations for more ridership, using a greater range of transit options as they become available. More people, together with the mix of activities and amenities in The COR, encourages better designed, better connected transit service. It is a shared responsibility between city, county and developer to promote transit use, with both policy and bricks-and-mortar attention to the following framework:

- Understand and take advantage of opportunities to use existing and proposed transit components

- Provide transit related facilities specifically linked to uses and character within each COR district, including signage and lighting for way-finding and bicycle amenities
- Building future Northstar Commuter Rail riders through the Ramsey Star Express bus service

Transit Objectives

The primary objective is to provide a balance of transit service, bicycle and pedestrian connections and lanes to move traffic. The framework for The COR promotes public transportation as part of the solution and suggests a variety of street improvements and other amenities to invite increased use. Photographs throughout the framework suggest some of the many possibilities.

Overall Framework - Streetscape

Overview

The Master Plan defines a specific strategy for the layout of streets and blocks within and around The COR. The amenities within the public right-of-way -and immediately adjacent -play an important role in the aesthetics of The COR. Great streets are essential components of an attractive and inviting public realm. Developing a streetscape that is comfortable and inviting to pedestrians is important to realizing the vision for The COR. The framework will encourage interesting and inviting places for the public.

The Streetscape framework defines the visual character and physical improvements for all public spaces within The COR. The document also provides the general framework and examples for design of proposed quasi-public and private space located within each development parcel.

Public realm/streetscape framework focus on the following elements:

- Parks, plazas and other public gathering spaces
- Street/sidewalk character and streetscape elements
- Bicycle/pedestrian connections (on-street and off-street)
- Residential courts, pocket parks and other private green space



The goal is to foster a safe and interesting public realm that will invite pedestrian activity, promote traffic calming, increase transit use and encourage community gathering. Street trees, lighting and decorative fencing provide the backbone for streetscape improvements. Added detail, such as special pavements, street furniture, public art and layered plantings will highlight specific nodes or uses. The City has developed a series of street cross-sections to illustrate these design expectations. Typical street sections are provided in Appendix A as a reference.

Destination and Connector streets must balance a high level of service for the automobile with attractive and inviting amenities for the pedestrian including:

- Provide gracious sidewalk width to support intensity of pedestrian traffic in the core
- Install street trees to frame the street and provide shade
- Provide street lighting that meets all safety standards and design criteria, while creating a signature character for this district
- Explore a range of options for streetscape improvements including special pavements, interesting concrete tinting or scoring patterns, additional plantings, ornamental fencing and other features (note, however, that simpler is better and too much clutter is a negative)



The COR includes a network of bicycle/pedestrian trails and walkways (both on and off-street) that connect adjacent sub-districts to the Mixed Use Core. As you approach the core, these connections tend to become part of the shared right of way along the major streets, or become part of the urban park spaces. Bicycle riders may choose to share the street with vehicular traffic, or dismount and walk their bicycles along with the other pedestrians using the sidewalks. Providing and maintaining these bicycle and pedestrian connections should be a key component for all development projects in the core.

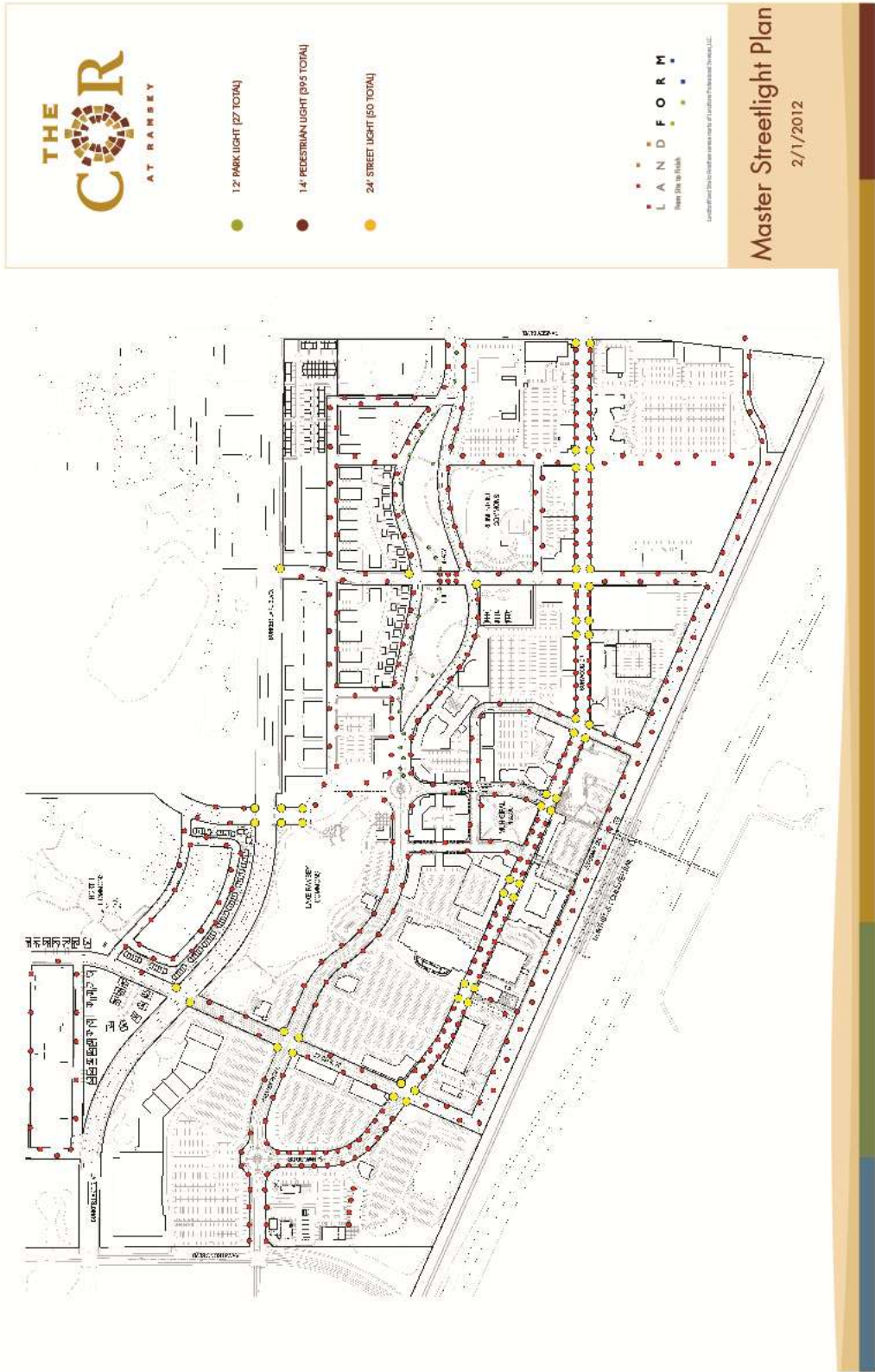


Figure 3: Master Lighting Plan

Guideline Recommendations

The proposed street and block pattern reflects a compact urban character, including the following:

- Bike racks interspersed throughout The COR to encourage cycling as an alternative mode of transportation.
- Benches on the public sidewalks to encourage people to linger in The COR
- Trees and planters along the streets to create an inviting space
- Wide sidewalks and both on- and off-street bicycle trails
- Kiosks and other way finding tools for visitors and residents in The COR
- Outdoor dining is encouraged on the street side of buildings within all districts.
- Public plaza space is strongly encouraged to be located adjacent to the streets



Objectives

Creative design solutions for streetscape improvements should include:

- Streetscape improvements that provide traffic calming, particularly along Destination and Downtown streets
- Inviting streets that draw you into and through The COR
- A marriage of building design and streetscape design that encourages active spaces near the streets



Street Trees and Plantings

Street trees and planter boxes are a critical element in the unique character of The COR and will be used to help distinguish between different street types and sub-districts within The COR. However, there may be variety within the same street when the street crosses into sub-districts.

- Street trees will be chosen to ensure that the species allow for clear pedestrian access along the streets and require minimal maintenance.
- Along Destination, Downtown, Parkway and Local streets, where regularly spaced blocks exist, one (1) tree species shall be provided per block. In order to provide variety and protect against disease, adjacent blocks shall not be allowed the same street tree. Initial development along a block shall establish the tree species for that block, subject to City review and approval.
- Along streets without regular block space or longer blocks, such as Connector and Arterial streets, the City may approve groupings of 3-6 trees of one (1) species in lieu of the regular block spacing.
- Alternatives to the above mentioned planting plan shall be subject to review and approval by the City Council.

Destination Street Trees:

- Autumn Blaze Maple (*Acer x freemanii* 'Jeffersed')
- Bicolor Oak (*Quercus bicolor*)
- Sienna Glenn Maple (*Acer x freemanii* 'Sienna')
- Skyline Honeylocust (*Gleditsia triacanthos var. inermis* 'Skyline')
- Ginko (*Ginkgo biloba*)
- Accolade Elm (*Ulmus x 'Accolade'*)

Parkway Street Trees:

- Valley Forge Elm (*Ulmus americana* 'Valley Forge')
- Bitternut Hickory (*Carya cordiformis*)
- Siouxlant Poplar (*Populus deltoides* 'Siouxlant')
- Sienna Glen Maple (*Acer x freemanii* 'Sienna')
- Boulevard Linden (*Tilia americana* 'Boulevard')
- Northern Catalpa (*Catalpa speciosa*)
- Spring Snow Crabapple (*Malus* 'Spring Snow')
- Kelsey Crabapple (*Malus* 'Kelsey')
- Korean Mountain Ash (*Sorbus alnifolia*)
- Ohio Buckeye (*Aesculus glabra*)
- Ginkgo (*Ginkgo biloba*)

Connector Street Trees:

- Bicolor Oak (*Quercus bicolor*)
- Northern Red Oak (*Quercus rubra*)
- Princeton Elm (*Ulmus americana* 'Princeton')
- Accolade Elm (*Ulmus x* 'Accolade')
- Autumn Blaze Maple (*Acer x freemanii* 'Jeffersed')
- Skyline Honeylocust (*Gleditsia triacanthos* var. *inermis* 'Skyline')
- Kentucky Coffeytree (male) (*Gymnocladus dioicus*)
- River Birch (single stem) (*Betula nigra*)
- Black Alder (*Alnus glutinosa*)
- Black Cherry (*Prunus serotina*)
- Spring Snow Crabapple (*Malus* 'Spring Snow')
- Kelsey Crabapple (*Malus* 'Kelsey')
- Japanese Tree Lilac (*Syringa reticulate*)
- Thornless Cockspur Hawthorne (*Crataegus crus-galli* var. *inermis*)

Downtown Street Trees:

- Princeton Elm (*Ulmus americana* 'Princeton')
- Accolade Elm (*Ulmus x* 'Accolade')
- Autumn Blaze Maple (*Acer x freemanii* 'Jeffersed')
- Skyline Honeylocust (*Gleditsia triacanthos* var. *inermis* 'Skyline')
- Kentucky Coffeytree (male) (*Gymnocladus dioicus*)
- River Birch (single stem) (*Betula nigra*)
- Black Alder (*Alnus glutinosa*)
- Black Cherry (*Prunus serotina*)
- Spring Snow Crabapple (*Malus* 'Spring Snow')
- Kelsey Crabapple (*Malus* 'Kelsey')
- Japanese Tree Lilac (*Syringa reticulate*)
- Thornless Cockspur Hawthorne (*Crataegus crus-galli* var. *inermis*)

Local and Arterial Street Trees:

Local and Arterial Street trees may be chosen from any species on the above lists.

Planter Beds/Boxes/Tree Grates

- Planter beds, tree grates and planters shall be as shown on the Streetscape Master Plan. Details and specification shall be added to Appendix A as developed and approved by the City. Appendix A shall be amended as needed.
- Irrigation shall be provided to ensure survival of plant materials. The City shall provide irrigation systems along the Parkway and Destination streets. Unless otherwise approved, all other irrigation shall be the responsibility of the landowner.

Street Furniture

Bike racks, trash enclosures and benches are encouraged on all streets, but will be required on Destination, Connector and Parkways and other streets as shown conceptually on the Streetscape Master Plan.

Bike racks shall be the standard bike rack (see Appendix A for specifications).

Trash enclosures shall be the standard trash enclosures (see Appendix A for specifications).

Benches shall be the standard bench (See Appendix A for specifications).

Benches shall be grouped in twos that face each other and provide an opportunity for an outdoor conversation space.

Alternative bike rack, trash enclosures and bench designs will be considered on a case-by-case basis. The City will review alternative designs as part of the site plan review and will evaluate these alternatives based on the following:

- Does the design maintain the character of the district?
- Does the alternative design maintain the quality of the standard feature?
- Does the design provide a relationship between the public elements of the streetscape and the building that would not otherwise be possible?



Sidewalks and Boulevard

In the design framework, the term “boulevard” is defined as “the space between the sidewalk and the curb.” The boulevard area provides the required space for public features such as street lights, benches, fire hydrants, street signs, etc. The boulevard will have different characteristics based on the street hierarchy.

The street width and layout within different zones may affect the ability of a particular development to provide the minimum boulevard width and the minimum sidewalk width within the existing public right-of-way. In those cases, the landowner shall provide a permanent public easement over the portion of the sidewalk that is located on private property.

Street Lights

Street lights are owned and installed by Connexus Energy. The streetlight design was developed in conjunction with the City of Ramsey and Connexus (See Figure 3: Master Lighting Plan). The standard street lights are designed to accommodate banner arms should banner signage be desired. The banner arms should be the manufacturer's standard break-away banner arms to ensure safety and minimize maintenance costs. Connexus provides street light maintenance for the City. Connexus bills the City of Ramsey for the cost of installation and maintenance.

The choice of street light was intended to emphasize the pedestrian scale of The COR. Light poles within the public right-of-way should be planned to accommodate banners, flowers, hanging artwork and electrical outlets.

There are three (3) different streetlight types within The COR:

- 24-foot high poles at intersections
- 14-foot high poles at mid-block
- 12-foot high poles at The Draw



The City will ensure that the appropriate streetlights are installed on all public streets as described by the Design Framework. Private developers shall provide parking lot or other project lighting that retains these design

objectives. All lighting shall comply with City Code performance standards for lighting. All lighting shall be reviewed by City staff to ensure compliance with the Design Framework and City Code standards described above.

Standards for Outdoor Dining.

Outdoor dining is encouraged as an attractive addition to a pedestrian- and retail-friendly, vital COR. Such dining is encouraged subject to the standards in Section 117-118 of the Zoning Ordinance.

Overall Framework - Parking

Overview

Balancing the realities of car-related necessities (streets, parking and so on) with future transit service and the desired character of The COR is a significant challenge. The goal is to provide adequate parking; both quantity and location, while promoting new strategies that support the overall needs of The COR. Parking will be provided through a combination of on street spaces, off-street surface lots, underground lots and structured ramps to support the mix of uses at the core.

Parking structures should contribute to the overall character and image of The COR. Ramp design should include elements, colors and materials that reflect, or complement surrounding buildings. Liner stores or other street level uses should be integrated into ramp design along important street frontages. The City also encourages developers to wrap the ramp with multi-story uses that will provide commercial and residential opportunities and help to define the street edge.

Guideline Recommendations

Parking guidelines encourage the following:

- Locate surface parking lots away from the major streets, either behind or to the side of primary buildings; surface parking lots along major street frontage are not allowed in the core area
- Minimize surface parking lots in favor of other solutions including underground parking to serve residential buildings, on-street parking to serve retail shops and parking ramps
- Provide a combination of fencing, landscaping and landform to screen parking areas from major streets and important views, soften parking area edges, provide shade, integrate native plantings, offset islands and reduce to 'sea of parking' image
- Create strategies for shared parking between adjacent uses, taking advantage of peak and off-peak cycles, business hours, nighttime activities, special events and other needs
- Provide alternative surfaces for secondary (less frequently used) parking areas including porous pavements, green pavements and so on
- Provide facilities or services that respond to and connect with future transit to reduce required parking, including shuttle/circulator bus, bicycle lockers
- Provide flexibility including hours for on-street parking, security and enforcement practices, permit or metering
- Provide parallel parking on both public and private streets throughout The COR, to add parking and create a traffic calming, pedestrian buffer; Bumpouts are encouraged as a traffic calming measure on all streets within the COR.
- Explore options to integrate stormwater management requirements into parking area design
- Provide parking spaces for typical daily use, satisfying both quantity and location needs through a mix of on street, small surface lot, underground and ramped parking solutions
- Provide options for additional/overflow parking to support holiday traffic and special events including porous pavements, turf parking areas (Netlon and other soil amendments) or shuttle service from nearby parking areas
- Encourage shared parking solutions that target around the clock shifts in destination, audience or take advantage of peak/off-peak hours of operation for various uses within the core area

- Promote municipal parking ramps as the primary facility to meet public parking needs within the core area
- Discourage driveway access to parking facilities along Arterial, Destination and Parkway streets, in favor of side streets.

Objectives

The primary objective is to provide a balance of surface lots, on-street and structured parking, with ample quantities and close proximity to serve the mix of uses in The COR. The Design Framework anticipates the construction of a total of 3 parking structures in COR1 to serve the needs of the area by providing structured parking that can be shared among users, allow developers to maximize the development on each individual lot.

As discussed later in this section, sizing and timing of the structured parking will be finalized as the area develops and parking demand grows. In addition to providing adequate space, excellent design is a major factor as well. The framework for The COR encourages creativity, innovation, quality and attention to detail in every aspect of project development, including parking solutions. Photographs throughout the Design Framework suggest some of the many possibilities.



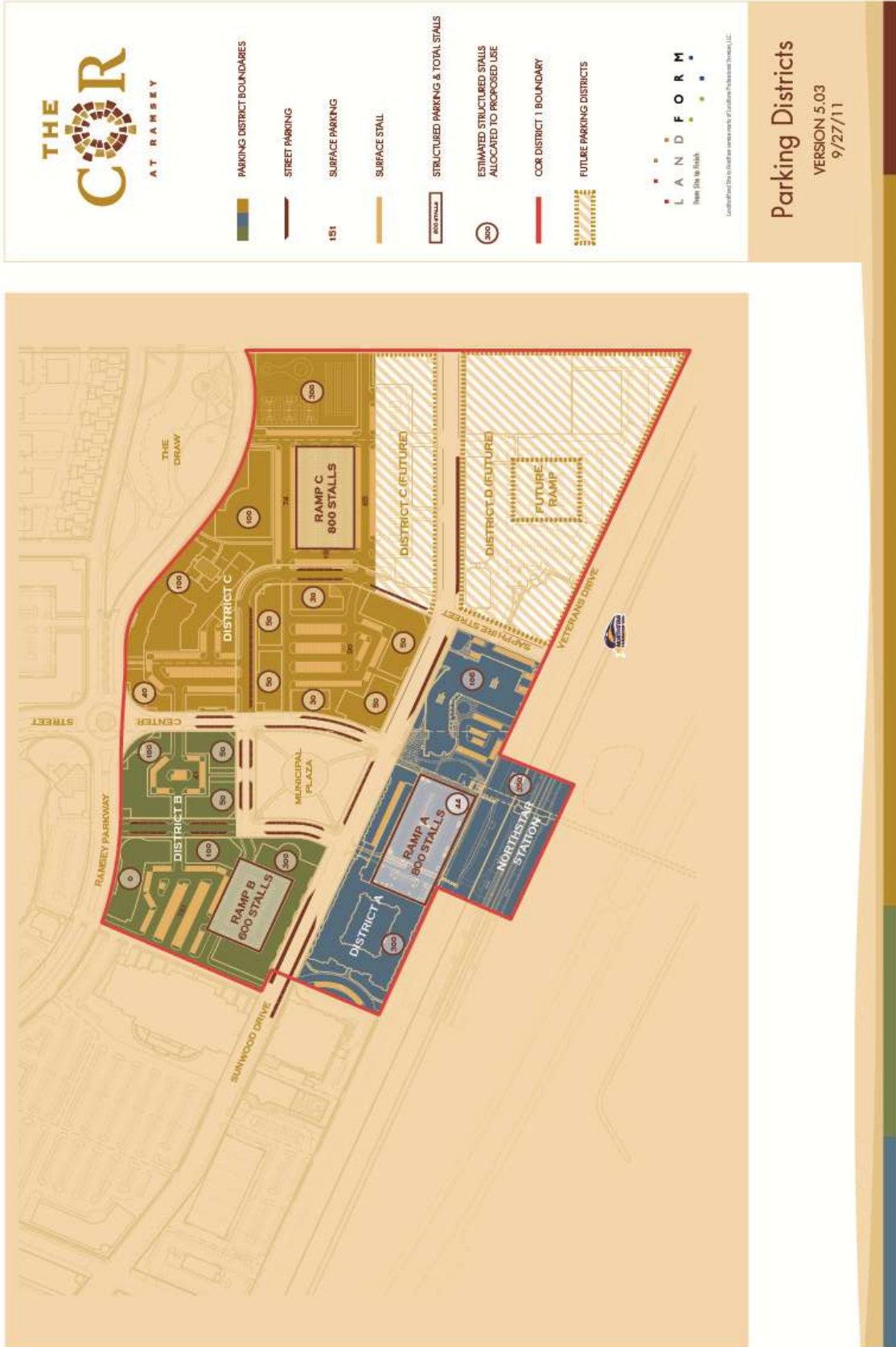
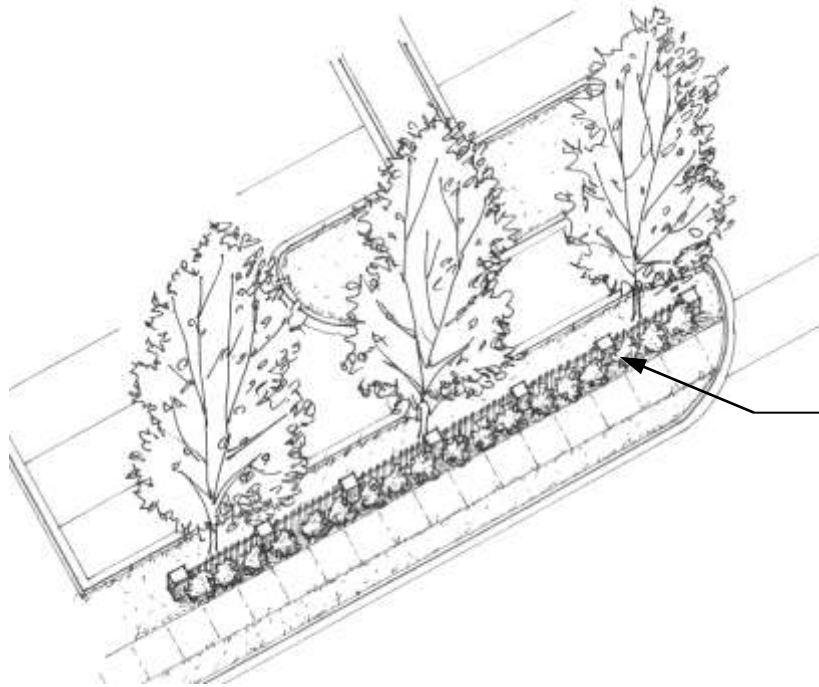


Figure 5: Parking District Map

Minimum Standards

Parking in The COR is intended to be shared to the greatest extent practicable in all mixed-use areas. The parking standards are intended to provide a practical basis for providing adequate parking within the COR District through a careful analysis of uses, shared parking arrangements, use of public street parking and reduction allowances for the proximity to the transit station. A parking plan has been prepared to identify the planned number, location, sharing arrangements and public use (see Figure 4: Streetscape Master Plan and Figure 5: Parking District Map). The parking plan provides information that can be used to help address longer term parking arrangements where the possibility of use conversion or building expansion exists. Parking shall be provided under any of the following arrangements:

- A. No parking shall be located between the front of the principal structure and the street on parcels abutting Destination and Downtown streets in COR1.
- B. Not more than fifty (50%) percent of the parking shall be located in front of the principal structure and the street on parcels abutting Arterial, Parkway, Connector and Local streets.
 - 1. In the COR2 district, developments may be allowed more than fifty (50%) percent parking in the front yard, provided all other design standards have been met, including the use of a wall, railing, hedge or combination to create a street edge and screen parking.
- C. Wherever a surface parking area faces a street frontage, such frontage shall be screened with a decorative wall, railing, hedge, or a combination of these elements, to a minimum height of three feet (3') and a maximum height of four and one-half feet (4¹/₂') above the level of the parking lot, at the build-to line required for the property. The amount of required screening may vary by sub-district and street frontage and is described in Part Two of this document.



Landscaped edge that combines fence with trees, low shrubs and ground cover for parking lot screening and buffering along sidewalk to screen parking

- D. No parking spaces shall be located on corner lots at the point of street intersections.
- E. Shared parking in COR1 will be accomplished through a Parking Use and Maintenance Agreement (PUMA).
- F. Off-street parking in the COR2 and COR3 sub-districts shall be secured for public use through parking easements and other appropriate conveyances. Shared parking arrangements between nearby uses are encouraged in both sub-districts.
 - 1. The City may approve joint parking for one or more businesses where the total number of parking stalls provided for joint use is less than the sum of the total required for each business should they provide them separately. The applicant must demonstrate the feasibility of the arrangement in a written report. Such a permit shall not be granted except when the following conditions are found to exist:
 - i. Proximity. The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use shall be located within three hundred (300') feet of such parking facilities, excluding public rights-of-way.
 - ii. Conflict in Hours. The applicant shall demonstrate in documented fashion that there is no substantial conflict in the principal operating hours of the two (2) buildings or uses for which joint use of off-street parking facilities is proposed.
 - iii. Written Consent and Agreement. A legally binding instrument, executed by the parties concerned, for joint use of off-street parking facilities, duly approved as

to title of grantors or lessors, and in a form and manner of execution approved by the City Attorney, shall be filed with the City Clerk and recorded with the Anoka County Recorder or Registrar of Titles, and a certified copy of the recorded document shall be filed with the City within sixty (60) days after approval of the joint parking use by the City or the interim use permit shall be considered null and void.

- G. On-street parking adjacent to buildings shall not be used for the purposes of calculating parking requirements.
- H. Within the COR-4 sub-district, parking on individual parcels serving individual uses may be provided if designated and approved as part of the master plan.
- I. Within all sub-districts, a minimum driveway length of twenty-five (25') feet is required to limit conflicts between vehicles parked in the driveway and street or sidewalk users.
- J. In order to ensure the pedestrian orientation of the COR Districts, minimum/maximum on-site parking standards are set based on the following table:

Table 1

Use	Minimum number of parking stalls	Maximum number of parking stalls*
Retail	2 per 1,000 sq. ft.	4 per 1,000 sq. ft.
Restaurants	3 per 1,000 sq. ft.	5 per 1,000 sq. ft.
Offices	2 per 1,000 sq. ft.	3 per 1,000 sq. ft.
Medical offices, clinics	2 per 1,000 sq. ft.	4 per 1,000 sq. ft.
Health clubs	3 per 1,000 sq. ft.	5 per 1,000 sq. ft.
Theaters, places of assembly	1 per 5 seats	1 per 3 seats
Residential		
Attached or detached	1 per unit	2 per unit
Multifamily units	1 per unit	2 per unit

*If a parking structure is provided on site, maximum parking stalls do not apply.

- K. Non-Specified Uses. For uses not specifically listed above, off-street parking requirements shall be computed by the Zoning Administrator on the same basis as required for the most similar listed uses. In such cases, the Zoning Administrator shall also consult off-street parking reference materials including, but not limited to, manuals prepared by the American Planning Association and Institute of Transportation Engineers.
- L. Handicap Parking. The size, number, and location of stalls reserved for handicapped parking shall be provided and identified as required by applicable regulations. These spaces are included in the computation for the minimum parking space requirement.
- M. Change in Land Use. When the site intensity or use of a building and/or property is increased with consequential effect upon the parking requirements as prescribed in this Section, the

parking requirements as prescribed herein shall be used to provide for such increase in the site intensity and/or use.

- N. Use of required parking spaces. Required parking spaces must be available for the use of residents, customers or employees of the use. Fees may be charged for the use of required parking spaces. Required parking spaces may not be assigned in any way to a use on another site, except for joint parking situations. Also, required parking spaces may not be used for the parking of equipment or storage of goods or inoperable vehicles.
- O. Transit Service Reduction. The minimum number of parking stalls required on site may be reduced by 10% for any parcel located within $\frac{1}{4}$ mile of a transit stop. To qualify for this reduction, the transit stop must provide regular service on all days of the week and direct pedestrian access must be provided between the building and the transit stop.
- P. Bike Racks. In addition to the bike racks provided as part of the streetscape, individual businesses are encouraged to provide bike racks for customers. Bike rack locations will be reviewed and approved by the City as part of the site plan review.
- Q. Increase to Maximum Required Parking. If additional parking is sought to exceed these maximum requirements, a conditional use permit can be sought to increase maximums up to twenty-five (25%) percent.
 - 1. In the COR-2 sub-district, an increase of twenty-five (25%) percent in the maximum number of parking stalls is permitted without the issuance of a conditional use permit if approved as part of the site plan.
- R. In the COR1 sub-district, a PUMA (Parking Use and Maintenance Agreement) shall be applied to all development as follows:
 - 1. It is the City's intent to maximize development on individual lots. In order to help landowners accomplish this goal, the City will develop public parking ramps, which will be available for public parking within The COR. In order to minimize the amount of the site required for parking, the landowner may choose to enter into the PUMA for utilization of the public parking ramps to meet all or a portion of their minimum parking requirements.
 - 2. Each development shall be subject to a PUMA that specifies that each property in the COR1 shall be financially responsible for its proportionate share of a shared parking facility. The proportionate share shall be determined on the basis of the property's off-street parking needs, as determined by the parking requirements of Item J above.

3. The City shall establish fees by ordinance. The developer shall be responsible for payment in an amount equal to the value of the required parking on a per-stall price basis for ramp parking through the PUMA. The City will determine the appropriate contribution.
4. Funds collected by the City shall be deposited in a special fund used only to acquire and/or develop off-street parking facilities for the COR. Financial responsibility shall cover the construction and continuing maintenance of the parking facility.
5. The parking facility may be constructed and maintained by the City or by a private management entity acceptable to the City.

Private Streets

Private streets may be allowed within residential subdivisions, subject to the standards in Section 117-112 (e)3.b. of the Zoning Ordinance.

Loading Areas

- A. Loading areas and docks shall be located in the rear of the building.
- B. Loading areas shall not be located in the front yard and shall be fully screened from public streets, public parks and residential areas through landscaping and building design measures.



Overall Framework – Building Design

Overview

The COR Development Plan 5.03 identifies the preferred mix and approximate location of a variety of land use types. Together with the Zoning Code, this Design Framework focuses on the following overall objectives:

- Promote vertical and horizontal mixed use (within a building, within a block, within a district)
- Provide a variety of housing types, styles, pricing
- Encourage increased density in and around the central core area
- Promote an interesting mix of building styles, scales and massing for each sub-district
- Support creative, innovative, high quality design solutions as the benchmark for success
- Integrate mix of uses with public green space within each district
- Provide a variety of commercial types
- Mix residential and commercial uses to promote street-level activity throughout the day

Guideline Recommendations

The mix of land uses in The COR will encourage activity during the day and into the evening and nighttime hours. As a focus of commerce, employment, recreation and housing, The COR resembles a small to medium size Midwestern downtown in scale and character. Land uses are intentionally mixed, to bring shoppers and workers into the area during the day and attract new residents and visitors to entertainment venues in the evening.

The civic component of The COR, anchored by City Hall, Police Station and variety of public spaces and squares, adds an important element to the land use mix and brings a level of authenticity to the district.

Objectives

- Encourage vertical mixed-use in the core with housing and office space over retail uses along the street, particularly in the center of the district.
- In residential districts, particularly closer to the core, a limited amount of retail uses will be encouraged to service residents and provide nearby places to gather.
- Promote innovative models for housing that include a mix of townhomes, flats and lofts within single buildings or on the same block.
- Accommodate larger, ‘big box’ retailing and auto-oriented uses within the COR2 sub-district only if innovative design approaches are used including two story buildings, use of liner stores facing the street, minimal blank walls, creative parking strategies, etc.
- Where similar uses create a ‘family’ or campus of buildings (e.g. medical campus), buildings should reinforce the street edge and parking should be set within the core of the block.
- Uses shall promote pedestrian friendly streets, contributing to street level activities and overall visual character of each district.
- All uses should reinforce the street edge.



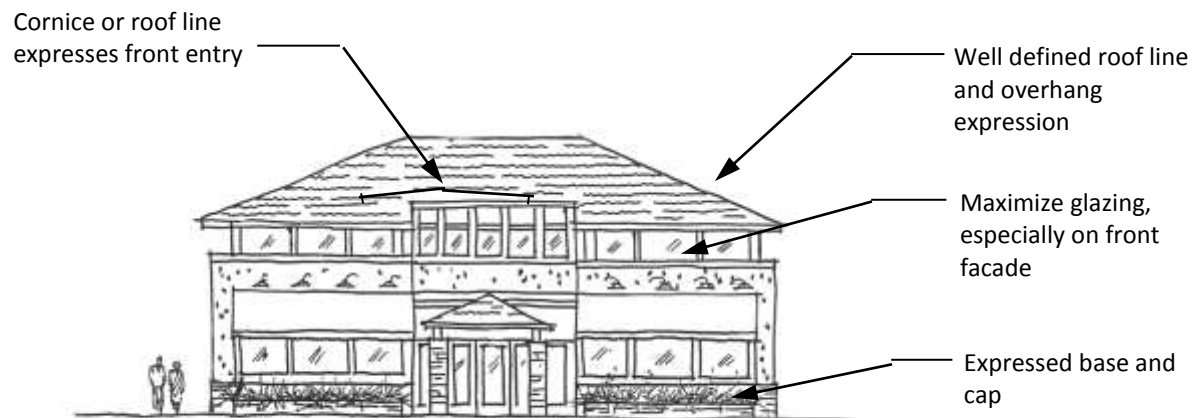
Architectural Overview

High quality architecture is an essential component in fulfilling the objectives of the Design Framework. Rather than prescribing a particular style, these architectural guidelines are intended to encourage an integration of both traditional and contemporary design. Architectural designs should provide a consistent quality, measured, to a great degree, by the pedestrian experience along the street and by an architectural expression that provides character without being thematic, obtrusive, or artificial. Architectural character should strive to be authentic and varied, but not 'thematic'.

Architecture Recommendations

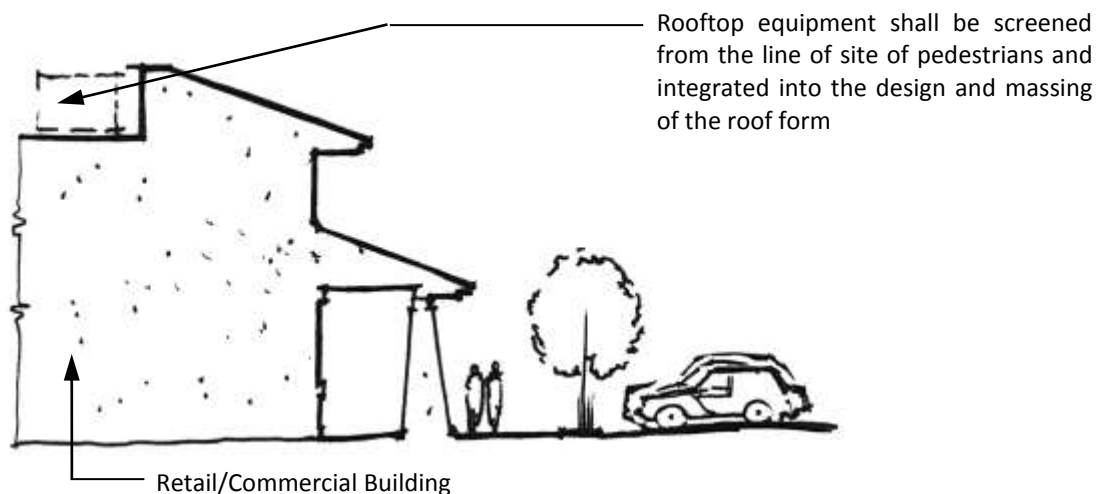
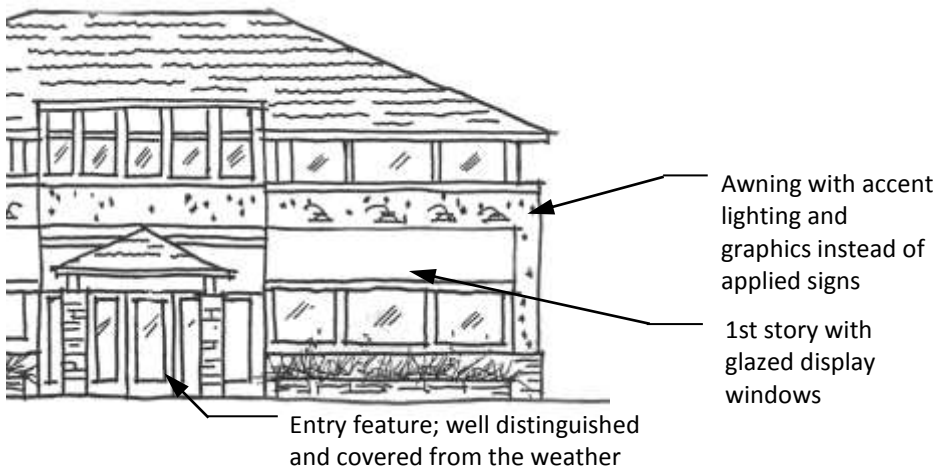
Of all the layers that combine to form The COR Development Plan, architecture will typically be the most prominent development component. Both visually and physically, architecture will play a major role in defining the overall design character and mix of uses for The COR. It is crucial that the design and location of buildings address these architectural guidelines, with specific emphasis on the following:

- An animated street presence with a mix of street-level uses, interesting building façades, many doors and windows on the street, careful design of lighting, awnings, signage and other elements that animate the pedestrian experience

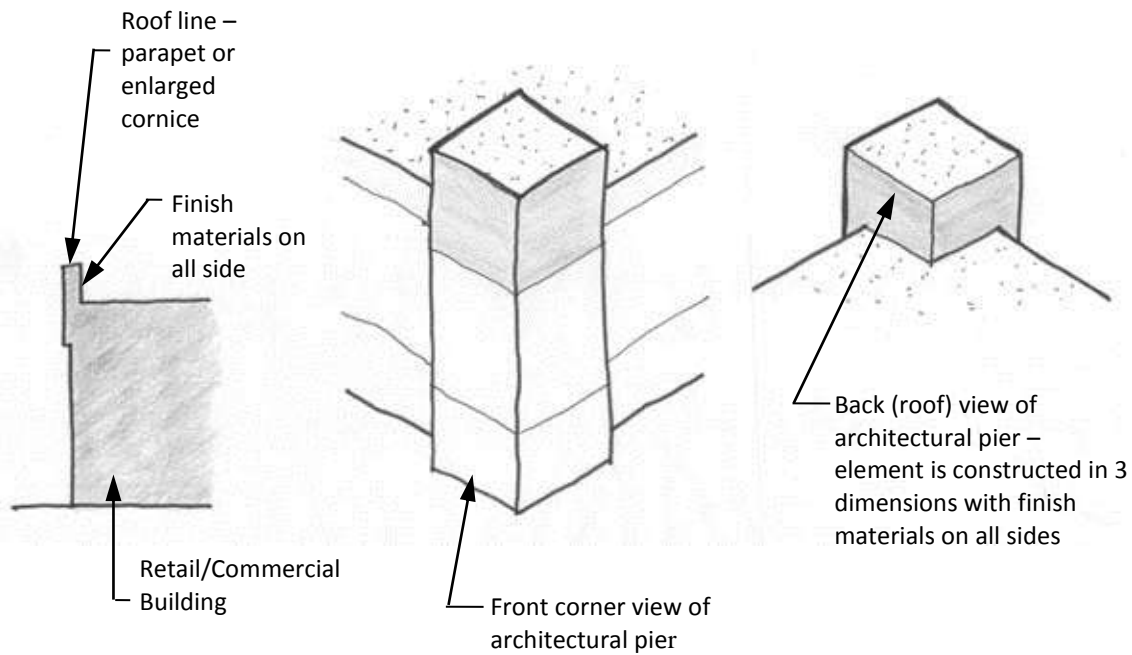


- Variety in building design, character and expression; not one theme or building style, but a thoughtful integration of many design solutions
- Variety of building types including a range of height, scale and proportion, that support an integrated mix of housing options, shopping destinations, entertainment venues, civic structures and other COR uses
- Use of high quality materials, suggesting a preference toward native materials and masonry elements, with respect for local building techniques
- Building location is as important as building style; special architectural elements, character, transparency and a higher level of materials and detailing should be used to highlight key streets and important crossroads throughout The COR
- Buildings should always be located at all four corners of intersections.
 - In the COR2 sub-district, if the City finds that there are unique circumstances where buildings cannot be located on the corner, the City may approve the use of fences, walls or other design elements to create that "street edge"

- Buildings will be located at the street right-of-way line (zero setback), but also allow recessed space for outdoor dining and other street level activities providing some minor deviation for variety
- Greater emphasis should be given to architectural elements, materials and other design features for buildings located at primary intersections, or where streets intersect with parks, such as the streets that front on or end near the Municipal Plaza. These locations can often be seen from several directions, perhaps terminate a view from a distance down the street or sit at a prominent node; They will likely become future landmarks or helpful orientation/wayfinding icons as The COR develops
- Encourage both vertical mixed use (within each building) and horizontal mixed use (within each block) throughout this district
- Include a mix of housing, civic, retail, restaurant, entertainment, performance and other uses that encourage a variety of activities throughout the day.
- Minimize openings between buildings, although limited driveway access and some provision for pedestrian connections through blocks are encouraged – gaps between buildings to accommodate surface parking lots, greater building setbacks or other purposes are discouraged
- Use recessed entries and windows to create street-level interest, variety and enhance pedestrian scale along street frontage



- Equipment, mechanical systems, transformers, etc. must be screened from view in a way that is integral to the architecture of the building. Screening should be accomplished with materials similar to or compatible with materials used on the main structure; metal fencing or mechanical vent screens alone are not sufficient.
- Roof lines and cornice details shall be completed in a 3-dimensional manner so that the back of roof features or similar unfinished areas are not visible.



Overall Framework - Signage

Overview

Signage within The COR should provide a system for clear wayfinding for all modes of transportation and should ensure successful business operation while maintaining the design aesthetic of this unique project. These sign standards are intended to allow flexibility and creativity while maintaining the design concepts of The COR. Due to the distinctive nature of The COR, the sign standards from the City Code are not applicable and signage shall be allowed as prescribed by the Design Framework. A Master Sign Plan identifies the location of key sign locations (see Figure 6: Signage Plan).

Guideline Recommendations

The COR development manager shall prepare a Master Sign Plan for the public elements of the project, which are in compliance with the design framework and will be adopted by reference. The Master Sign Plan will specifically address public signs including:

- The three (3) off-site community signs
- Banner signs on light poles
- Signage for public parks
- Signage for public parking ramps
- Signage for public buildings
- Community kiosks



Objectives

Signage should be used as a tool to help identify businesses and neighborhoods with The COR and should have elements that are focused on the pedestrian nature of The COR as well as the signage needs for businesses.

- Signage and lighting which is integrated into the design of the building is encouraged.

Definitions

Awning Sign means a sign incorporated into or attached to an awning.

Community sign means an off-site sign identifying the development name and key tenants. Community signs may also include public information. Reader boards are allowed to be incorporated into community signs within The COR.

Temporary Sign means a sign which is erected or displayed for a limited period of time and not affixed to a Minnesota State Building Code approved structure.

Project sign means a freestanding area identification sign which identifies a single-family or multifamily residential subdivision, a commercial development or an industrial park or office park and which is located on the same parcel as the development it identifies.

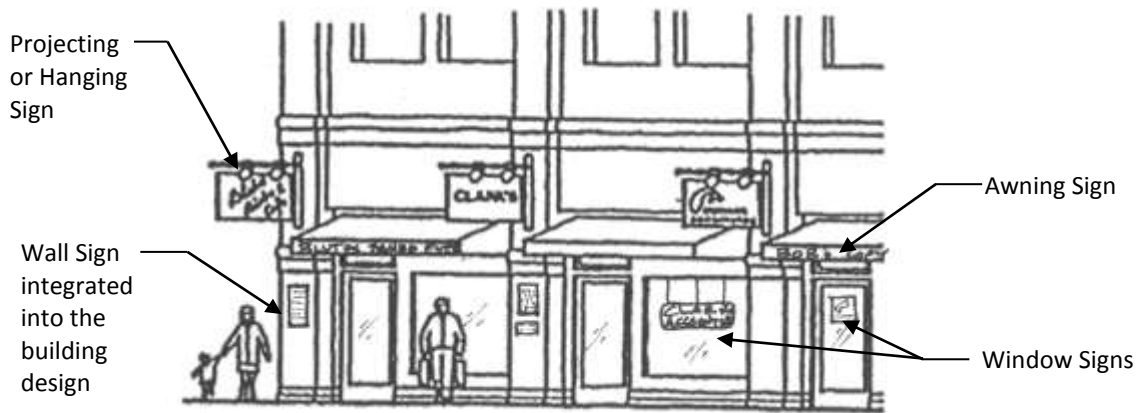
Projecting sign means any sign, all or any part of which extends beyond the surface of the building or wall by more than 16 inches.

Public Realm/Streetscape sign means any sign erected and maintained by public officials or public agencies, or approved and authorized for use by state or local governmental authorities.

Sandwich Board Signs means a self-supporting, freestanding temporary sign with only two (2) sides that are situated adjacent to a business with the intent to attract pedestrian traffic to businesses. Sandwich board signs are not meant to be read by vehicular traffic.

Wall sign means any sign which is affixed to a wall of any building. This definition includes individual letter signs and signs on mansards.

Window sign means a sign installed inside a window, or any sign placed within a building for the purpose of being visible from the public right-of-way. This does not include merchandise on display.



Pedestrian-Oriented Tenant Signs

Standards

Public Realm/Streetscape Signs

The pedestrian oriented nature of The COR requires unique signage that will build on the design concepts for The COR. These types of signs include banner signs on the streetlights, kiosks, street signs, wayfinding signs, signage for public parking ramps, etc. As the design concept for The COR has been refined, so has the signage plan. The COR development manager shall develop standards for these public realm signs as part of the Master Sign Plan. The Master Sign Plan shall be incorporated by reference and may be updated from time to time. Such signage shall be allowed on public spaces as needed to provide information and wayfinding. No advertising shall be allowed on Public Realm/Streetscape Signs except for community events.

Community signs

Community signs include are planned to include three (3) signs on Highway 10, as shown on the Signage Plan (see Figure 6: Signage Plan). The signs include the existing Community Sign near the future transit plaza, the sign at the northwest corner of Highway 10 and Ramsey Boulevard and the planned sign at the northwest corner of Highway 10 and Armstrong Boulevard.

These off-site signs are allowed as shown on the signage plan and shall have consistent materials and colors. The Master Sign Plan shall detail the materials, colors and standards for these three (3) community signs. The Master Sign Plan shall include standards for which tenants shall be allowed on the community signs.



Desirable signs are designed to be architecturally compatible with buildings within the development and other signage within the development

Project Signs

Project signs are permitted within all COR sub-districts.

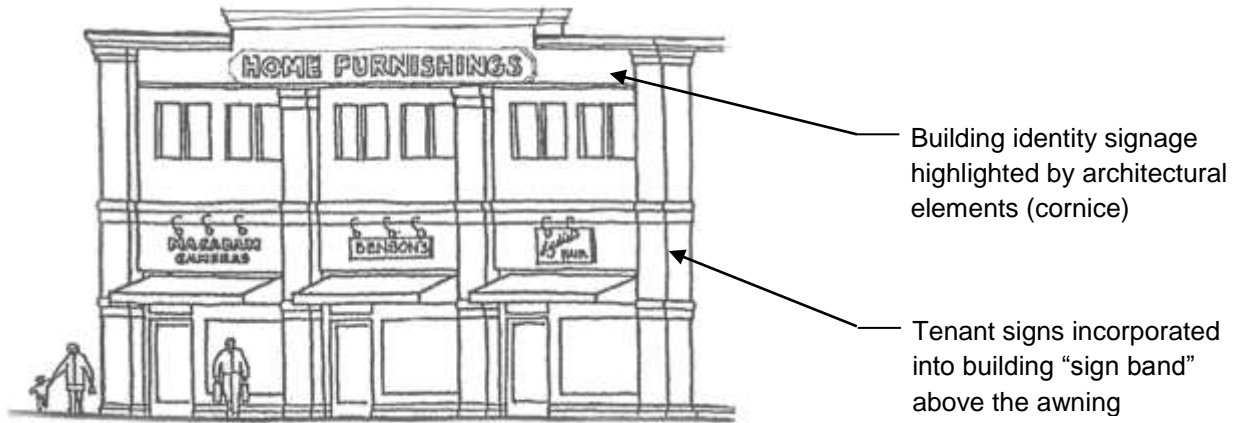
One (1) freestanding sign is allowed per building, provided that the following standards are met:

- A. The building in which the advertising business is located, shall be set back a minimum of six (6) feet from a public street right-of-way.
- B. The area of each face of the signboard shall not exceed six (6) square feet and the signboard shall not have more than two (2) readable faces
- C. The height of the top of the signboard, or of any posts, brackets, or other supporting elements shall not exceed six (6') feet from the ground.

- D. The signboard shall be constructed of wood, acrylic, aluminum or metal and shall be architecturally compatible with the style, composition, materials, colors and details of the building.
- E. No part of the sign shall encroach on the right-of-way and its location shall not interfere with pedestrian or vehicular circulation.
- F. Limited to one (1) sign per building and shall not be in addition to wall-mounted, applied letter or projecting signs.
- G. The readable faces of the sign shall be perpendicular to the adjacent street.

In the COR2 District, the following signage shall be allowed:

- A. Ground sign. There shall not be more than one (1) ground sign for each parcel. The gross surface area of a ground sign shall not exceed one hundred (100) square feet for each exposed face nor exceed an aggregate gross surface area of two hundred (200) square feet.
- B. Menu board. One (1) on-site menu board per drive-up or walk-up lane of a drive-in restaurant up to a maximum of thirty-two (32) square feet each and a maximum height of three (3) feet. Menu boards are allowed a message on one (1) side only and cannot contain an advertising message.
- C. Directional signs.
 - 1. Directional or instructional signs are permitted in accordance with Section 117-463(I).
 - 2. Parking lot directional signs designating parking area entrances and exits are limited to one (1) sign for each entrance and/or exit and shall not exceed four (4) square feet for each exposed face. Parking lot directional signs shall not project higher than five feet (5') in height, as measured from the established grade of the parking area to which such signs are accessory.
 - 3. Parking lot instructional signs designating the conditions of use or identification parking areas shall not exceed eight (8) square feet and shall not project higher than ten (10) feet in height for wall signs and seven (7) feet in height for ground signs, as measured from the established grade of the parking area to which such signs are accessory.



Wall Signs

Wall signs are permitted within all COR sub-districts.

Wall signs shall be permitted on one (1) wall, except that lots with frontage on more than one (1) street may have signage on one (1) wall per street frontage.

Within the COR1, COR3, COR4 and COR5 districts, the following standards apply:

- A. Wall-mounted or painted signs, provided the following standards are met:
 1. The sign shall be affixed to the front facade of the building, and shall project outward from the wall to which it is attached no more than six inches (6").
 2. Single Tenant Buildings. Each building shall be allowed one (1) wall sign per street frontage. Signage must be located on the street elevation. The area of the sign shall not exceed five (5%) percent of the ground floor building facade area or fifty (50) square feet, whichever is less.
 3. Multi-Tenant Buildings.
 - a. Each building shall be allowed wall signage on the street frontage elevation. For buildings with multiple street frontages, the allowable signage is per street frontage. Signage must be located on the street elevation.
 - b. Each building is allowed wall signage that shall not exceed 5% of the wall area of the building façade adjacent to the street or 50 square feet, whichever is less.
 - c. Tenant signage must be located on the tenant lease space.
 - d. At least fifty (50%) percent of the allowed signage must be allocated to ground floor tenants and located on the ground floor.
 - e. Signage is limited to a maximum of one (1) sign per business/tenant, except that tenants with frontage on multiple streets may be permitted to have signage on each street frontage.
 - f. Multi-tenant buildings must have wall signs of similar design. Sign permits for tenants in multi-tenant buildings shall only be permitted by the City after the

building owner has submitted a comprehensive sign plan approved by the Zoning Administrator. The comprehensive sign plan for the building shall include similar design standards including sign material, color, style, spacing and size.

4. Signs for buildings facing Highway 10. Single or multi-tenant buildings that have frontage on Highway 10 or are separated from Highway 10 only by other public right-of-way, shall be allowed to have signage on that street elevation that is up to five (5%) percent of the wall area of that building façade with no maximum square footage.
- B. Wall-mounted building directory signs identifying the occupants of a commercial building, including upper story business uses, provided the following standards are met:
1. The sign is located next to the entrance.
 2. The sign shall project outward from the wall to which it is attached no more than six inches (6").
 3. The sign shall not extend above the parapet, eave, or building facade.
 4. The area of the signboard shall not exceed three (3) square feet, with each tenant limited to one (1) square foot.
 5. The height of the lettering, numbers, or graphics shall not exceed four inches (4").
 6. One (1) such sign is allowed per public building entrance and is allowed in addition to other permitted wall signage.
- C. Applied letters may substitute for wall-mounted signs, if constructed of painted wood, painted cast metal, bronze, brass, acrylic or black anodized aluminum. The height of applied letters shall not exceed 12 inches.
- D. Logos are considered signs and shall be included in the maximum allowable sign area.
- E. Window or door signs, provided that the following standards are met:
1. The sign shall not exceed ten percent of the window or door area or four (4) square feet, whichever is less.
 2. The sign shall be silk screened, hand painted, applied letters/graphics, neon tubing or other sign technologies that meet these standards.
 3. Limited to one (1) sign per business, applied on either the window or the door, but not on both.
 4. The sign shall not have an opaque backing of any type although smoked glass is allowed.

5. Window signage (includes graphics) shall be permitted on the same building walls that have, or are allowed to have, wall signage pursuant to Item A above. Window signage shall be deducted from the allowable wall signage area.

Within the COR2 district, where more conventional suburban development is expected, rather than the neo-traditional development planned for the other COR sub-districts, the following standards apply:

- A. Wall, canopy or marquee sign. Total sign area may not exceed 15 percent of the front building facade. At least 50 percent of the signage area must be placed on the measured wall with remaining signage area, if desired, distributed on any other wall. Sign height shall not exceed the top of the parapet wall or, if no parapet wall, sign height shall not exceed the height of the eaves. The gross surface area of a wall, canopy or marquee sign may be increased by ten percent if such wall sign:
 1. Consists only of individual, outlined alphabetic, numeric and/or symbolic characters without background except that provided by the building surface to which the sign is to be affixed;
 2. Illumination, if any, is achieved through shielded illumination, shielded silhouette lighting, or shielded spot lighting but not any lighting where the light source is visible or exposed on the face or sides of the characters; and
 3. A wall, canopy or marquee sign may be located on the outermost wall of any principle building but shall not project more than 16 inches from the wall to which the sign is to be affixed. A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed.
- B. Window signs are restricted to 30 percent of the area of the window in which the sign is to be displayed.

In all COR sub-districts, restaurants and cafes shall be permitted one (1) wall-mounted display featuring the actual menu as used at the dining table, to be contained within a shallow wood or metal case and clearly visible through a glass front. The display case shall be attached to the building wall, next to the main entrance, at a height of approximately five feet (5'), shall not exceed a total area of two square feet, and may be lighted. This signage is allowed in addition to other permitted wall signage.

Projecting Signs

Projecting signs are permitted within all COR sub-districts.

Projecting signs, including graphics or icon signs, mounted perpendicular to the building wall, are encouraged in all sub-districts, provided the following standards are met:

- A. The sign area shall not exceed six (6) square feet.
- B. The distance from the ground to the lower edge of the signboard shall be ten feet or greater.



- C. The height of the top edge of the signboard shall not exceed the height of the wall from which the sign projects, if attached to a single story building, or the height of the sill or bottom of any second story window, if attached to a multistory building.
- D. The distance from the building wall to the signboard shall not exceed six inches (6").
- E. The width of the signboard shall not exceed three (3) feet.
- F. Limited to one (1) sign per business. Projecting sign area shall be deducted from the allowable wall signage area.
- G. Granted to ground floor commercial uses only.

Awning Signs

Awning signs are allowed in all COR sub-districts. Awning signs are allowed for ground floor uses only, provided that the following standards are met:

- A. If acting as the main business sign, it shall not exceed 24 square feet in area, and the height of the lettering, numbers, or graphics shall not exceed 12 inches.
- B. If acting as an auxiliary business sign, it shall be located on the valance only, shall not exceed four (4) square feet in area, and the height of the lettering, numbers, or graphics shall not exceed four inches (4").
- C. Limited to two such signs per business.
- D. If acting as the main business sign, it shall not be in addition to a wall-mounted or applied letter sign.

Sandwich Board Signs

Sandwich board signs are permitted within all COR sub-districts.

- A. One (1) sandwich board sign per business is permitted in any business, commercial and mixed use district and shall be located within five feet (5') of the main building entrance to the business it advertises.
- B. Sandwich board signs shall be displayed only during open business hours and must be removed daily.
- C. Sandwich board signs shall be no more than a total of two feet (2') in width and three feet (3') in height



- D. Sandwich board signs must leave a minimum of five feet (5') of clearance for pedestrian access if placed on a public or private sidewalk. Sandwich board signs may not hinder the ability of persons to access vehicles parked at the curb and/or access to a building.
- E. Acceptable materials for sandwich board signs shall include the following: metal, wood synthetic materials such as a chalk board and whiteboard. Sandwich board signs shall not be illuminated, nor shall they contain moving parts, or have balloons, streamers, stringers, pennants or similar adornments attached to them. Sandwich board signs shall be maintained in a good appearance at all times.
- F. No sandwich board sign shall be secured, tethered or installed on traffic devices, utility equipment, street furniture, street lights, or any other public fixture.
- G. Sandwich board signs are temporary signs and shall not be counted towards the total sign area of the site for permanent signage.

Temporary Signs

Temporary signs are allowed per Section 117-465 (Temporary signs) of the Zoning Ordinance, except as noted below:

- A. Freestanding temporary signs shall only be allowed in the COR1 District.
- B. In all other COR districts, temporary signs shall be limited to temporary sandwich board signs or temporary wall signage.

Off-Site Signs

Off-site signs are prohibited except for wayfinding and community signage specifically allowed by the Design Framework.

Table 2

Sign Standards					
Development Standard	COR1	COR2	COR3	COR4	COR5
Project Signs					
Number of signs allowed	1*	1*	1*	1*	1*
Size of Sign (maximum)	6 sq. ft./6 feet high	100 sq. ft./6 feet high	6 sq. ft./6 feet high	6 sq. ft./6 feet high	6 sq. ft./6 feet high
Menu Board**	N/A	1 per drive-through/36 sq. ft. max.	N/A	N/A	N/A
Directional Sign	N/A	Per 117-463(l)	N/A	N/A	N/A
Wall Sign					
Number of signs allowed	1*	1*	1*	1*	1*
Size of Sign					
Single Tenant Building	50 sq. ft. or 5% of the ground floor façade area, whichever is less	15% of façade area	50 sq. ft. or 5% of the ground floor façade area, whichever is less	50 sq. ft. or 5% of the ground floor façade area, whichever is less	50 sq. ft. or 5% of the ground floor façade area, whichever is less
Multi-Tenant Buildings	50 sq. ft. or 5% of the façade area, whichever is less	15% of façade area	50 sq. ft. or 5% of the façade area, whichever is less	50 sq. ft. or 5% of the façade area, whichever is less	50 sq. ft. or 5% of the façade area, whichever is less
Building Facing Highway 10	5% of the façade area	15% of façade area	5% of the façade area	5% of the façade area	5% of the façade area
Window Sign					
Number of signs allowed	1	1	1	1	1
Size of Sign	10% of area of window or 4 sq. ft., whichever is less. Deducted from allowable wall sign area.	30% of area of window. Deducted from allowable wall sign area.	10% of area of window or 4 sq. ft., whichever is less. Deducted from allowable wall sign area.	10% of area of window or 4 sq. ft., whichever is less. Deducted from allowable wall sign area.	10% of area of window or 4 sq. ft., whichever is less. Deducted from allowable wall sign area.
Directory Sign					
Number of signs allowed	1 per building entrance	1 per building entrance	1 per building entrance	1 per building entrance	1 per building entrance
Size of Sign	3 sq. ft. maximum	3 sq. ft. maximum	3 sq. ft. maximum	3 sq. ft. maximum	3 sq. ft. maximum
Projecting Sign					
Number of signs allowed	1*	1*	1*	1*	1*
Size of Sign	6 sq. ft./3 feet wide	6 sq. ft./3 feet wide	6 sq. ft./3 feet wide	6 sq. ft./3 feet wide	6 sq. ft./3 feet wide
Awning Sign					
Number of signs allowed	2 per business	2 per business	2 per business	2 per business	2 per business
Size of Sign	24 sq. ft./max. letter height 12-inches for main business sign or 4 sq. ft./max letter height 4-inches if auxiliary. Area is deducted from allowable wall sign area.	24 sq. ft./max. letter height 12-inches for main business sign or 4 sq. ft./max letter height 4-inches if auxiliary. Area is deducted from allowable wall sign area.	24 sq. ft./max. letter height 12-inches for main business sign or 4 sq. ft./max letter height 4-inches if auxiliary. Area is deducted from allowable wall sign area.	24 sq. ft./max. letter height 12-inches for main business sign or 4 sq. ft./max letter height 4-inches if auxiliary. Area is deducted from allowable wall sign area.	24 sq. ft./max. letter height 12-inches for main business sign or 4 sq. ft./max letter height 4-inches if auxiliary. Area is deducted from allowable wall sign area.

*One (1) sign is allowed per street frontage (either wall or project)

**Restaurants and cafes in all districts are allowed one (1) wall mounted menu board not to exceed 2 sq. ft. in addition to other permitted wall signage.

Additional standards

- A. Businesses with service entrances may identify these with one (1) wall-mounted or applied letter sign not exceeding two square feet.

- B. One (1) directional sign, facing a rear parking lot. This sign may be any type of permitted sign other than a freestanding sign, but shall be limited to four (4) square feet in area.

Creative Sign Standards

- A. *Purpose.* This section establishes standards and procedures for the design, review, and approval of creative signs. The purposes of this creative sign program are to:
 - 1. Encourage signs of unique design, and that exhibit a high degree of thoughtfulness, imagination, inventiveness, and spirit; and
 - 2. Provide a process for the application of sign regulations in ways that will allow creatively designed signs that make a positive visual contribution to the overall image of the city, while mitigating the impacts of large or unusually designed signs.
- B. *Applicability.* An applicant may request approval of a sign permit for a creative sign to authorize onsite signs that employ standards that differ from the other provisions of this chapter but comply with the provisions of this section.
- C. *Application Requirements.* A sign permit application for a creative sign shall include all information and materials required by the City.
- D. *Procedure.* A sign permit application for a creative sign shall be subject to review and approval by the City as part of the Site Plan review process. When the creative sign is proposed after site plan review is complete, a creative sign may be approved by the Zoning Administrator when the proposed sign is fifty square feet or less, and shall be approved by the City Council when the sign is larger than fifty square feet.
- E. *Design Criteria.* In approving an application for a creative sign, the review authority shall ensure that a proposed sign meets the following design criteria:
 - 1. Design Quality. The sign shall:
 - a. Constitute a substantial aesthetic improvement to the site and shall have a positive visual impact on the surrounding area;
 - b. Be of unique design, and exhibit a high degree of thoughtfulness, imagination, inventiveness, and spirit; and
 - c. Provide strong graphic character through the imaginative use of graphics, color, texture, quality materials, scale, and proportion.
 - 2. Contextual Criteria. The sign shall contain at least one (1) of the following elements:
 - a. Classic historic design style;
 - b. Creative image reflecting current or historic character of the City;
 - c. Inventive representation of the use, name, or logo of the structure or business.

3. Architectural Criteria. The sign shall:
 - a. Utilize or enhance the architectural elements of the building; and
 - b. Be placed in a logical location in relation to the overall composition of the building's façade and not cover any key architectural features and details of the façade.

4. Neighborhood Impacts. The sign shall be located and designed not to cause light and glare impacts on neighboring residential uses.

Prohibited signs

The following signs are prohibited:

- A. Box signs or cabinet signs, whether on a wall, projecting or on canopies are prohibited except for logo signs permitted as part of an overall sign plan.

- B. Signs employing mercury vapor, low pressure and high pressure sodium and metal halide lighting; plastic panel rear-lighted signs.

- C. Signs on roofs, dormers, and balconies.

- D. Billboards.

- E. Signs painted or mounted upon the exterior side or rear walls on any principle or accessory building or structure, except as otherwise permitted hereunder.

- F. Free standing pylon signs over six (6) feet in height, except community signs.

- G. Back-lit awnings.

- H. Interchangeable letter boards or panels.

- I. Flashing signs.

- J. Off-premises signs, except community signs.

Overall Framework – Stormwater Management

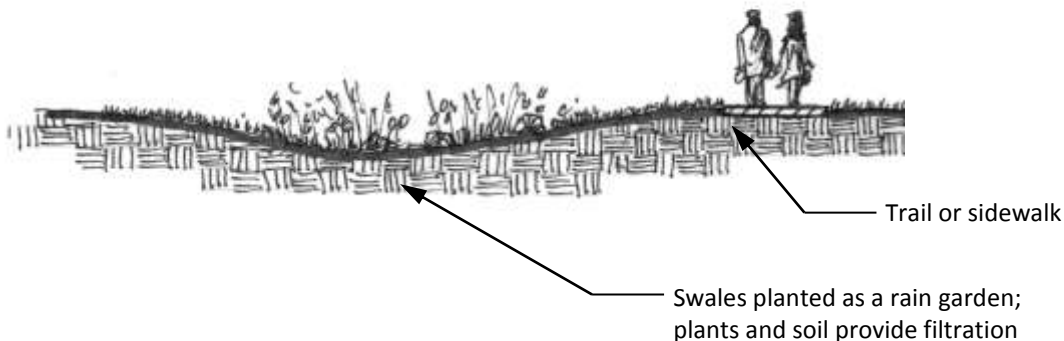
Overview

Water features and drainage systems are essential components of The COR Master Plan. The mix of ponds, streams, fountains and other water elements will provide focal amenities and year round activities within the framework of an environmentally responsible, visually pleasing strategy to manage stormwater. Because the Mississippi River is a restricted discharge water of the state, and because we are creating a new discharge from this development, each sub-district and each site has a responsibility to utilize ‘best management practices’ (BMP) to pretreat run-off, reduce erosion and encourage infiltration, with the understanding that regional treatment will be provided. Water elements are not intended to be separate stand-alone features, but instead should be integrated with the variety of parks, trails and public open space proposed for The COR. Water and landscape should be designed and utilized within multipurpose areas that accommodate both active and passive recreational use.

Objectives

Integration of water and landscape, design creativity, use of high quality materials and safety concerns are the critical objectives to be met – the following examples illustrate only a few of many possibilities:

- Innovative new products, such as special soil systems (Netlon, structural soils), pervious pavements for parking areas, storm ceptors, underground storage and other creative techniques should be used to BMP standards
- ‘Green architecture’, expressed through green roofs, gray water recycling and other techniques should be included to reduce the impact of new development on stormwater systems
- Water feature design should include both formal elements (such as reflecting pools or fountains) and natural/informal forms (such as ponds, streams, waterfalls) and should explore creative ways to integrate wetland/rain garden landscapes with active, urban spaces.



Guideline Recommendations

This framework not only defines the overall role and character of The COR, but also encourages each development parcel to address the following:

- **Create** signature water features (ponds, pools, fountains, waterfalls, etc.) as major visual amenities throughout The COR
- **Promote** high quality, creative and appealing aesthetics for all system elements
- **Integrate** stormwater management components (meeting both water quality and quantity requirements)

A great deal of time and effort has gone into the calculation and design of a 'watershed-based' stormwater management plan to support COR development. While this overall strategy addresses the water quantity issue for the entire COR by providing storage and conveyance facilities for storm events, individual development projects (block-by-block) have an equal responsibility to meet water quality standards as a primary goal. Each project should integrate a variety of techniques, materials and methods to promote multiple use, maximum flexibility, improved aesthetics for parking areas, park spaces, drainage swales and other site features.

Overall Framework – Parks/Public Spaces

Overview

The overall design framework of The COR is based on a system of linked parks, trails and open space. The City of Ramsey, Anoka County, and to some extent, the State of Minnesota all play a role in local and regional parks programming, design review, construction sequencing, implementation and ultimately maintenance and operation of key public spaces within this framework. The goal is to link existing and proposed parks and trails defined in regional park plans with proposed new parks and trails within The COR. Of equal importance is the contribution from each block and each development project to this network of green, adding a variety of private, semi-private, and perhaps some additional public space throughout The COR. Private development will share the responsibility to provide inviting, innovative and useable green space as integral parts of individual parcel site design.

Guideline Recommendations

The Design Framework encourages the following:

- Work with the City to create an integrated, comprehensive open space system that links with existing city and county trails and open space networks
- Encourage private development (block-by-block) to share in the responsibility to provide inviting, innovative and useable green space as integral parts of each development project
- Integrate stormwater management components (meeting water quality and quantity requirements) within both public / private park and open space improvements



Together, the system of public and semi-public green space will result in a welcoming public realm throughout the new community.

Objectives

Based on the Development Master Plan for The COR, a variety of public and private green space is proposed including:

- Each block and each project will provide intentional, creative, innovative, useable green areas as integral components of site development and building design.
- At the individual block scale, small squares and greens will provide places for gathering and relaxation, especially targeted to meet the demands of adjacent, or nearby buildings. Elements such as gardens, gazebos and fountains should characterize these more intimate public spaces.
- At the neighborhood scale, parks will provide space for more active recreation, and should be flexible enough to accommodate a variety of recreational activities.
- Playgrounds, game fields and park buildings are park amenities that will target a wider user demand from the surrounding community.
- The Municipal Plaza will connect with all other parks and open space elements, providing a focal point for activity and a sense of place. Gardens, public pavilions and shelters, play lots and open play fields are amenities that will provide built-in flexibility to meet the demands of both the local population and regional visitors to The COR.



Part Two: Sub-district Framework

Overview

The Master Plan and Zoning Ordinance identify five (5) distinct sub-districts within The COR. Each of these sub-districts is defined by a unique mix of uses, specific site development patterns and perhaps a distinctive character or image. The sub-districts complement one another as part of the overall plan. The sub-districts are shown the attached Sub-district Map (Figure 7: Sub-district Map). They include:

- **COR1 Mixed Use Core** – provides the broadest variety, highest density and greatest intensity of development, encouraging both vertical and horizontal mixed use
- **COR2 Commercial** – provides a location for larger scale retail and other auto-orientated commercial uses
- **COR3 Workplace** – provides a location for uses with high concentrations of employees, such as medical/technology related office, and other corporate or institutional uses
- **COR4 Neighborhood** – provides opportunities for a range of housing types from small lot single family to townhouse, to high density senior or rental apartment
- **COR5 Park and Open Space** – preserves environmental features and provides neighborhood/community amenities throughout The COR

Development plans must respond to the overall COR Design Framework described in Part One of this document, but also must address the following detailed framework standards for each sub-district. To further clarify and illustrate proposed features in the Master Plan, these sub-district guidelines are organized under the following categories:

- Public Realm / Streetscape Framework
- Site Design Framework
- Architectural Framework

In all cases, the sub-district framework must be applied in harmony with the overall COR framework and with other existing city, county, state codes, design criteria, plans and studies that support broader goals for regional growth and development. However, within each district, development standards shall be based, in part, on the street hierarchy established in The COR.

Public Realm/Streetscape

- A. The developer shall be responsible for construction of all streetscape improvements along adjacent streets. These improvements include all hardscape improvements, such as trails, sidewalks, benches, bike racks, etc., as well as street trees and other greenscape.
- B. The landowner shall be responsible for maintenance of the streetscape improvements along adjacent streets. Such maintenance may be managed as part of a Special Service District (SSD) or similar.

Plazas

- A. All properties with principal buildings in excess of 30,000 square feet shall be required to have a public plaza space.
- B. The public plaza space shall include benches, bike racks trash receptacles, lighting fixtures and other amenities to create a welcoming space for tenants of the building and members of the public.

C. These plaza spaces should be visible from the public street.

Architecture

These architectural framework standards provide an important balance between design continuity, desirable variety and the notion that buildings should complement, and perhaps contrast, but not compete with one another. The lasting appeal of the final outcome must be grounded in the authenticity of the design and the acceptable level of 'messiness' that comes with creating a real downtown over time; 'faux' second floors, stage set or themed solutions, and large faceless buildings are not acceptable.



Auto Versus Human Design: Providing rear alleys or side loaded garages enables the home to present itself to the street, which promotes sociability and walkability.

Minimum Standards

Definitions

Build to line: The line at which construction of a building facade is to occur on a lot. The build to line provides a maximum setback for all building facades from the right-of-way or inside edge of the sidewalk, whichever is greater. The build to line applies to all facades abutting a street right of way. Build to line standards are based on the sub-district the parcel is located and the street in which the building is located upon.

Setback: The minimum required distance between a parking lot or the vertical wall of a building and a lot line. Setbacks are typically more flexible than build to lines and allow a building to be set further back from the lot line and street right-of-way.

Requirements:

- A. Additional development standards shall be defined within each sub-district.
- B. Provide a diverse mix of materials, applied in a variety of proportions, exposures and detailing within a block, or along a street.

C. Buildings should be articulated to break up the mass of the building façade on all elevations. Large blank exterior walls shall be prohibited. Windows are encouraged to be used to break up the mass of the building. Rooflines and building elevations should be articulated to break up the mass of buildings. Buildings must be broken at a minimum of every fifty (50) feet. This variation can be accomplished through one (1) or more of the following:

1. Wall face variations (minimum depth of two (2) feet)
2. Pilasters or columns (minimum depth of two (2) feet)
3. Upper wall break in color and/or materials (minimum of 2/3 up the height of the wall)
4. Wainscot (minimum of four (4) feet high)
5. Canopies (minimum four (4) foot width)
6. Corner and demising wall or building separations



More Desirable

D. Each development application must list building materials, roofing materials and building colors on the plans. Building articulation, mechanical screening by architectural elements and design elements on all building elevations must be identified on the plans. The plans shall be subject to City review and approval to ensure that the design intent of the Framework has been met.



Less Desirable

E. Building materials shall be high-quality durable materials, such as glass, stone, brick, windows, canvas awnings, etc.

1. Use local sources if available
2. Siding is not allowed (vinyl, metal, wood) except as a complimentary use
3. Use clear or lightly tinted glass for all windows and doors – mirrored, reflective or highly tinted glazing is not acceptable
4. Metal and wood components are acceptable as a complimentary, not primary, building material
5. COR1 sub-district buildings shall be primarily brick or a comparable alternative and shall comprise a minimum of fifty (50%) percent of the non-glazed wall area

F. Residential development should provide variety within the subdivision to avoid monotony. Developers will include front porches and windows that face all streets. Corner units shall have more than one (1) window per side of building to help create a sense of place in the community and promote safety on the street.

G. Garage forward or “snout houses” are highly discouraged on all residential development as they dominate the view from the street and sidewalk.

H. All sides of buildings shall have an equal finish in terms of materials and general design.

I. The main entrance of each principal building must face the street. On corner lots, the main entrance may face either of the streets or be oriented to the corner. With buildings that have more than one (1) main entrance, only one (1) entrance must meet this requirement.

- J. Building massing shall be oriented parallel to the street frontage of the lot.
- K. Trash and recycling areas shall be designed internal to the building.
- L. Provide recessed entries wherever possible.
- M. Buildings shall have a base and top to the architecture.
- N. Multi-story buildings are preferred in the COR1 sub-district, but occasional single story buildings are acceptable; single story buildings should not dominate any street frontage and should be a minimum of twenty (20) feet to the roofline.
- O. Maximize glass openings for all ground level, street front façades – especially for retail, restaurant and other commercial uses – fifty (50%) minimum of total ground level façade, or demonstrate great design through other means.
- P. Provide real window openings for all street facing façades above ground level in all districts—a minimum of forty (40%) percent of total façade.



Residential uses in COR4 and COR5 must also comply with the following:

- A. *Location of main entrance*
 1. A building must include a front porch or covered balcony/patio at all main entrances that face a street. The porch or stoop shall adjoin the main entrance and the main entrance shall be accessible from the porch.
 2. The main entrance of each principal building must face the street. On corner lots, the main entrance may face either of the streets or be oriented to the corner. With buildings that have more than one (1) main entrance, only one (1) entrance must meet this requirement.
- B. *Porches:* Porches used to satisfy the design criteria shall comply with the following:
 1. Porches shall be covered by a solid roof. The roof shall not be located more than 12 feet above the floor of the porch. If the roof of a required porch is developed as a deck or balcony, it may be flat.
 2. The porch shall have minimum dimensions of 6 feet by 6 feet. (6' x 6'). For single-family detached dwelling units, the covered area provided by the porch must be at least



forty-eight (48) square feet and a minimum of eight (8) feet wide. If the main entrance is for more than one (1) dwelling unit, the covered area provided by the porch must be at least sixty-three (63) square feet and a minimum of nine (9) feet wide.



C. *Covered balconies/patio*: The covered area must be at least forty-eight (48) square feet, a minimum of eight (8) feet wide, and no more than fifteen (15) feet above grade. The covered area must be accessible from the interior living space of the house.

D. *Openings between porch floor and ground*: Openings of more than one (1) foot between the porch floor and the ground must be covered with a solid material or lattice.

E. *Roofs*

1. *Slope*: Principal structures must have a roof that is sloped, with a pitch that is no flatter than six (6) units of horizontal run to twelve (12) units of horizontal rise.

2. *Architectural features*: The roof of a principal structure shall include the following architectural details:

- a. At least one (1) dormer facing the street. If only one (1) dormer is included, it shall be at least five (5) feet wide and shall be centered horizontally between each end of the front elevation. If more than one (1) dormer is provided, a dormer at least four (4) feet wide must be provided on each side of the front elevation;
or
- b. A gabled end, or a gabled end of a roof projection, facing the street.

3. *Roof eaves*: Roof eaves must project from the building wall at least twelve (12) inches, measured horizontally, on at least the front and side elevations.



Sub-District Framework - COR1 Mixed Use Core

Public Realm / Streetscape

Public realm and streetscape improvements define the character of The COR and create a memorable signature for the Mixed Use Core sub-district. This is the most urban of all sub-districts in The COR and will be developed with a very urban pattern. Great parks and great streets, encourage intensified levels of activity, support the proposed mix of uses, invite community gathering and accommodate special events throughout the year.

Site Development

Framework standards that address building location, organization of space and parking options tend to focus on what can be measured – dimensions, setbacks, number of spaces and so on. But in addition to these issues, the Design Framework also describes the aesthetic qualities and design character of a preferred ‘urban form’ for the Mixed Use Core. The compact and higher density blocks that define this sub-district encourage a mix of uses, with a continuous built edge along street frontage. Innovative parking strategies support this mix, providing easy access to destination shopping, restaurant and entertainment venues. Together these elements will promote the core area as the center of activity – the place to see and be seen within The COR.

Architecture

Buildings in the Mixed Use Core will play a major role in defining the overall character of The COR. The proposed mix of uses for this signature destination suggests the potential for a variety of building types, demanding creativity and innovation to highlight unique architecture, while knitting the entire sub-district together as a coherent whole. Overall building design is an important consideration, but emphasis on first floor façade treatments is essential to encourage street-level activity and enhance the pedestrian experience. Architecture to be ‘4-sided’ at all locations visible to public areas. Emphasis will be on great design along public street frontage.

Table 3

COR1 Development Standards						
	Arterial Street	Destination Street	Parkway	Connector Street	Downtown Street	Local Street
Minimum lot size	None	None	None	None	None	None
Minimum lot width	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet
Minimum lot depth	80 feet	80 feet	80 feet	80 feet	80 feet	80 feet
Allowable residential density in dwelling units per acre ⁽¹⁾	>15 DU/AC	>15 DU/AC	>15 DU/AC	>15 DU/AC	>15 DU/AC	>15 DU/AC
Minimum floor area ratio (FAR) for nonresidential uses/vertically mixed buildings/sites	.75	.75	.75	.75	.75	.75
Build to Line						
Front yard ⁽⁴⁾	30 feet as measured from building front to right-of-way ⁽²⁾⁽³⁾ (60% of front facade w/in max.)	5 feet as measured from building front to right-of-way ⁽²⁾ (60% of front facade w/in max.)	5 feet as measured from building front to right-of-way ⁽²⁾ (60% of front facade w/in max.)	5 feet as measured from building front to right-of-way ⁽²⁾ (60% of front facade w/in max.)	5 feet as measured from building front to right-of-way ⁽²⁾ (60% of front facade w/in max.)	5 feet as measured from building front to right-of-way ⁽²⁾ (60% of front facade w/in max.)
Side yard	no req.	no req.	no req.	no req.	no req.	no req.
Rear yard	no req.	no req.	no req.	no req.	no req.	no req.
Driveway length (minimum)	25 feet for residential units	25 feet for residential units	25 feet for residential units	25 feet for residential units	25 feet for residential units	25 feet for residential units
Building height (min. - max.)	2 - 5 stories.	2 - 5 stories.	2 - 5 stories.	2 - 5 stories.	2 - 5 stories.	2 - 5 stories.
Planter Style	N/A	Planter Bed	Boulevard Sod	Boulevard Sod	N/A	Boulevard Sod
Tree Spacing (on center)	N/A	35 feet	35 feet	35 feet	35 feet	35 feet
Boulevard Width	N/A	6 feet	6 feet	6 feet	N/A	6 feet
Sidewalk Width	10 feet	10 feet	6 feet	10 feet	10 feet	10 feet

1. Residential density is based on the net area of the parcel in question for parcels. In the event that public open space that is not dedicated to the City is developed independently of any particular residential project, the land area of the open space shall be divided equally among those abutting projects for purposes of density calculations.
2. Build to line shall be measured from building front to edge of right-of-way, or edge of sidewalk easement as defined by the City and said sidewalk must be encumbered by a sidewalk easement recorded with the office of the Anoka County Recorder.
3. The City may approve up to a 60-foot setback if it finds that topography or other factors require that a building be set back further to achieve acceptable grades or buffer between the street, the site entrance and the building.
4. In order to address vision clearance standards on higher speed roadways, parcels that are located at an intersection with an arterial roadway are allowed a build-to line of 35 feet from both streets.

A. At least sixty (60%) percent of street frontage of any lot shall be occupied by building facades meeting this build-to-line. On lots with more than one (1) street frontage, the build to line shall apply on each side fronting a street. An enclosed open area plaza space or outdoor seating with a decorative wall with a minimum height of three feet (3') and a maximum of four and one-half feet (4 ½') can be used to meet the sixty (60%) percent street frontage requirement.

B. Screening Of Parking Areas: Wherever a surface parking area faces a street frontage, such frontage shall be screened with a decorative wall, railing, hedge, or a combination of these elements, to a minimum height of three feet (3') and a maximum height of four and one-half feet (4 ½') above the level of the parking lot, at the build-to line. This screening may be broken into sections along the street edge provided it meets the sixty (60%) percent required.

Sub-District Framework - COR2 Commercial

Public Realm / Streetscape

While the Commercial Sub-district encourages a mix of large and small floor plates accommodating auto-oriented uses, this suggests even greater attention be paid to public realm and streetscape improvements that not only accommodate vehicles, but also invite bicycle and pedestrian traffic. Surface parking lots provide convenient access to storefronts, but present an additional challenge to the overall visual character and aesthetic appeal of this area. While no large public parks are identified for this sub-district, small pocket parks, squares or other gathering spaces are encouraged. A consistent, attractive streetscape is also essential.

Site Development

Site Design Framework for this sub-district focus on a unique opportunity to recast typical commercial development patterns into a contemporary and innovative strategy that responds to overall objectives for The COR. Specifically, this suggests that the majority of buildings front on the primary through streets, with parking and service areas on the side or in the back, away from view. However, the market realities suggest that the types of auto-oriented users in this district will have the potential for larger parking fields and drive-throughs that will make a true urban model challenging. The City will hold all users to this design vision while modifying the COR2 standards slightly to accommodate these types of more typical suburban land uses. A mix of uses within individual blocks, including retail, restaurant and residential, further enhances this model, addresses design character/aesthetics and promotes activity throughout much of the day and evening hours.

Architecture

Buildings in the Commercial Sub-district make a significant contribution to first impressions of The COR. Buildings form gateways at the major entries into the site, architectural elements and choice of materials convey a certain character and the scale or massing of structures begins to define the feel or experience of this place. These are not just 'commodity' buildings, but instead should raise the bar in terms of overall design and specific details that make The COR unique, inviting and memorable. Architecture to be '4-sided' at all locations visible to public areas. Emphasis will be on great design along public street frontage.

Table 4

COR2 Development Standards						
	Arterial Street	Destination Street	Parkway	Connector Street	Downtown Street	Local Street
Minimum lot size	None	None	None	None	None	None
Minimum lot width	80 feet	80 feet	80 feet	80 feet	80 feet	80 feet
Minimum lot depth	100 feet	100 feet	100 feet	100 feet	100 feet	100 feet
Allowable residential density in dwelling units per acre ⁽¹⁾	>15 DU/AC	>15 DU/AC	>15 DU/AC	>15 DU/AC	>15 DU/AC	>15 DU/AC
Build to Line						
Front yard ⁽⁴⁾	30 feet as measured from building front to right-of-way ⁽²⁾⁽³⁾ (40% of front facade w/in max.)	15 feet as measured from building front to right-of-way ⁽²⁾ (40% of front facade w/in max.)	30 feet as measured from building front to right-of-way ⁽²⁾⁽³⁾ (40% of front facade w/in max.)	15 feet as measured from building front to right-of-way ⁽²⁾ (40% of front facade w/in max.)	15 feet as measured from building front to right-of-way ⁽²⁾ (40% of front facade w/in max.)	15 feet as measured from building front to right-of-way ⁽²⁾ (40% of front facade w/in max.)
Side yard	no req.	no req.	no req.	no req.	no req.	no req.
Rear yard	no req.	no req.	no req.	no req.	no req.	no req.
Driveway length (minimum)	25 feet for residential units	25 feet for residential units	25 feet for residential units	25 feet for residential units	25 feet for residential units	25 feet for residential units
Building height (min. - max.)	1-4 stories.	1-4 stories.	1-4 stories.	1-4 stories.	1-4 stories.	1-4 stories.
Planter Style	N/A	Boulevard Sod	Boulevard Sod	Boulevard Sod	N/A	Boulevard Sod
Tree Spacing (on center)	N/A	35 feet	35 feet	35 feet	35 feet	35 feet
Boulevard Width	N/A	6 feet	6 feet	6 feet	N/A	6 feet
Sidewalk Width	10 feet	6 feet	6 feet	10 feet	10 feet	10 feet

1. Residential density is based on the net area of the parcel in question for parcels. In the event that public open space that is not dedicated to the City is developed independently of any particular residential project, the land area of the open space shall be divided equally among those abutting projects for purposes of density calculations.
2. Build to line shall be measured from building front to edge of right-of-way, or edge of sidewalk easement as defined by the City and said sidewalk must be encumbered by a sidewalk easement recorded with the office of the Anoka County Recorder.
3. The City may approve up to a 60-foot setback if it finds that topography or other factors require that a building be set back further to achieve acceptable grades or buffer between the street, the site entrance and the building.
4. In order to address vision clearance standards on higher speed roadways, parcels that are located at an intersection with an arterial roadway are allowed a build-to line of 35 feet from both streets.

- A. At least forty (40%) percent of street frontage of any lot shall be occupied by building facades meeting this build-to-line. On lots with more than one (1) street frontage, the build to line shall apply only to one (1) street frontage.
 1. An enclosed open area plaza space or outdoor seating with a decorative wall with a minimum height of three feet (3') and a maximum of four and one-half feet (4 ½') can be used to meet the forty (40%) percent street frontage requirement.
 2. The City may approve a variation from the required build to line if the applicant provides a street edge consisting of fencing, decorative wall and/or landscaping with a minimum height of three feet (3') and a maximum of four and one-half feet (4 ½') can be used to meet the forty (40%) percent street frontage requirement.
- B. Screening Of Parking Areas: Wherever a surface parking area faces a street frontage, such frontage shall be screened with a decorative wall, railing, hedge, or a combination of these elements, to a minimum height of three feet (3') and a maximum height of four and one-half feet (4 ½') above the

level of the parking lot, at the build-to line. This screening may be broken into sections along the street edge provided it meets the forty (40%) percent required on all street frontages.

Sub-District Framework - COR3 Workplace

Public Realm/Streetscape

The Workplace Sub-district also encourages a mix of large and small floor plate buildings, but instead of commercial or entertainment, this area of The COR is dominated by office and institutional uses. With opportunities for corporate or medical campus development comes the attendant auto-related infrastructure – easy access, bigger streets and large surface parking lots. Once again, this suggests that equal attention be paid to public realm and streetscape improvements that not only accommodate vehicles, but also invite bicycle and pedestrian traffic. The Draw, an active, neighborhood scale, recreational play space has been included in this sub-district, but small pocket parks, squares or other gathering places are also encouraged. In addition, streetscape improvements provide an important public amenity and inviting pedestrian connection to adjacent sub-districts.

Site Development

The mix of medical, office, institutional and other uses in this sub-district suggest the potential for a campus-like arrangement of buildings on some blocks. These blocks would tend to be more internally oriented than in other districts, with driveways, parking lots, courtyards and walkway connections in the center, ringed by buildings around the outside. Buildings would still face adjacent streets, with both primary and secondary entries provided to animate these important façades, particularly along Ramsey Boulevard, Sunwood Drive and Rhinestone Street. While the Workplace sub-district also encourages mixed use, this desired development objective will likely occur mostly within blocks, not within individual buildings as seen in other districts.

Architecture

Buildings in the Workplace Sub-district also make a significant contribution to first impressions as people enter The COR via Highway 10, Ramsey Boulevard and Sunwood Drive. Buildings form gateways at the major entries into the site, architectural elements and choice of materials convey quality and permanence, and the scale or massing of structures begins to define the feel and character of this place. The proposed mix of uses within this sub-district suggest a variety of potential building types – blending medical campus with small office, storefront and some housing -- demands design creativity and innovation to highlight unique architecture, and knit the entire sub-district together as a coherent whole. Architecture to be '4-sided' at all locations visible to public areas. Emphasis will be on great design along public street frontage.

Table 5

COR3 Development Standards						
	Arterial Street	Destination Street	Parkway	Connector Street	Downtown Street	Local Street
Minimum lot size	None	None	None	None	None	None
Minimum lot width	40 feet	40 feet	40 feet	40 feet	40 feet	40 feet
Minimum lot depth	80 feet	80 feet	80 feet	80 feet	80 feet	80 feet
Allowable residential density in dwelling units per acre ⁽¹⁾	none	none	none	none	none	none
Minimum floor area ratio (FAR) for nonresidential uses/vertically mixed buildings/sites	.25	.25	.25	.25	.25	.25
Build to Line						
Front yard ⁽⁴⁾	30 feet as measured from building front to right-of-way ⁽²⁾⁽³⁾ (60% of front facade w/in max.)	15 feet as measured from building front to right-of-way ⁽²⁾ (60% of front facade w/in max.)	15 feet as measured from building front to right-of-way ⁽²⁾ (60% of front facade w/in max.)	15 feet as measured from building front to right-of-way ⁽²⁾ (60% of front facade w/in max.)	15 feet as measured from building front to right-of-way ⁽²⁾ (60% of front facade w/in max.)	15 feet as measured from building front to right-of-way ⁽²⁾ (60% of front facade w/in max.)
Side yard	no req.	no req.	no req.	no req.	no req.	no req.
Rear yard	no req.	no req.	no req.	no req.	no req.	no req.
Driveway length (minimum)	25 feet for residential units	25 feet for residential units	25 feet for residential units	25 feet for residential units	25 feet for residential units	25 feet for residential units
Building height (min. - max.)	2 - 4 stories.	2 - 4 stories.	2 - 4 stories.	2 - 4 stories.	2 - 4 stories.	2 - 4 stories.
Planter Style	N/A	Planter Bed	Boulevard Sod	Boulevard Sod	N/A	Boulevard Sod
Tree Spacing (on center)	N/A	35 feet	35 feet	35 feet	35 feet	35 feet
Boulevard Width	N/A	6 feet	6 feet	6 feet	N/A	6 feet
Sidewalk Width	10 feet	10 feet	6 feet	10 feet	10 feet	10 feet

1. Residential density is based on the net area of the parcel in question for parcels. In the event that public open space that is not dedicated to the City is developed independently of any particular residential project, the land area of the open space shall be divided equally among those abutting projects for purposes of density calculations.
2. Build to line shall be measured from building front to edge of right-of-way, or edge of sidewalk easement as defined by the City and said sidewalk must be encumbered by a sidewalk easement recorded with the office of the Anoka County Recorder.
3. The City may approve up to a 60-foot setback if it finds that topography or other factors require that a building be set back further to achieve acceptable grades or buffer between the street, the site entrance and the building.
4. In order to address vision clearance standards on higher speed roadways, parcels that are located at an intersection with an arterial roadway are allowed a build-to line of 35 feet from both streets.

A. At least sixty (60%) percent of street frontage of any lot shall be occupied by building facades meeting this build-to-line. On lots with more than one (1) street frontage, the build to line shall apply on each side fronting a street. An enclosed open area plaza space or outdoor seating with a decorative wall with a minimum height of three feet (3') and a maximum of four and one-half feet (4 ½') can be used to meet the sixty (60%) percent street frontage requirement.

B. Screening Of Parking Areas: Wherever a surface parking area faces a street frontage, such frontage shall be screened with a decorative wall, railing, hedge, or a combination of these elements, to a minimum height of three feet (3') and a maximum height of four and one-half feet (4 ½') above the level of the parking lot, at the build-to line. This screening may be broken into sections along the street edge provided it meets the sixty (60%) percent required.

Sub-District Framework - COR4 Neighborhood

Public Realm/Streetscape

Two prominent public parks supply much of the informal green space for The COR, and more specifically, provide the valuable park frontage and mix of amenities needed to support housing development within the Neighborhood Sub-district. North Commons surrounds an existing wetland and provides open space for year-round activities including a proposed sledding hill. The sub-district is adjacent to The Draw, which is characterized by wetlands, ponds and a meandering stream channel surrounded by gently sloping hills. Other park features include active and passive recreation areas, natural and manicured landscapes, education and interpretation opportunities, pedestrian and bicycle trails and many other amenities. Tree-lined streets connect these parks to surrounding residential neighborhoods and to nearby parks and amenities throughout The COR.

Site Development

The Neighborhood Sub-district emphasizes residential development. To support the proposed mix of housing, a framework of streets and blocks, based on the traditional grid system, encourages compact development patterns with increasing densities closer to the heart of The COR. Typical blocks either front onto signature parks or include some private green space within the site; many blocks have both. The arterial streets that frame this property, including Ramsey, Armstrong and Bunker Lake Boulevards, provide an important 'face' for this sub-district. Residential front doors will connect with public walks along each of these streets promoting the urban character of The COR.

Architecture

The largest in terms of overall acreage, the Neighborhood Sub-district will define the character and quality of the entire northern half of The COR property. With prominent street frontage along most of the major thoroughfares that serve this site, the variety of choices for building type, architectural style and design detailing are crucial decisions that together will promote a safe and attractive residential neighborhood. Integrating contemporary and traditional styles is also an important consideration, central to the notion that a unique and creative model for housing development will be a signature for The COR. Architecture to be '4-sided' at all locations visible to public areas. Emphasis will be on great design along public street frontage.

Table 6

COR4 Development Standards						
	Arterial Street	Destination Street	Parkway	Connector Street	Downtown Street	Local Street
Minimum lot size	None	None	None	None	None	None
Minimum lot width	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet
Minimum lot depth	80 feet	80 feet	80 feet	80 feet	80 feet	80 feet
Allowable residential density in dwelling units per acre ⁽¹⁾	4-15 DU/AC	4-15 DU/AC	4-15 DU/AC	4-15 DU/AC	4-15 DU/AC	4-15 DU/AC
Minimum floor area ratio (FAR) for nonresidential uses/vertically mixed buildings/sites	.25	.25	.25	.25	.25	.25
Build to Line						
Front yard ⁽⁴⁾	30 feet as measured from building front to right-of-way ⁽²⁾⁽³⁾ (60% of front facade w/in max.)	20 feet as measured from building front to right-of-way ⁽²⁾ (60% of front facade w/in max.)	20 feet as measured from building front to right-of-way ⁽²⁾ (60% of front facade w/in max.)	20 feet as measured from building front to right-of-way ⁽²⁾ (60% of front facade w/in max.)	20 feet as measured from building front to right-of-way ⁽²⁾ (60% of front facade w/in max.)	20 feet as measured from building front to right-of-way ⁽²⁾ (60% of front facade w/in max.)
Side yard	no req.	no req.	no req.	no req.	no req.	no req.
Rear yard	no req.	no req.	no req.	no req.	no req.	no req.
Driveway length (minimum)	25 feet for residential units	25 feet for residential units	25 feet for residential units	25 feet for residential units	25 feet for residential units	25 feet for residential units
Building height (min. - max.)	1-4 stories.	1-4 stories.	1-4 stories.	1-4 stories.	1-4 stories.	1-4 stories.
Planter Style	N/A	Planter Bed	Boulevard Sod	Boulevard Sod	N/A	Boulevard Sod
Tree Spacing (on center)	N/A	35 feet	35 feet	35 feet	35 feet	35 feet
Boulevard Width	N/A	6 feet	6 feet	6 feet	N/A	6 feet
Sidewalk Width	10 feet	10 feet	6 feet	10 feet	10 feet	10 feet

1. Residential density is based on the net area of the parcel in question for parcels. In the event that public open space that is not dedicated to the City is developed independently of any particular residential project, the land area of the open space shall be divided equally among those abutting projects for purposes of density calculations.
2. Build to line shall be measured from building front to edge of right-of-way, or edge of sidewalk easement as defined by the City and said sidewalk must be encumbered by a sidewalk easement recorded with the office of the Anoka County Recorder.
3. The City may approve up to a 60-foot setback if it finds that topography or other factors require that a building be set back further to achieve acceptable grades or buffer between the street, the site entrance and the building.
4. In order to address vision clearance standards on higher speed roadways, parcels that are located at an intersection with an arterial roadway are allowed a build-to line of 35 feet from both streets.

A. Screening Of Parking Areas: Wherever a surface parking area faces a street frontage, such frontage shall be screened with a decorative wall, railing, hedge, or a combination of these elements, to a minimum height of three feet (3') and a maximum height of four and one-half feet (4½') above the level of the parking lot, at the build-to line. This screening may be broken into sections along the street edge provided it meets the sixty (60%) percent required.

Sub-District Framework - COR5 Parks & Open Space

Public Realm/Streetscape

The overall structure of The COR is based on a system of linked parks, trails and open space. This includes existing and proposed parks and trails defined in city and regional parks plans, joined with new parks and trails within The COR. Of equal importance is the contribution from each block and each development project to this green structure, adding a variety of private, semi-private and perhaps some additional public space throughout each sub-district. Great strolling streets provide connections between commercial, workplace, entertainment and residential neighborhoods and encourage shared use for cars, pedestrians and bicycles.

Site Development

The COR Master Plan illustrates a strong framework of green space, including a mix of public parks, destination amenities, courtyards, commons and other features. As a key component of the overall plan, this integrated system of parks, trails and open space provides the framework around which all other land uses are organized. Placemaking and connectivity are important site development considerations, linking each block and each sub-district with major public spaces nearby and with many other amenities and attractions in The COR.

Architecture

There are numerous opportunities to include buildings and other structures as significant design features within the proposed parks, trails and open space system for The COR. These could range from simple picnic shelters and landscaped arbors to more complex park buildings that might contain meeting rooms, rest rooms, storage areas and other facilities. Design of these important buildings should respond to the specific setting and landscape features in each park, and complement the overall character and quality of buildings located within surrounding blocks. Additionally, limited retail is planned along the perimeter of the park.

Table 7

COR5 Development Standards						
	Arterial Street	Destination Street	Parkway	Connector Street	Downtown Street	Local Street
Minimum lot size	0.5	N/A	0.5	0.5	0.5	0.5
Minimum lot width	N/A	N/A	N/A	N/A	N/A	N/A
Minimum lot depth	N/A	N/A	N/A	N/A	N/A	N/A
Allowable residential density in dwelling units per acre ⁽¹⁾	N/A	N/A	N/A	N/A	N/A	N/A
Minimum floor area ratio (FAR) for nonresidential uses/vertically mixed buildings/sites	N/A	N/A	N/A	N/A	N/A	N/A
Build to Line						
Front yard ⁽⁴⁾	30 feet as measured from building front to right-of-way ⁽²⁾⁽³⁾ (60% of front facade w/in max.)	N/A	10 feet as measured from building front to right-of-way ⁽²⁾ (60% of front facade w/in max.)	10 feet as measured from building front to right-of-way ⁽²⁾ (60% of front facade w/in max.)	10 feet as measured from building front to right-of-way ⁽²⁾ (60% of front facade w/in max.)	10 feet as measured from building front to right-of-way ⁽²⁾ (60% of front facade w/in max.)
Side yard	no req.	N/A	no req.	no req.	no req.	no req.
Rear yard	no req.	N/A	no req.	no req.	no req.	no req.
Driveway length (minimum)	25 feet	N/A	25 feet	25 feet	25 feet	25 feet
Building height (min. - max.)	1-2 stories.	N/A	1-2 stories.	1-2 stories.	1-2 stories.	1-2 stories.
Planter Style	N/A	N/A	Boulevard Sod	Boulevard Sod	N/A	Boulevard Sod
Tree Spacing (on center)	N/A	N/A	35 feet	35 feet	35 feet	35 feet
Boulevard Width	N/A	N/A	6 feet	6 feet	N/A	6 feet
Sidewalk Width	10 feet	N/A	6 feet	10 feet	10 feet	10 feet

1. Residential density is based on the net area of the parcel in question for parcels. In the event that public open space that is not dedicated to the City is developed independently of any particular residential project, the land area of the open space shall be divided equally among those abutting projects for purposes of density calculations.
2. Build to line shall be measured from building front to edge of right-of-way, or edge of sidewalk easement as defined by the City and said sidewalk must be encumbered by a sidewalk easement recorded with the office of the Anoka County Recorder.
3. The City may approve up to a 60-foot setback if it finds that topography or other factors require that a building be set back further to achieve acceptable grades or buffer between the street, the site entrance and the building.
4. In order to address vision clearance standards on higher speed roadways, parcels that are located at an intersection with an arterial roadway are allowed a build-to line of 35 feet from both streets.

A. Where commercial buildings are planned, at least sixty (60%) percent of street frontage of any lot shall be occupied by building facades meeting this build-to-line. On lots with more than one (1) street frontage, the build to line shall apply on each side fronting a street. An enclosed open area plaza space or outdoor seating with a decorative wall with a minimum height of three feet (3') and a maximum of four and one-half feet (4 ½') can be used to meet the sixty (60%) percent street frontage requirement.

B. Screening Of Parking Areas: Wherever a surface parking area faces a street frontage, such frontage shall be screened with a decorative wall, railing, hedge, or a combination of these elements, to a minimum height of three feet (3') and a maximum height of four and one-half feet (4 ½') above the level of the parking lot, at the build-to line. This screening may be broken into sections along the street edge provided it meets the sixty (60%) percent required.

Implementation

Introduction

This framework provides distinct strategies for guiding The COR's form and appearance. This framework's vision for the COR will take several years to implement. Successful implementation will require consistent application of the Design Framework by City staff. Zoning enforcement and design framework standards will not succeed without the cooperation and commitment of landowners, development interests, and the rest of the community.

Design Review

The Design Framework will be administered by staff as part of the development review process. Staff will incorporate design review to ensure compliance with the Design Framework as a standard step in the development review process.

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APPENDIX A: SPECIFICATIONS AND DETAILS

Table 1 - Land Uses and Traffic Generation

Zone/Block	Code	Land Use	Dwelling Units	Sq. ft.	Park Area ¹ (sq. ft.)	ITE Code ²	AM Peak			PM Peak			Daily Total
							Total	In	Out	Total	In	Out	
1a	3	Retail		11,882		820	10	6	4	35	17	18	408
1b	3	Retail		9,022		820	7	4	3	27	13	14	310
1c	3	Supermarket		62,396		850	179	109	70	524	267	257	5103
1d	3	Retail		13,283		820	11	6	4	40	19	20	456
1e	3	Retail		7,300		820	6	4	2	22	11	11	251
2a	3	Retail		5,248		820	4	3	2	16	8	8	180
2b	3	Retail		39,000		820	31	19	12	116	57	59	1340
2c	2	Daycare Center		10,320		565	101	54	48	103	48	55	654
2d	1	Senior Housing - Assisted Living	84			254	9	6	3	15	7	8	179
3a	1	Luxury Apartments / Townhomes	230			220	94	19	75	114	74	40	1224
3a	3	Retail		67,085		820	54	33	21	200	98	102	2305
3b	2	Government Office Building		49,107		730	231	194	37	48	15	33	2708
3c	0	Park & Ride (Northstar) ³											
4a	2	Clinic		50,092		720	92	73	19	139	37	101	1448
4b	3	Sit Down Restaurant		9,037		931	6	3	3	54	36	18	650
4c	3	Hotel ⁴		24,900		310	14	9	6	15	8	7	209
4d	2	Office Park		110,000		770	136	120	16	131	22	109	969
5a	2	Mortuary ⁵		17,598		710	3	2	1	17	6	11	139
5b	2	Business Park		93,871		770	107	90	17	97	22	75	958
6a	2	Office Park		44,827		770	56	49	7	53	9	44	395
6b	3	Retail		13,070		820	10	6	4	39	19	20	449
6c	2	General Office		17,987		710	22	20	3	21	4	18	158
6d	2	General Office		17,987		710	22	20	3	21	4	18	158
7a	2	Charter School ⁶		50,511		534	468	258	211	264	129	135	1405
7b	2	Medical Office		33,374		720	61	49	13	92	25	67	965
7c	3	Retail		24,780		820	20	12	8	74	36	38	851
8a	0	City Park w/ Lake			430,000								
8b	2	General Office		43,584		710	54	48	6	52	9	43	384
8c	2	General Office		43,584		710	54	48	6	52	9	43	384
9a	0	City Park w/ Lake			171,445								
9b	1	Apartments	95			220	39	8	31	47	31	16	505
9c	1	Apartments	200			220	82	16	65	99	64	35	1064
9d	2	General Office		59,696		710	74	65	9	71	12	59	526
9e	2	General Office		42,765		710	53	47	6	51	9	42	377
9f	2	General Office		59,208		710	73	65	9	71	12	59	522
10a	2	General Office		8,400		710	10	9	1	10	2	8	74
10a	1	Apartments	20			220	8	2	7	10	6	3	106
10b	2	General Office		8,400		710	10	9	1	10	2	8	74
10b	3	Specialty Retail		4,200		820	3	2	1	13	6	6	144
10b	1	Apartments	30			220	12	2	10	15	10	5	160
10c	1	Apartments - Senior	90			220	9	3	6	12	7	5	251
10c	1	Apartments	90			220	37	7	29	45	29	16	479
10d	2	General Office		11,500		710	14	13	2	14	2	11	101
10d	3	Specialty Retail		11,500		820	9	6	4	34	17	18	395
10e	2	General Office		8,500		710	11	9	1	10	2	8	75
10e	3	Specialty Retail		4,250		820	3	2	1	13	6	6	146
10f	2	General Office		11,900		710	15	13	2	14	2	12	105
10f	3	Specialty Retail		8,500		820	7	4	3	25	12	13	292
10f	1	Apartments	14			220	6	1	5	7	5	2	74
10g	3	Specialty Retail		7,600		820	6	4	2	23	11	12	261
10g	2	General Office		7,600		710	9	8	1	9	2	8	67
10g	1	Apartments	36			220	15	3	12	18	12	6	192
10h	3	Specialty Retail		6,300		820	5	3	2	19	9	10	216
10i	3	Specialty Retail		6,100		820	5	3	2	18	9	9	210
10i	2	General Office		6,100		710	8	7	1	7	1	6	54
10i	1	Apartments	26			220	11	2	8	13	8	5	138
11a	3	Specialty Retail		17,000		820	14	8	5	51	25	26	584
11a	1	Apartments	118			220	48	10	39	59	38	20	628
11b	2	General Office		11,000		710	14	12	2	13	2	11	97
11b	1	Apartments	26			220	11	2	8	13	8	5	138
11c	2	General Office		20,700		710	26	23	3	25	4	20	182
11c	1	Apartments	50			220	20	4	16	25	16	9	266
11d	2	General Office		10,700		710	13	12	2	13	2	11	94
11d	3	Specialty Retail		10,700		820	9	5	3	32	16	16	368
11d	1	Apartments	26			220	11	2	8	13	8	5	138
11e	2	General Office		5,900		710	7	6	1	7	1	6	52
11e	3	Specialty Retail		11,800		820	9	6	4	35	17	18	405
11e	1	Apartments	44			220	18	4	14	22	14	8	234
11f	3	Specialty Retail		11,800		820	9	6	4	35	17	18	405
11f	2	General Office		5,900		710	7	6	1	7	1	6	52
11f	1	Apartments	44			220	18	4	14	22	14	8	234
11g	0	City Park			82,804								
12a	3	Sit Down Restaurant		12,000		931	8	4	4	72	48	24	864
12b	3	Community Center		160,000		310	207	126	81	186	69	117	2929
13a	3	Retail		19,200		820	15	9	6	57	28	29	660
13b	3	Retail		16,664		820	13	8	5	50	24	25	572
14a	3	Gas Station w/Convenience Store ⁷		5,000		945	317	162	155	388	194	194	1563
14b	3	Retail		10,628		820	9	5	3	32	16	16	365

Table 1 - Land Uses and Traffic Generation

Zone/Block	Code	Land Use	Dwelling Units	Sq. ft.	Park Area ¹ (sq. ft.)	ITE Code ²	AM Peak			PM Peak			Daily
							Total	In	Out	Total	In	Out	Total
14c	3	Fast Food Restaurant w/Drive-Through		4,800		934	190	97	93	129	67	62	1905
15	3	Shopping Center		135,986		820	109	66	42	406	199	207	4671
16	3	Retail		94,960		820	76	46	30	283	139	145	3262
17a	3	Sit Down Restaurant		6,000		931	4	2	2	36	24	12	432
17b	3	Sit Down Restaurant		5,470		931	4	2	2	33	22	11	394
17c	3	Sit Down Restaurant		5,470		931	4	2	2	33	22	11	394
17d	0	City Park w/ Lake			480,000								
18a	1	Condos	80			230	28	5	23	33	22	11	372
18b	1	Condos	69			230	24	4	20	29	19	9	321
18c	1	Condos	48			230	17	3	14	20	13	7	223
18d	1	Townhomes	32			230	11	2	9	13	9	4	149
19a	1	Townhomes	52			230	18	3	15	22	14	7	242
19b	1	Single Family - Detached	14			210	8	2	6	11	7	4	107
19c	1	Townhomes	31			230	11	2	9	13	9	4	144
20a	1	Townhomes	42			230	15	3	12	17	12	6	195
20b	1	Single Family - Detached	14			210	8	2	6	11	7	4	107
20c	1	Townhomes	28			230	10	2	8	12	8	4	130
21a	1	Townhomes	77			230	27	5	22	32	21	11	358
21b	1	Townhomes	90			230	32	5	26	37	25	12	418
22a	1	Single Family - Detached	23			210	14	3	10	19	12	7	176
22b	1	Townhomes	72			230	25	4	21	30	20	10	335
23a	1	Single Family - Detached	44			210	26	7	20	36	22	13	337
23b	1	Single Family - Detached	19			210	11	3	9	15	10	6	145
24a	1	Single Family - Detached	7			210	4	1	3	6	4	2	54
24b	0	City Park w/ Lake & Amphitheater			320,000								
24c	1	Single Family - Detached	17			210	10	3	8	14	9	5	130
Total			1,982	1,724,042	1,484,249		3,889	2,272	1,618	5,502	2,578	2,924	57,079
Residential Total (Code 1)			1,982	0			748	153	595	916	595	322	9,953
Office Total (Code 2)			0	861,111			1,755	1,326	429	1,422	395	1,027	13,177
Retail Total (Code 3)			0	862,931			1,386	792	594	3,164	1,588	1,576	33,949
			1,982	1,724,042			3,889	2,272	1,618	5,502	2,578	2,924	57,079

Notes:

¹ Due to the minimal amount of traffic generated by parks, they were not considered traffic generators in the original study. Likewise, parks are not considered traffic generators in this forecast.

² The trip generation was based on the methods and average rates published in the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 8th Edition*.

³ The traffic generated by the park and ride was included in the analysis of the original study, however the unspecified volumes were added directly to the intersection traffic assignment instead of being listed with the other trip generation numbers. Accordingly, the traffic volumes generated by the park and ride facility are not considered with the rest of the generated traffic in this forecast.

⁴ The number of dwelling units (DU) for the hotel was obtained by proportioning the proposed hotel to the hotel in the original study via their respective footprints. The hotel was modeled as having 32 rooms.

⁵ Mortuary is assumed to operate similarly to a cemetery with 3 employees (ITE Land Use Code 566).

⁶ Currently, there is no data for daily traffic volumes generated by 534 - Private School (K-8). For public elementary, junior high, and high schools, the ratio of the total daily traffic to the A.M. peak hour traffic is approximately 3.0. The total daily traffic generated by the charter school was calculated by multiplying the A.M. peak hour traffic by a factor of 3.0.

⁷ Due to the lack of data for total weekday trips generated by 945 - Gas Station w/Convenience Store using square footage, the total weekday trips were calculated using the number of fueling positions. Based on the typical size of gas stations currently being constructed, it was assumed that new gas station will have 12 fueling positions.

The forecasts reflect a 20% internal capture rate consistent with the original AUAR's traffic impact study.



DEVELOPMENT STATUS

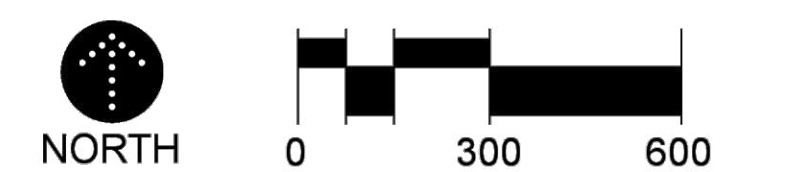
- EXISTING DEVELOPMENT
- PROPOSED DEVELOPMENT
- ACTIVE DEALS
- UNDER CONTRACT
- COMPLETED

ACCESS

- EXISTING SIGNALIZED INTERSECTION
- FUTURE SIGNALIZED INTERSECTION
- FULL INTERSECTION
- NO LEFT OUTBOUND MOVEMENTS
- PARKING RAMP

TRAFFIC INFORMATION

ADT INFORMATION TAKEN FROM 2009 ACTUAL COUNTS AND 2030 PROJECTED VOLUMES



Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #12-07-____

RESOLUTION APPROVING AN AMENDMENT TO THE 2030 COMPREHENSIVE PLAN

WHEREAS, the Metropolitan Land Planning Act (MPLA) requires local units of government to submit comprehensive plans and plan amendments to the Metropolitan Council for review and comment to ensure consistency with metropolitan system plans, consistency with other adopted comprehensive plans of the Metropolitan Council, and compatibility with plans of other local jurisdictions in the Metropolitan Area; and

WHEREAS, on January 27, 2010, the Metropolitan Council authorized the City to put the 2030 Comprehensive Plan into effect; and

WHEREAS, the Master Plan for the Ramsey Town Center was created in 2003; and

WHEREAS, in order to better position the development for success due to a series of development related issues and complications, the City of Ramsey Housing and Redevelopment Authority purchased approximately 150 acres of the former Ramsey Town Center; and

WHEREAS, the City of Ramsey has invested time and effort to rebrand the development to The COR; and

WHEREAS, the City of Ramsey remains committed to the principles of creating a transit-oriented development surrounding the Northstar Commuter Rail – Ramsey Station, thereby maximizing the investment made by various public and private partners; and

WHEREAS, as part of the re-branding and re-visioning of The COR, a new development plan was created in an attempt to better match the City of Ramsey sub-market of the region and address infrastructure capacity concerns of the area (the “Development Plan”); and

WHEREAS, the Development Plan better addresses quality TOD principles, by putting a higher number of housing units and densities closer surrounding the Ramsey Station, thereby providing a higher capture rate of transit users; and

WHEREAS, the Development Plan balances land use assembly and sub-region market factors by providing an expanded retail anchor base to support the land uses in the high-density center of the project; and

WHEREAS, the retail anchor base lies outside the half-mile radius considered the TOD Area or Transit Improvement Area (TIA); and

WHEREAS, the Development Framework, Zoning, and Development Plan allow for and

encourage a higher density and forecast than what the surrounding infrastructure may currently support; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

- 1) That the City of Ramsey hereby adopts an amendment to the 2030 Comprehensive Plan.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the ___ day of July, 2012.

Mayor

ATTEST:

City Clerk

COMPREHENSIVE PLAN AMENDMENT

City of Ramsey

Areas of Change (Forecasts)

- The COR (formerly Ramsey Town Center)
- Hope Fellowship Parcel

The COR Development Plan

- Future Land Use over entire area is 'Mixed Use'
 - Small area is currently 'Employment'
 - Not asking for change to FLU Map
- Changes to Forecasts
 - Area of MDR to Commercial (40 acres)
 - Forecast methodology for vertical structures/downtown
 - Conservative Forecast
 - Low Density Range versus Average Density Range
- Retail Anchor
 - Previous MDR to Commercial
- Re-focused center/downtown

COR Forecasts

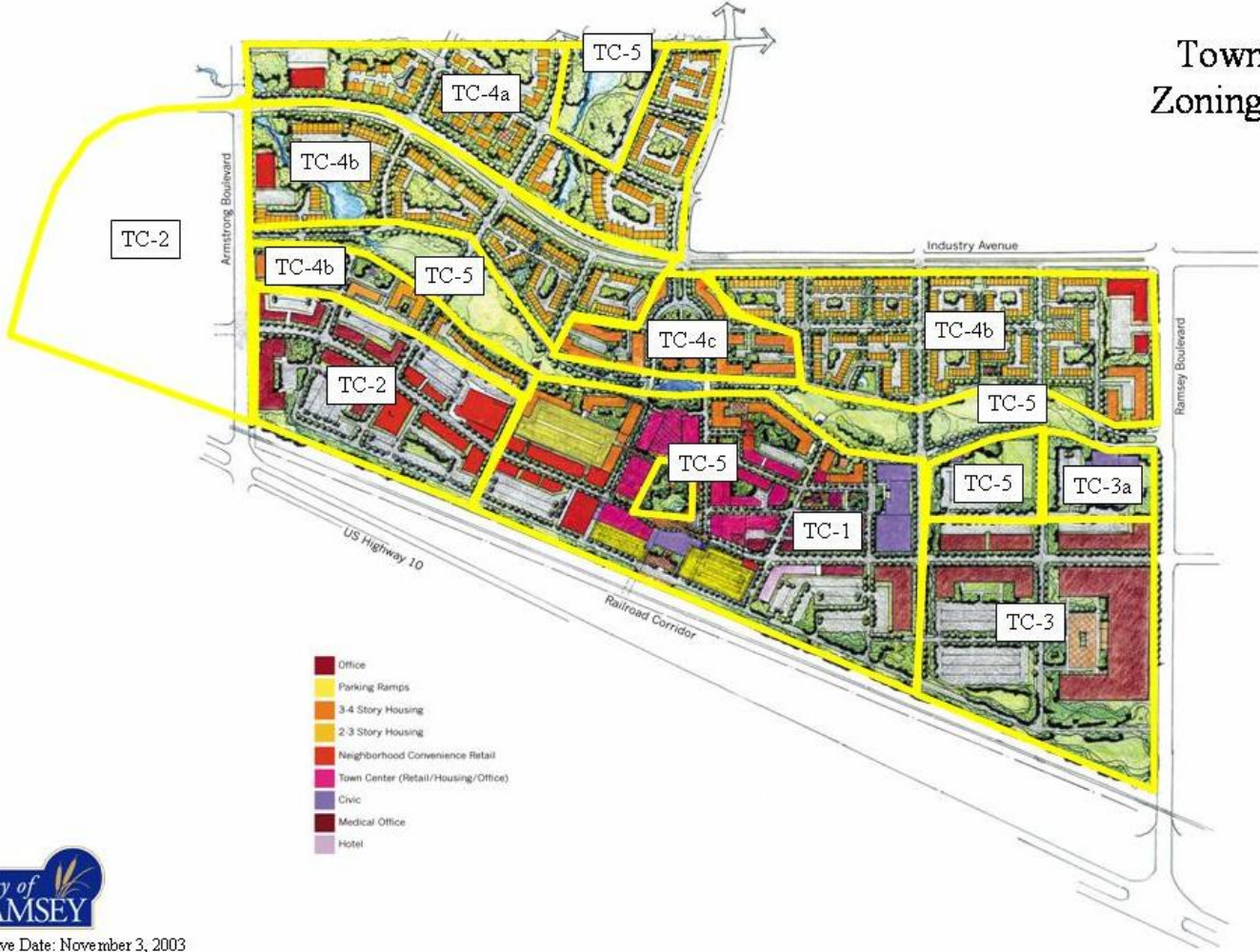
- Originally 2,200 Households
- 2030 Plan = 2,000 Households
- Requested = 1,500 Households
 - ▣ Spack Consulting Traffic Generation MemoP

COR Area Forecasts

- COR = 1,500
- Town Center Gardens = 300+ MDR
- Bushek = 240 (210 HDR, 30 LDR)
- Pine Shadows = 21 HDR
- Pearson = 280 (210 MDR, 70 HDR)
- Hageman = 120 HDR
- ***Total is approximately 2,500***

Previous Master Plan

Town Center Zoning Districts



Effective Date: November 3, 2003

Current Development Plan



LAND DESIGNATION

- PARK/PUBLIC SPACES
- PARCELS FOR SALE
- PARCELS OWNED BY OTHERS

DEVELOPMENT STATUS

- EXISTING DEVELOPMENT
- PROPOSED DEVELOPMENT
- ACTIVE DEALS
- UNDER CONTRACT

ACCESS

- EXISTING SIGNALIZED INTERSECTION
- FUTURE SIGNALIZED INTERSECTION
- FULL INTERSECTION
- NO LEFT OUTBOUND MOVEMENTS
- PARKING RAMP

TRAFFIC INFORMATION

ACT INFORMATION TAKEN FROM 2009 ACTUAL COUNTS AND 2030 PROJECTED VOLUMES



DEVELOPMENT PLAN 5.03

05.19.2011

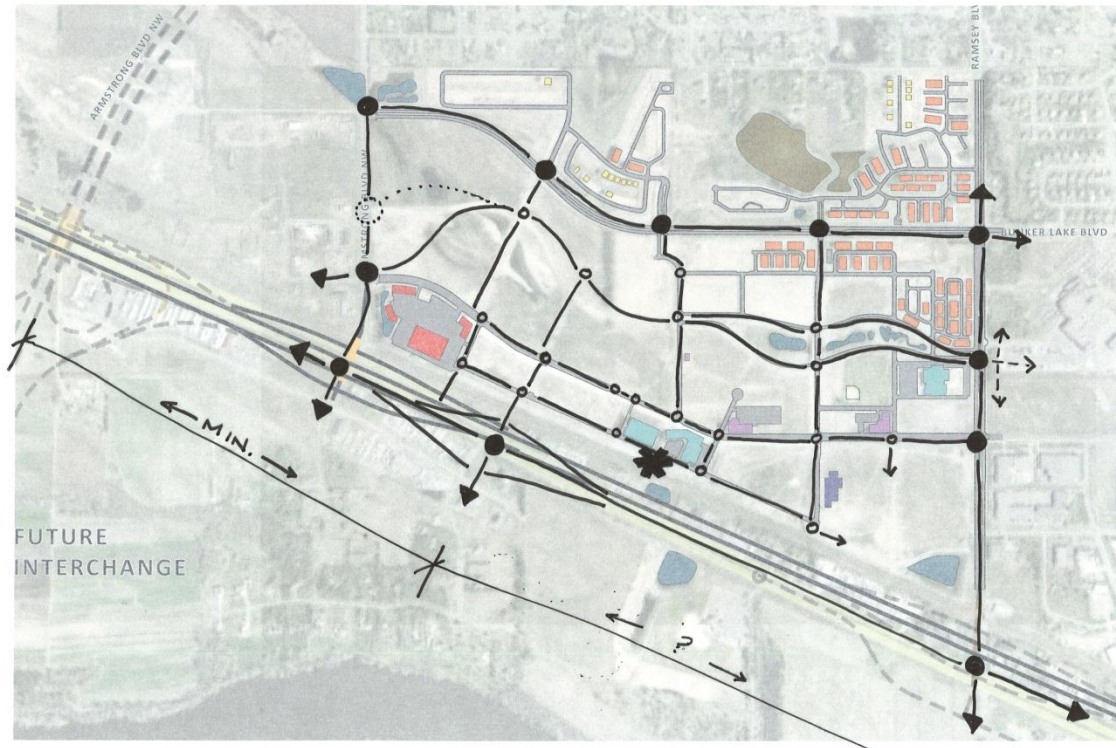
Landform Site & City is a subsidiary of Landform Technical Services, LLC.

Plan Comparison

- Eastern Half Remains Consistent
 - ▣ Office Employment Area included
- West 30 Retail
 - ▣ The Retail Anchor
- Additional HDR Housing in center
 - ▣ 'Refocused'
- Realigned Sunwood Drive
 - ▣ Permitted only one (1) access to Armstrong Boulevard
 - ▣ Interchange Planning
 - ▣ Substantial Impacts to Site Layout
- Live-Work Units now Permitted in General Retail Area

Sunwood Realignment Constraints

RAMSEY TOWN CENTER
RAMSEY, MINNESOTA



NOT TO SCALE

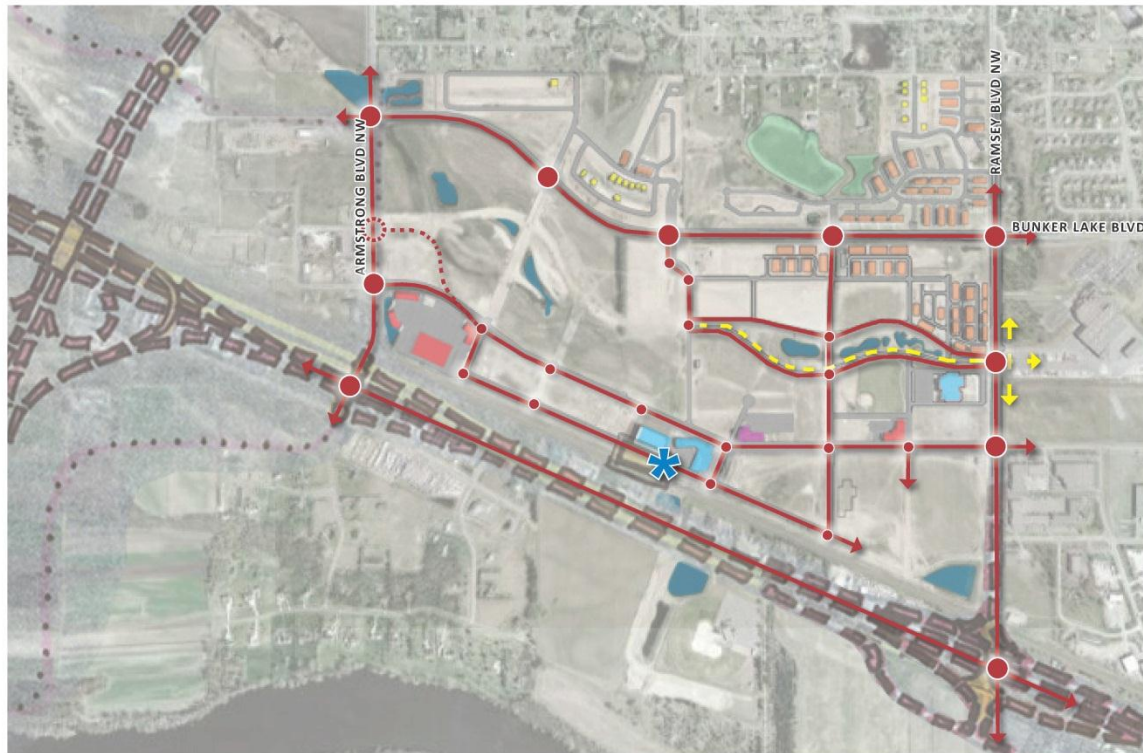


LANDFORM
From Site to Finish

PROPOSED ACCESS
ANALYSIS (C3.0)

SEPTEMBER 2, 2009

Sunwood Realignment Constraints



RAMSEY TOWN CENTER
RAMSEY, MINNESOTA

- TRANSIT
- INTERSECTION (FULL ACCESS)
- INTERSECTION (LOW-MODERATE ACCESS)
- TRAILS

NOT TO SCALE

LANDFORM

From Site to Finish

EXISTING ACCESS ANALYSIS

AUGUST 20, 2009

Household Forecasts

- Original Forecast Issues
 - ▣ Documentation of final methodology
 - ▣ Discrepancy with AUAR
- Revised Forecasts
 - ▣ Conservative approach
 - 'Minimum density range'
 - Previously high end of density range
 - ▣ Zoning Code allows for and encourages additional
 - ▣ Expanded retail area

History of Success in The COR

- Residence at The COR
 - 230 units
 - Net Density = 76 units/acre
 - FAR = 1.92
- Senior Housing
 - 86 units approved
 - Potential for 100
- Workforce Housing Proposal
 - 50 units of rental MDR
 - All at 50% AMI threshold

History of Success in The COR

- Allina Medical Clinic
 - ▣ 23,000 s.f. of medical office space
- Veterans Administration Community Based Outpatient Clinic
 - ▣ 40,000 s.f. of medical office space
- Ramsey Office Plaza
 - ▣ Falls Café and Fountains of Ramsey Banquet Facility
- NAU Insurance
- Midwest Medical Examiner's Office

Other Areas of Success

- Stoney River Assisted Living and Memory Care
 - Additional 72 households
 - Added to forecasts

Public Input

- Previous Attempts for Retail Anchor
 - ▣ Ramsey Crossings
 - ▣ Shifted Focus to The COR
- Buxton Retail Match Study
- ICSC Conference
- Visual Preference Survey
- Design Framework

Public Input

RESIDENTIAL



Public Input

RETAIL



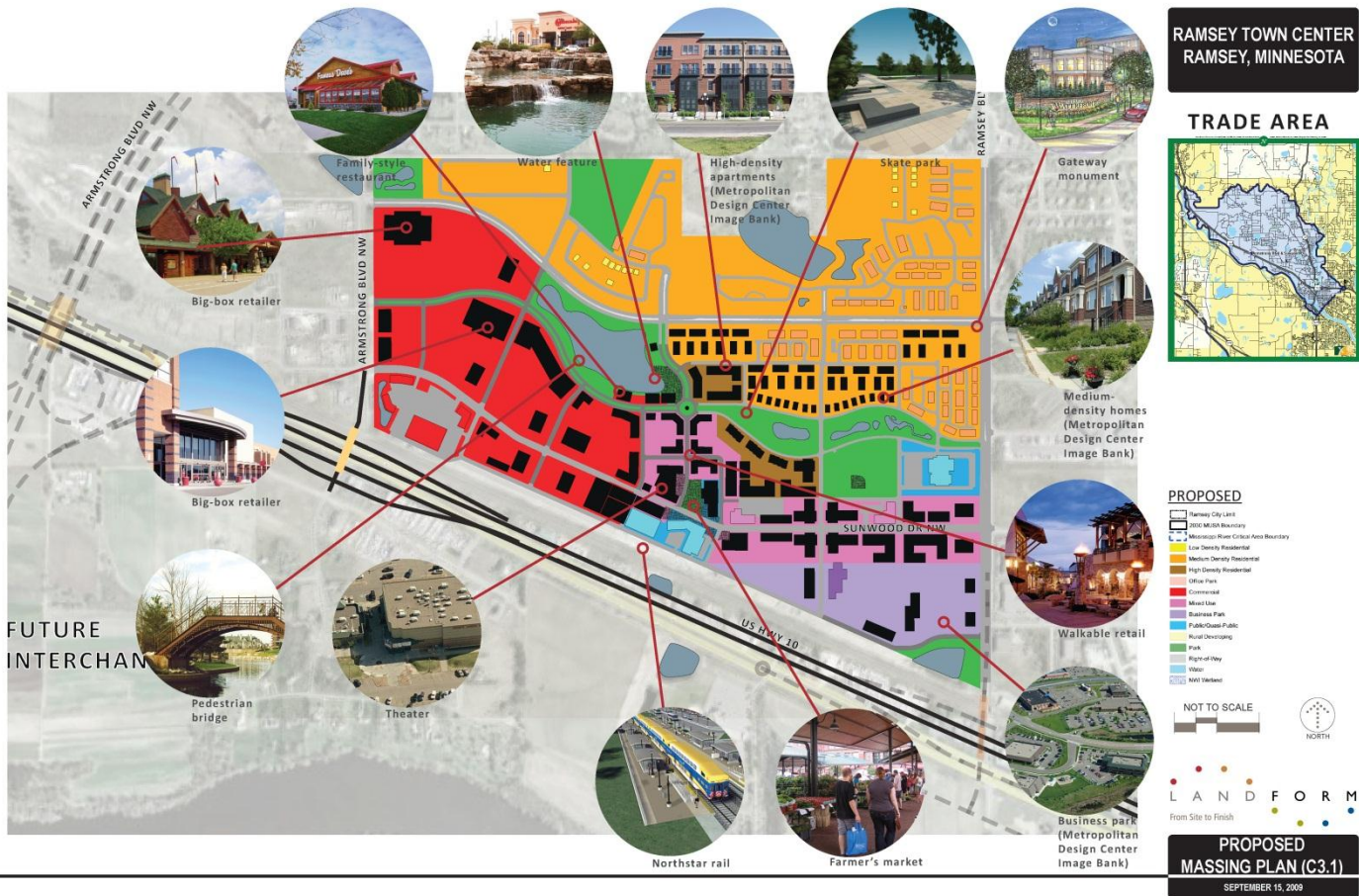
TOWN CENTER IMAGERY



From Site to Finish

08.06.2009

Public Input



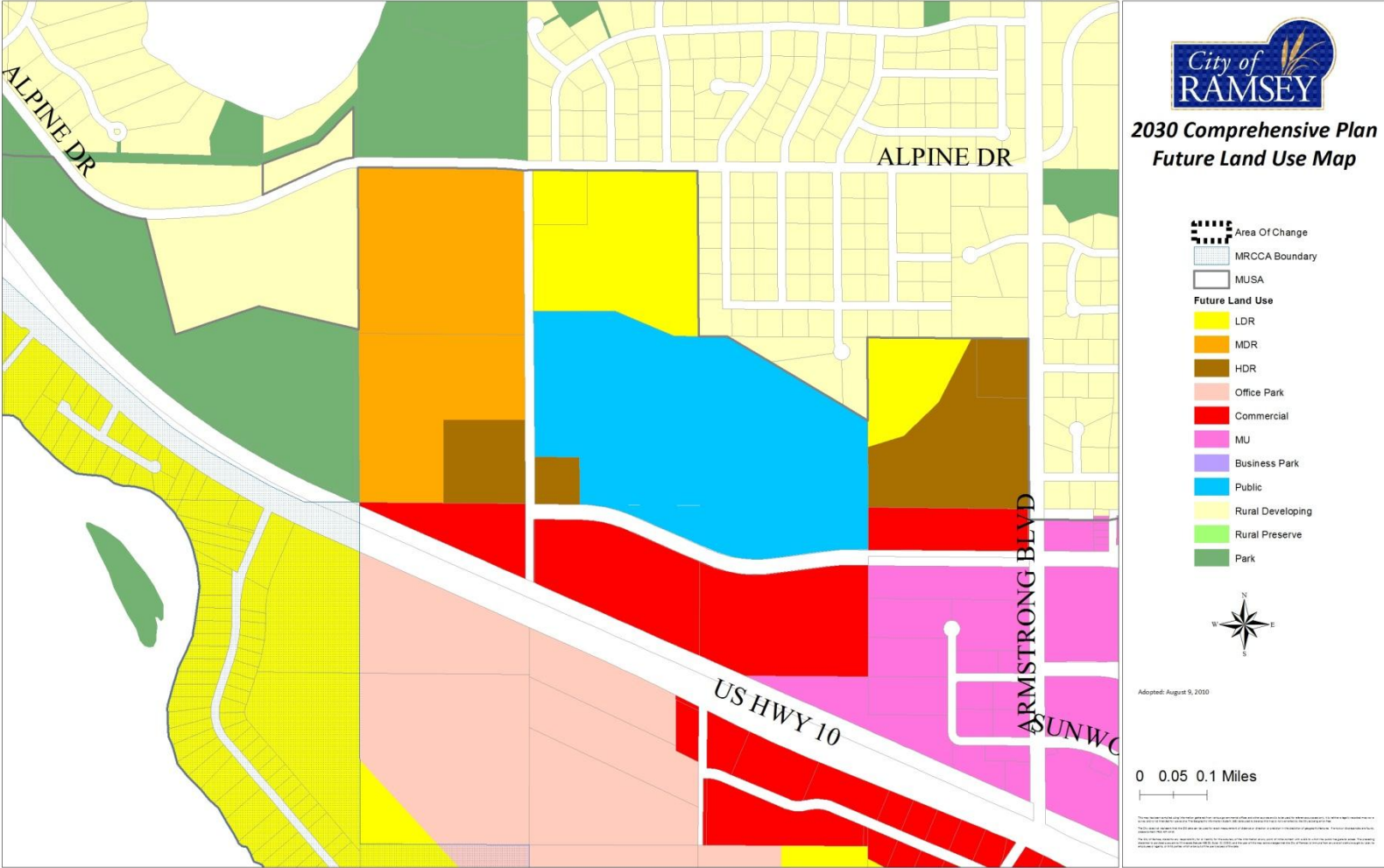
Other Areas of Potential

- Legacy Christian Academy/West of Armstrong
- Rum River Special Area Plan
- North of Trott Brook
 - ▣ Previous Efforts
- Importance of 2040 Framework and Update

Legacy Christian Academy Area

- Project Approved in 2011
- Meets Strategic Need for Community
- Changed Dynamic of FLU Map in Surrounding Area
 - ▣ Re-Address in 2040 Comprehensive Plan Update
 - ▣ Alignment of Future River Crossing Impacted
 - ▣ More Flexibility in Surrounding Land Uses
 - ▣ Potential for Additional MDR and HDR?
 - Density Transitioning/Surrounding Development
 - ▣ With additional retail in The COR, look at area west of Armstrong
- Added additional density with previous update

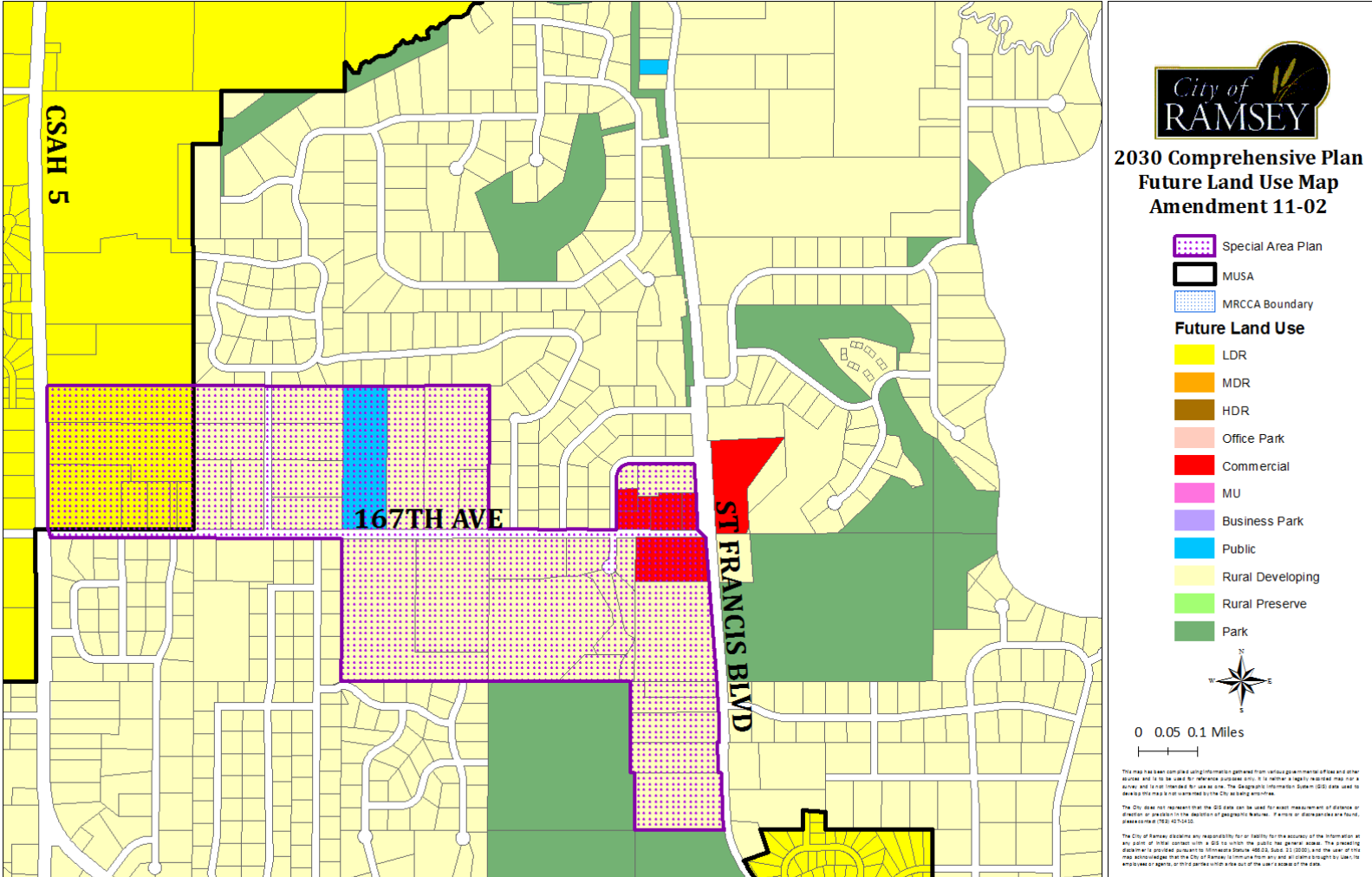
Legacy Christian Academy Area



Rum River Special Area Plan

- Included in Amendment Request
- Municipal Water Now Available
- Municipal Sanitary Sewer Needs to be Extended
 - ▣ \$1.5M to \$3M
- Dialogue with Owners
 - ▣ Future Needs and Desires
- Potential for 100 to 400 additional HH
- TH 47 Important Corridor for Community
- History of Success
 - ▣ Estates of Silver Oaks (100 HH)

Rum River Special Area Plan



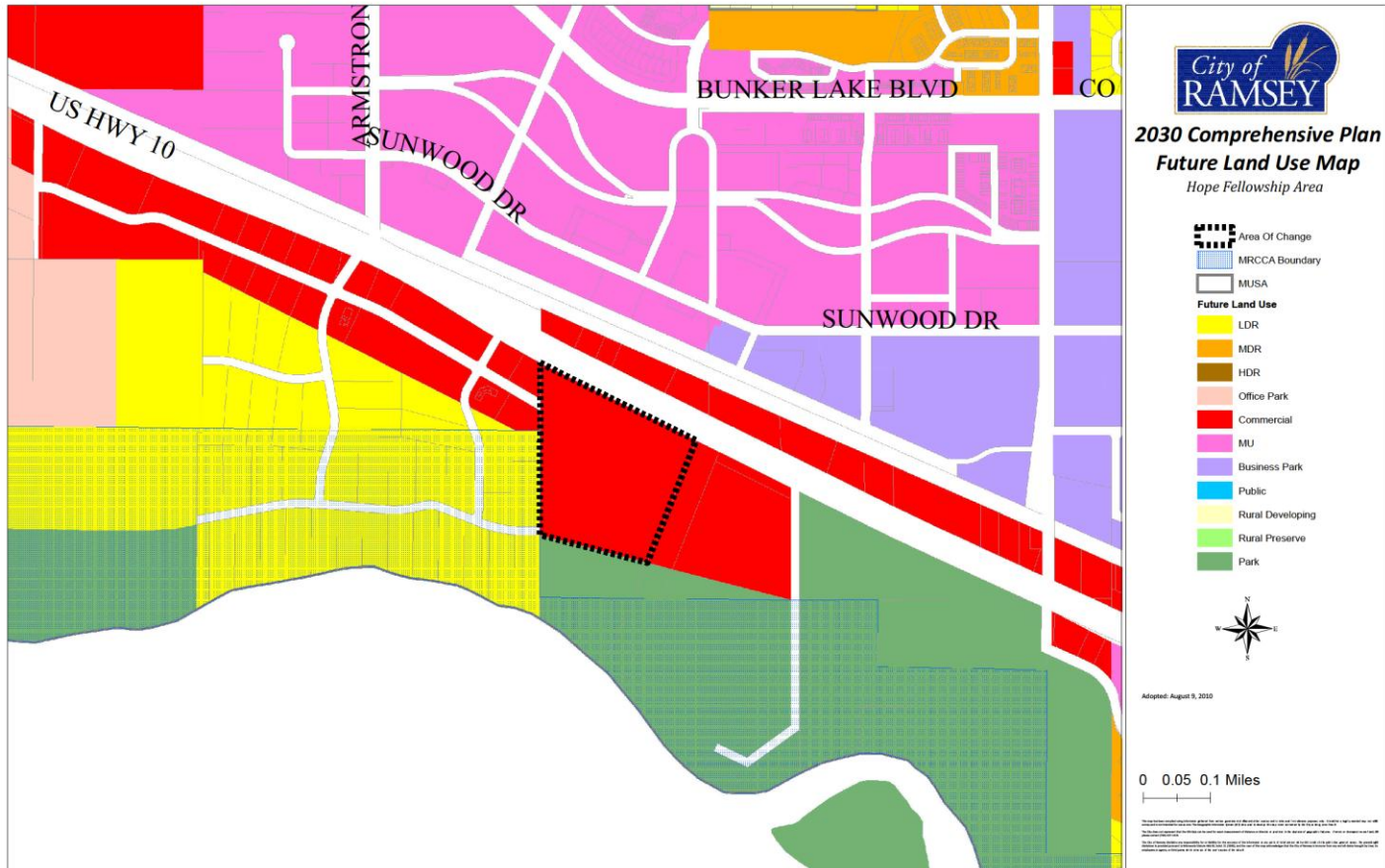
Timing

- Potential 2012 Development
- Important to solidify Development Plan for discussions with future developers

Hope Fellowship Parcel

- Previously planned as church campus
 - ▣ Required residential zoning
 - ▣ Potential for housing surrounding
 - ▣ Owner now desires to sell consistent with surrounding land use
 - ▣ Parcel 'Commercial' in 2020 Plan
- City attempt to guide area to address Livable Communities goals
- 30 acres of MDR = 100 HH

Hope Fellowship Parcel



Potential Solutions

- Forecast Methodology in Downtown
 - ▣ Plan and Zoning can support more growth
 - Encourages additional growth
 - Impacts to infrastructure
 - ▣ Forecast range
 - Low end to high end forecasts shown in Development Plan
 - Plan for growth beyond 2030
 - ▣ Live-Work Units now allowed in retail area
 - ▣ Use modal shift in transportation forecasting
 - Automobile
 - Northstar

Other Considerations

- Summary/Addendum Memo
 - Highlight Changes from Original Plan

Meeting Date: 07/12/2012

By: Tim Gladhill, Community Development

Information

Title:

PUBLIC HEARING: Consider GF Game Fair Off-Street Parking Overlay District

Background:

Each year in August, Armstrong Kennels hosts a large event over two (2) weekends. The event is approved through a Conditional Use Permit approved by the City. The Subject Property that hosts the Game Fair only provides off-street parking for vendors of the event. Spectator parking has historically been provided through a combination of parking available at Central Park (with shuttle service provided by the Ramsey Lions) and adjacent residential units.

Since the event is only held over two (2) weekends throughout the year, Staff is in support of a temporary waiver of the City's off-street parking ordinance in regard to surfacing requirements. In this area, surfacing would normally need to be a minimum of Class V, asphalt, or concrete. In addition, the City's off-street parking ordinance limits the number of items allowed to be stored outside. Staff has explored options to officially grant a temporary waiver to the geographic area surrounding the Game Fair during the event.

Notification:

The Notice of Public Hearing was published in the Anoka County Union.

Observations:

Although Staff does not receive a large number of complaints about the parking situation during the event, Staff does receive concern from time to time during enforcement of other off-street parking violations that the City does not fairly and equitably enforce the off-street parking ordinance during the Game Fair. In order to ensure that the Property Owners providing off-street parking for spectators are not in violation of the technical terms of the ordinance, Staff has begun to research options to provide for this exemption to remain with past practice, if the City Council chooses continue said arrangement.

Staff researched the City of Saint Paul, and how that city handles a similar situation surrounding the State Fair. Staff would recommend establishing an Overlay District that would allow for a temporary exemption from the City's standard off-street parking ordinance. The ordinance proposes to delineate an area that the ordinance would apply to. The ordinance proposes to reiterate Building Code requirements that parking cannot occur on top of a private septic system. For clarification, Staff would only recommend establishing the district to clarify the exemption, but would not recommend any additional permits or licenses at this time. A map depicting the proposed overlay district is attached for review.

Many other special events are reviewed as part of the Special Events Permit, and parking is handled on site, either through existing prepared surfaces or grassy area. The Special Events Permit can be expanded to adjacent properties as well. As the Game Fair is a larger event and does not have sufficient space of on-site, off-street parking due to the large success of the event, parking is being provided by a number of adjacent property owners. Rather than having each individual Property Owner apply for a Special Events Permit, or require that the Game Fair apply on behalf of all Property Owners, the overlay district concept simply providing for an exemption may be the most efficient means without creating additional requirements.

City Council reviewed the proposed ordinance. Since the City Council discussion will occur after this agenda is published, Staff will provide a verbal update at the meeting.

Funding Source:

Preparation of the proposed ordinance is being handled as part of regular Staff duties.

Staff Recommendation:

Staff recommends approval of the proposed ordinance.

Committee Action:

Motion to recommend that the City Council adopt the resolution establishing the GF Game Fair Off-Street Parking Overlay District.

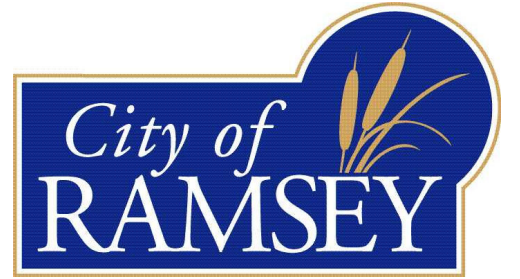
Attachments

Overlay District Map

Proposed Ordinance

Form Review

Inbox	Reviewed By	Date
Tim Gladhill (Originator)	Tim Gladhill	07/05/2012 12:52 PM
Form Started By: Tim Gladhill		Started On: 07/03/2012 04:19 PM
	Final Approval Date: 07/05/2012	



Off Street Parking Overlay District

Game Fair

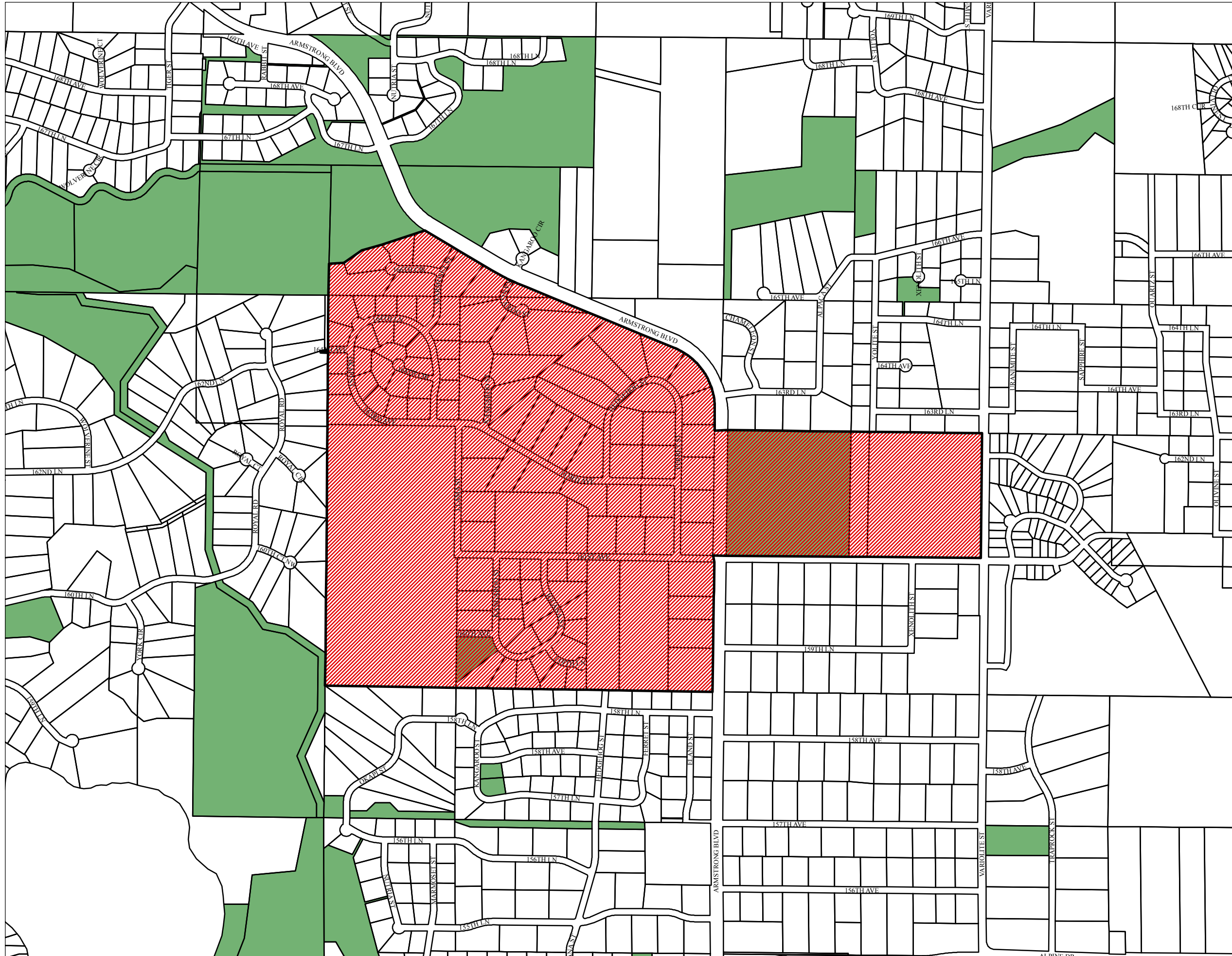
-  Overlay
-  Parks



0 300 600 1,200 Feet

This map has been compiled using information gathered from various governmental offices and other sources and is to be used for reference purposes only. It is neither a legally recorded map nor a survey and is not intended for use as one. The Geographic Information System (GIS) data used to develop this map is not warranted by the City as being error-free. The City does not represent that the GIS data can be used for exact measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found, please contact (763) 427-1410.

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ORDINANCE #12-__

**CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

AN AMENDMENT TO CHAPTER 117 WHICH IS KNOWN AS THE ZONING AND SUBDIVISION OF LAND CHAPTER OF THE CITY CODE OF RAMSEY, MINNESOTA.

AN ORDINANCE AMENDING SECTION 117-355 (RESIDENTIAL DEVELOPMENT OFF-STREET PARKING) OF THE RAMSEY CITY CODE.

The City of Ramsey ordains:

SECTION 1 AUTHORITY

This ordinance is adopted pursuant to and under the authority of the City Charter of the City of Ramsey.

SECTION 2 AMEND

Section 117-355 of the Ramsey City Code is hereby amended to include the following text:

- (f) The "GF game fair parking overlay district," is established as shown on the official zoning map accompanying this code. Notwithstanding the provisions of section 117-355 to the contrary, game fair parking on residentially zoned property may be permitted in required side and front yards only during the period of the annual "Game Fair" conducted by Armstrong Kennels.

SECTION 3 SUMMARY

The following official summary of Ordinance #12-__ has been approved by the City Council of the City of Ramsey as clearly informing the public of the intent and effect of the Ordinance.

It is the intent and effect of Ordinance #12-__ to amend Ramsey City Code Chapter 117 (Zoning and Subdivision of Land) Section 117-355 (Residential development off-street parking) to provide for off-street parking in the front and side yard of residentially zoned properties within the overlay district. The Game Fair is an important community event drawing a number of spectators, resulting in a unique requirement for off-street parking in order to ensure public streets are kept clear to allow for traffic flow and pedestrian safety. Due to the infrequent nature and need for this temporary parking situation, it is appropriate to allow parking within the front and side yard without typical concern of aesthetics and erosion.

S SECTION 4. EFFECTIVE DATE.

This Ordinance shall become effective 90 days after its passage and publication subject to the provisions of Minnesota Statutes §410.12, Subd. 7.

PASSED by the City Council of the City of Ramsey, Minnesota, the ___ day of ____, 2012.

Mayor

ATTEST:

City Clerk

Date recommend by Planning Commission:

City Council Introduction date:

Posting dates:

Public hearing publication dates:

Public hearing date: _

Adoption date:

Publication date:

Effective date:

Regular Planning Commission

5. 4.

Meeting Date: 07/12/2012

By: Tim Gladhill, Community Development

Information

Title:

Staff Update

Background:

The following is a brief summary of approvals given in June that may be of interest to the Planning Commission :

Adopt Ordinance to Amend City Code Chapter 10 (Animals). The City Council adopted an ordinance that amends City Code to allow chickens on parcels less than three (3) acres and created for provisions to allow for bee keeping. The previous ordinance required at least three (3) acres for chickens and did not allow for bee keeping.

Approve Escrow Agreement for Property Identification Number Division at 14503 Bowers Dr NW; Case of Ann Tolkienen. The City Council approved the request to allow for a PIN Division Request on Bowers Drive. A PIN Division is an Anoka County Property Records and Taxation Process that divides a parcel to the original, underlying lot lines that was previously combined through the PIN Combination process. Furthermore, City Code states that a detached accessory structure may not be constructed until a primary structure is constructed. Since a detached garage currently exists on a parcel that would now be vacant (without a dwelling unit), the City agreed to approve the request, contingent upon placement of an escrow to ensure the Subject Property was brought within compliance.

Assign Approved Conditional Use Permit to MSM Auto, LLC. The City Council previously granted approval of a Conditional Use Permit (CUP) to Tris Star Auto. However, the CUP was never executed and the business decided to not pursue the location. With the consent of the Property Owner, the approval was assigned to MSM Auto, LLC under the previously approved conditions.

Request for an Interim Use Permit to Operate a Church in the H-1 Highway 10 Business District Located at 6937 Highway 10 NW; Case of Freedom Christian Church. The City Council approved the request for an IUP for Freedom Christian Church. After some discussion, the City Council decided to approve the request for a term of five (5) years.

Notification:

Observations:

Funding Source:

Staff Recommendation:

Committee Action:

Form Review

Inbox	Reviewed By	Date
Tim Gladhill (Originator)	Tim Gladhill	07/05/2012 02:48 PM
Form Started By: Tim Gladhill		Started On: 07/05/2012
	Final Approval Date: 07/05/2012	

Regular Planning Commission

5. 5.

Meeting Date: 07/12/2012

By: JoAnn Shaw, Community Development

Information

Title:

Zoning Bulletins

Background:

Enclosed are zoning periodicals for your review.

Notification:

Observations:

Funding Source:

Staff Recommendation:

Committee Action:

Attachments

Zoning Bulletins

Form Review

Inbox	Reviewed By	Date
Tim Gladhill	Tim Gladhill	07/05/2012 12:52 PM
Form Started By: JoAnn Shaw		Started On: 07/05/2012 09:36 AM
		Final Approval Date: 07/05/2012

Zoning Bulletin

in this issue:

Telecommunications Uses—City Council Denies Request to Construct Wireless Communications Tower	2
Nonconforming Use—County Says Use of Farm as “Materials Processing Facility” Violates County Code Restricting Such Uses	4
Telecommunications Act—Zoning Board Denies Application to Construct Wireless Broadband Internet Access Service	6
Particular Uses—State Agency Approves Wind Energy Project	9
Zoning News from Around the Nation	11

Telecommunications Uses—City Council Denies Request to Construct Wireless Communications Tower

Applicant says city council's denial was unsupported by substantial evidence, in violation of the Telecommunications Act of 1996

Citation: *T-Mobile Northeast LLC v. City Council of City of Newport News, Va.*, 2012 WL 990555 (4th Cir. 2012)

Contributors

Corey E. Burnham-Howard

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The Fourth Circuit has jurisdiction over Maryland, North Carolina, South Carolina, Virginia, and West Virginia.

FOURTH CIRCUIT (VIRGINIA (03/26/12)—This case addressed the issue of whether the denial of an application for a conditional use permit to construct a wireless telecommunications tower was supported by substantial evidence, as required by the Telecommunications Act of 1996, 47 U.S.C.A. § 332(c)(7)(B)(iii).

The Background/Facts: T-Mobile Northeast LLC (“T-Mobile”) sought to fill a gap in its wireless service coverage by constructing a new wireless communication tower at an elementary school (the “School”) in Newport News, Virginia (the “City”). As required by the City’s zoning ordinance, T-Mobile applied for a conditional use permit (“CUP”) to construct the tower at the School.

The City’s Planning Department and the City’s Planning Commission both recommended that the City approve T-Mobile’s application. However, the City Council voted without explanation to deny T-Mobile’s application.

T-Mobile subsequently sued the City and the City Council. It alleged violations of § 704 of the federal Telecommunications Act of 1996 (“TCA”). Among other things, T-Mobile alleged that the City Council’s denial of its requested CUP was “not supported by substantial evidence,” in violation of 47 U.S.C.A. § 332(c)(7)(B)(iii).

The district court agreed with T-Mobile. It issued an injunction directing that T-Mobile’s application be granted.

The City Council appealed.

DECISION: Affirmed.

The United States Court of Appeals, Fourth Circuit, also agreed with T-Mobile that the City Council’s denial of T-Mobile’s CUP application was not supported by substantial evidence, in violation of TCA § 332(c)(7)(B)(iii).

In so holding, the court explained that the TCA “limit[s] the ability of state and local governments to frustrate the [] national purpose of facilitating the growth of wireless telecommunications, [but] also . . . preserve[s] state and local control over the siting of towers and other facilities that provide wireless services.” In order to strike this balance, further explained the court, the TCA “preserves the power of the local zoning authority ‘over decisions regarding the placement, construction, and modification of personal wireless service facilities,’ while placing certain limits on that authority.” One of those limitations is that the TCA requires that any decision by state or local government to deny a request to place or construct personal wireless service facilities “shall be in writing and supported by substantial evidence contained in a written record.” (47 U.S.C.A. § 332(c)(7)(B)(iii).) “Substantial evidence,” explained the court means: more than a mere scintilla, but less than a preponderance. Also, emphasized the court, in reviewing whether a decision is supported by substantial evidence, courts look only to whether the denial—not the application itself—is supported by substantial evidence.

Here, the court found that the City Council’s denial of T-Mobile’s CUP application was not supported by substantial evidence in light of the following

facts: there was no widespread opposition to the proposed wireless service tower as only four residents expressed opposition to the tower; and the substance of the residents' opposition consisted only of uncorroborated concerns about the effect of the tower on property values, passing comments about the tower's aesthetic impact, and speculative concerns about the risk posed to students by workers servicing the towers.

See also: *AT & T Wireless PCS, Inc. v. City Council of City of Virginia Beach*, 155 F.3d 423 (4th Cir. 1998).

See also: *Petersburg Cellular Partnership v. Board of Sup'rs of Nottoway County*, 205 F.3d 688 (4th Cir. 2000).

Case Note:

Opponents of T-Mobile's application had also expressed concerns about the health effects of building a tower on school property. The court noted that the TCA is clear that potential health effects flowing from the grant of a CUP have no place in the decision to deny a permit. (47 U.S.C.A. § 332(c)(7)(B)(iv).)

Nonconforming Use—County Says Use of Farm as “Materials Processing Facility” Violates County Code Restricting Such Uses

Business operator claims facility is nonconforming use despite the fact facility was not fully operational when restrictive regulation was adopted

Citation: *King County v. King County Dept. of Development and Environmental Services*, 2012 WL 1071395 (Wash. Ct. App. Div. 1 2012)

WASHINGTON (04/02/12)—This case addressed the issue of whether owners of an organic materials processing business had a valid “nonconforming use” of property even though their business was not in full operation prior to adoption of a regulation restricting such uses in certain areas.

The Background/Facts: Jeff Spencer (“Spencer”) owned farmland in the Green River Valley in King County, Washington (the “County”). Ron Shear (“Shear”) operated an organic materials processing business on Spencer’s farm. Shear’s business involved other farmers and nursery owners bringing to Shear organic vegetation and organic soils that he converted into matter used in animal bedding and fuel.

After receiving a complaint about dust created by trucks driving up and down roads to Spencer's property, the County's Department of Development and Environmental Services ("DDES") issued a notice of violation on the grounds that Shear's use of the farm was an unauthorized "materials processing facility" in a critical area, namely a wetland and flood hazard area. Pursuant to a County Code regulation adopted in September 2004, "materials processing facilities" were not permitted in critical areas.

Spencer and Shear maintained that the use of Spencer's property as a materials processing facility was a valid nonconforming use. They contended that their use of the property amounted to operation of a materials processing facility before the regulation restricting such activity in critical areas came into existence in September 2004.

A hearing examiner agreed with Shear and Spencer.

DDES appealed under the Land Use Petition Act ("LUPA"). DDES pointed to the County Code's definition of "materials processing facility": "a site or establishment, not accessory to a mineral extraction or sawmill use, that is primarily engaged in crushing, grinding, pulverizing or otherwise preparing earth materials, vegetation, organic waste, construction and demolition materials or source separated organic materials that is not the final disposal site." DDES noted that Spencer and Shear had not begun crushing and grinding the earth materials, organic vegetation and organic waste until the winter of 2004 or spring of 2005—after adoption of the September 2004 regulation restricting such activity in critical areas. DDES contended that every step involved in materials processing had to be completed in order to have "established" the use. Accordingly, DDES argued that Spencer and Shear had not been using the property as a "materials processing facility" before the restriction went into effect.

The superior court agreed with DDES and reversed the hearing examiner.

Shear and Spencer appealed. On appeal, Spencer and Shear countered DDES' arguments. They pointed out that the County Code did not require crushing and grinding to be taking place for the property to be used as a materials processing facility. Indeed, the Code indicated that property could be used as a materials processing facility where the operator is "otherwise preparing" the earth materials vegetation and organic waste. Moreover, Shear and Spencer maintained that the Code's definition of the term "established," included prospective language: "The use is considered permanently established when that use will or has been in continuous operation for a period of sixty days."

DECISION: Reversed and matter remanded.

The Court of Appeal of Washington, Division 1, held that Spencer and Shear had a valid nonconforming use of property even though the materials processing facility was not in full operation prior to adoption of the restrictive regulation in September 2004.

In so holding, the appellate court agreed with Spencer and Shear's arguments: The Code did not require crushing and grinding to be taking place

for property to be used as a materials processing facility. Also, the Code explicitly included the prospective word “will” in the definition of “established.”

In analyzing whether Shear’s activities on the site amounted to a nonconforming use, the court explained that a nonconforming use was: a use “which lawfully existed prior to the enactment of a zoning ordinance, and which is maintained after the effective date of the ordinance, although it does not comply with the [current] zoning restrictions applicable to the district in which it is situated.” In order to qualify as a nonconforming use with vested legal rights to continue the use, the use of the property must be established prior to the adoption of the zoning ordinance, said the court.

The court noted that the hearing examiner had found that, prior to September 2004, Shear had: rented the site; assembled and stored equipment at the site; graded the site; stockpiled materials for processing organic materials; and extended access driveways to the site. The court found these findings, in combination with the court’s interpretation of the Code, supported the hearing examiner’s conclusion that: (1) a materials processing facility was in existence on Spencer’s property prior to the adoption of the restrictive regulation in September 2004; and (2) it was a legal nonconforming use.

The court reversed the superior court’s decision and reinstated the hearing examiner’s decision.

See also: *McMilian v. King County*, 161 Wash. App. 581, 255 P.3d 739 (Div. 1 2011).

Case Note:

Spencer and Shear had also argued that the materials processing facility use did not occur within a critical area. The court found that DDES had not articulated a clear, intelligible flood hazard standard in enacting the “critical areas” ordinance. Consequently, the court found the ordinance was not enforceable against Spencer’s business.

Telecommunications Act—Zoning Board Denies Application to Construct Wireless Broadband Internet Access Service

Parties dispute whether zoning of such service is limited by the Telecommunications Act of 1996

Citation: *Clear Wireless LLC v. Building Dept. of Village of Lynbrook*, 55 Communications Reg. (P & F) 740, 2012 WL 826749 (E.D. N.Y. 2012)

NEW YORK (03/08/12)—As a matter of first impression (i.e., the first time the court ever addressed the specific issue), this case addressed the issue of whether a local zoning board is limited by § 332(c)(7)(B) of the federal Telecommunications Act of 1996 (the “TCA”) in reviewing an application to construct a facility providing wireless broadband Internet access services.

The Background/Facts: Clear Wireless LLC (“Clearwire”) is an affiliate entity of Sprint Nextel (“Sprint”). Clearwire provides the wireless broadband component of Sprint’s telecommunications network—known as “wireless broadband Internet access service” or “4G” technology.

In February 2010, Clearwire applied to the Village of Lynbrook (the “Village”) to obtain a special use permit to construct and operate a telecommunications facility consisting of antennas and related equipment (the “Proposed Facility”).

The Board of Trustees of the Village (the “Board”) eventually denied Clearwire’s application. Among the reasons for its denial was the Board’s belief that because the 4G service is an “advanced Internet product,” Clearwire’s application was not entitled to the level of review afforded under the TCA. Thus, the Board only analyzed Clearwire’s application under the criteria set forth in the Village Code.

Clearwire filed a legal action against the Board, the Village, and the Village’s Building Department (hereinafter, collectively, the “Village Defendants”). Clearwire alleged that denial of its application was not supported by substantial evidence, as required by TCA § 332(c)(7)(B)(iii). Among other things, Clearwire sought declaratory and injunctive relief under federal law pursuant to the TCA.

Clearwire moved for summary judgment, asking the court to find there were no material issues of fact and decide the matter in its favor on the law alone. The Village Defendants also cross-moved for summary judgment, asking the court to find in their favor.

DECISION: Clearwire’s motion for summary judgment denied; Village’s motion for summary judgment granted. Clearwire’s cause of action for declaratory and injunctive relief based on violations of the TCA dismissed.

The United States District Court, E.D., New York, held that “the plain language of the TCA does not limit a local government’s authority over zoning issues involving applications for wireless broadband Internet access service facilities.” In other words, a local zoning board is not limited by § 332(c)(7)(B) of the TCA in reviewing an application to construct a facility providing wireless broadband Internet access services.

In so holding, the court explained that, the TCA was adopted in order to “provide for a pro-competitive, deregulatory national policy framework designed to accelerate rapidly private sector deployment of advanced telecommunications and information technologies and services . . . by opening all telecommunications markets to competition” In furtherance of that

purpose, § 332(c)(7) of the TCA limits the authority of state and local governments over zoning and land use issues related to the installation of wireless communications facilities.

The court further explained that, under the TCA, a service is subject to a different regulatory framework depending on whether it constitutes an “information service” or a “telecommunications service.” The court noted that the FCC has concluded that wireless broadband Internet access service, such as Clearwire’s 4G, is an “information service” and not a “telecommunications service.” This, said the court, means that the FCC has classified wireless broadband Internet access service outside of the statutory reach of § 337(c)(7) of the TCA.

Thus, based on the FCC’s definition, the court concluded that because Clearwire’s Proposed Facility would be used solely to provide an “information service,” it did not qualify as a “personal wireless service facility” subject to limitation on local zoning authority in § 332(c)(7)(B) of the TCA. Accordingly, the court denied Clearwire’s motion for summary judgment and granted the Village Defendant’s cross-motion for summary judgment, and dismissed Clearwire’s cause of action for declaratory and injunctive relief based on violations of the TCA.

See also: *Comcast Corp. v. F.C.C.*, 600 F.3d 642 (D.C. Cir. 2010).

See also: *Arcadia Towers LLC v. Colerain Tp. Bd. of Zoning Appeals*, 53 Communications Reg. (P & F) 410, 2011 WL 2490047 (S.D. Ohio 2011).

Case Note:

The court noted that “the law had not kept up with the changes of technology.” However, the court also found that it was “not up to the FCC to construe the TCA to say something it does not say, nor up to the Court to find broadband communication encompassed by the law.”

Case Note:

Clearwire had also raised state law claims. The court found these claims raised such an important issue (i.e., whether a provider of wireless broadband Internet services is a “public utility” and therefore subject to the “public necessity” standard for the purposes of zoning applications under New York law) that they should first be addressed by the New York state courts. As such, the court declined to exercise supplemental jurisdiction over Clearwire’s state law claims and granted the Village Defendants’ cross-motion for summary judgment, dismissing those claims without prejudice.

Particular Uses—State Agency Approves Wind Energy Project

Opponents dispute finding that project will have “attributable” “tangible benefits”

Citation: *Friends of Boundary Mountains v. Land Use Regulation Com'n*, 2012 ME 53, 2012 WL 1134914 (Me. 2012)

MAINE (04/05/12)—This case addressed the issue of the interpretation of “tangible benefits” required for approval of a wind energy project under Maine statutory law.

The Background/Facts: In December 2009, TransCanada filed an application with Maine’s Land Use Regulation Commission (“LURC”) for a permit to construct the Kibby Expansion Wind Power Project in the townships of Kibby and Chain of Ponds. As initially proposed, the project was a 45 megawatt wind energy generation facility, including 15 wind turbines, created as an expansion of an existing 44-turbine wind facility operated by TransCanada.

Following the public comment period, LURC voted to approve TransCanada’s amended application. Among other things, LURC’s decision found that the project would provide “significant tang[ible] benefits” as a result of the following: “the employment of several hundred workers during construction; economic benefits to local businesses during the construction period; the creation of one permanent job in operations and maintenance; a \$110,000 grant from TransCanada to the Department of Labor (DOL) to support green jobs training in Franklin County; \$13million in anticipated income taxes over the next twenty-five years; a \$110,000 grant from TransCanada to the High Peaks Alliance (HPA) to support land conservation in Franklin County; and \$10 million in property taxes over the next twenty years.” LURC also noted that TransCanada planned to contribute approximately \$660,000 to the local community over the next 20 years as part of a “community benefits package.”

Maine statutory law, 12 M.R.S. § 685-B(4-B)(D), requires that a developer of a wind energy project (here, TransCanada) must demonstrate that the proposed generating facility “[w]ill provide significant tangible benefits.” “Tangible benefits” is defined under 35-A M.R.S. § 3451(10). Effective July 12, 2010, “tangible benefits” was defined as meaning: environmental or economic improvements or benefits to residents of [Maine] attributable to the construction, operation and maintenance of an expedited wind energy development, including but not limited to: property tax payments resulting from the development; other payments to a host community, including but not limited to, payments under a community benefit agreement; construction related employment; local purchase of materials; employment in operations and maintenance; reduced property taxes; reduced electrical rates; land or natural resource conservation; performance of construction, operations and maintenance activities by trained, qualified and licensed workers . . . ; or other comparable benefits, with particular attention to assurance of such benefits to the host community or communities to the extent practicable and affected neighboring communities.

The preamendment version of this definition applied to TransCanada's project in this case. Thus, factors such as "property tax payments resulting from the development" and "other payments to a host community" were not explicitly included in the applicable version of § 3451(19), and TransCanada was not required to make "payments under a community benefit agreement" to satisfy the definition of "tangible benefits."

Friends of Boundary Mountains ("FBM") appealed from LURC's decision approving the issuance of the permit to TransCanada. Among other things, FBM argued that LURC erred in finding that TransCanada's wind energy project would provide "significant tangible benefits," as required by Maine statutory law—12 M.R.S. § 685-B(4-B)(D) and 35-A M.R.S. § 3451(10). Specifically, FBM argued that LURC erred in interpreting the term "tangible benefits" to include TransCanada's grants to DOL and HPEA, as well as the payments proposed in the "community benefits package."

DECISION: Decision of LURC affirmed.

The Supreme Judicial Court of Maine held that LURC's interpretation of "tangible benefits" to include grants to the DOL and HPA, as well as payments proposed in a "community benefits package," was reasonable.

The court found that LURC properly considered TransCanada's proposed grants and payments. Since the July 12, 2010 amendment clarified existing law, the applicable preamendment definition of "tangible benefits" would include "other payments to a host community" and "payments under a community benefit agreement," said the court. Furthermore, the court found the preamendment version of § 3451(10) could, on its face, also reasonably be interpreted to include (as LURC did) TransCanada's proposed "community benefits package" and the grants to DOL and HPA.

FBM however, had also disputed whether TransCanada's payments were "attributable" to the construction, operation and maintenance of the project, as required by § 3451(10). FBM asserted that the "community benefits package" and grants to DOL and HPA would come from TransCanada's general wealth and would not result from the "construction, operation, and maintenance" of the project. On the other hand, TransCanada and LURC argued that those payments would constitute "tangible benefits" because they would not occur but for the construction, operation, and maintenance of the project.

The court explained that to the extent the term "attributable" is ambiguous, LURC's interpretation was reasonable and should be accorded deference. Moreover, the court found that given the goals of the Wind Energy Act—to encourage the development of wind energy production in Maine in a manner that ensures significant tangible benefits to the people of Maine—LURC's broad interpretation of the term "attributable" furthers the purpose of the statute as a whole. The court found that payments to host communities, such as those at issue here, benefit those communities and the state regardless of whether they flow directly and organically from the project itself or from the applicant's own wealth. Thus, concluded the court, in either case, such payments would not occur or benefit the state but for the approval and resultant "construction, operation and maintenance" of the project.

Case Note:

The court also found that, notwithstanding LURC's conclusion that the "community benefits package" and the payments to DOL and HPA fell within the definition of the "tangible benefits" that are "attributable to the construction, operation and maintenance" found in the preamendment version of § 3451(10), LURC made other findings that would independently support its decision to approve TransCanada's amended application. Specifically, LURC had found the project would, among other things: result in several hundred jobs; provide indirect benefits to local businesses during the construction period; create one additional permanent job in operations and maintenance; and generate an estimated \$13 million in state income taxes over a 25-year period.

Zoning News from Around the Nation

MARYLAND

The state Senate recently passed legislation that would require counties to draw mapped "tiers" of development before any major subdivisions served by septic systems could be approved. The bill now moves to the House.

Source: *The Washington Post*; www.washingtonpost.com

MISSOURI

The state House of Representatives has given first-round approval to a measure that would "declare that farmers have a 'right to raise livestock.'" Under the measure, livestock farmers would be exempt from "local, state or federal laws enacted after the farm goes into business or Aug. 28, 2012, whichever is later." This would exempt Missouri livestock farmers from new zoning and environmental laws, among other laws. Bill supporters say the measure "would give farm-related businesses more certainty about laws so that they can make long-term investments." Opponents of the measure argue the measure "would create confusion for state and local agencies trying to enforce laws and ordinances because the agency would have to know if the farm existed when the law was created" and "could make it more difficult for the state to enact and enforce agricultural regulations during farm-related emergencies, such as a disease outbreak, because some businesses would have to comply, while others would not." The bill must be approved once more by the House before it goes to the Senate for consideration.

Source: *Columbia Daily Tribune*; www.columbiatribune.com

NEW YORK

A substantive amendment to the New York Open Meeting Law went into effect in February 2012. The new law "requires public records that are scheduled to be the subject of discussion during an open meeting to be avail-

able upon request 'to the extent practicable' prior to or at the meeting." Thus, "[i]f the agency in question maintains a 'regularly and routinely updated website,' and has a high-speed Internet connection, 'such records shall be posted on the website to the extent practicable as determined by the agency or the department, prior to the meeting.' "

Source: *Bennington Banner*; www.benningtonbanner.com

OHIO

A bill has been introduced in the state Senate, which would require licensing of Internet cafes and "allow municipalities to regulate them within city limits."

Source: <http://www.thenews-messenger.com/>

PENNSYLVANIA

A state judge has granted a 120-day stay to provisions in the new Marcellus Shale drilling law that would override local zoning ordinances for industry activity. The order prevents land-use portions of that law from going into effect, and provides that local ordinances must remain in effect until a challenge under the new law finds them invalid. The decision gives towns an additional 120 days beyond that already included in the law to revise their drilling-related rules.

Source: *Pittsburgh Post-Gazette*; <http://articles.philly.com/>

Zoning Bulletin

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Applicability of Regulations— Conservation Commission Denies Utility Company's Request for Wetlands Permit

Commission says utility's application for zoning exemption fails to meet requirement that it apply for all local zoning approvals prior to seeking wetlands permit

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Citation: *Conservation Com'n of Brockton v. Department of Environmental Protection*, 81 Mass. App. Ct. 601, 2012 WL 1320214 (2012)

MASSACHUSETTS (04/19/12)—This case addressed the issue of whether public service corporations (e.g., utility companies) can request local zoning exemption from the Department of Public Utilities (as provided by Massachusetts statutory law) prior to filing a notice of intent required under the state's Wetlands Protection Act. In other words, does a utility company's application for exemption from local zoning under Mass. Gen. L. c. 40A, § 3 satisfy the state Wetlands Protection Act requirement that applicants seek all obtainable local permits and approvals when filing a notice of intent with the local conservation commission?

The Background/Facts: Brockton Power Company, LLC ("Brockton Power") proposed to construct a 350 megawatt power plant (the "plant"). The plant was to be located in the city of Brockton (the "City"). Part of the plant was to be within 100 feet of vegetated wetlands bordering the Salisbury Plain River.

The state Wetlands Protection Act ("WPA") prohibits certain activities that would alter wetlands in the absence of a wetlands permit. (Mass. Gen. L. c. 131, § 40.) The WPA provides that a person desiring to perform "work" within the 100-foot area surrounding wetlands (the "buffer zone") that would alter the wetlands may be required to file a notice of intent ("NOI") with the local conservation commission and obtain a permit, known as an order of conditions. (Mass. Gen. L. c. 131, § 40; 310 Code Mass. Regs. § 10.02(2)(b).)

Because part of Brockton Power's project would fall within a buffer zone, Brockton Power filed an NOI with Brockton's Conservation Commission (the "Commission"). Brockton Power also applied to the state Department of Public Utilities ("DPU") for an exemption from the City's relevant zoning restrictions, pursuant to Massachusetts statutory law—Mass. Gen. L. c. 40A, § 3. That statute provides that public service corporations may seek and obtain from the DPU exemption from the zoning ordinance or by-law "reasonably necessary for the convenience or welfare of the public."

The Commission, in addressing Brockton Power's NOI, denied Brockton Power's request for approval of the project. Among other things, the Commission found that Brockton Power failed to apply for local zoning approvals as required by state regulations—310 Code Mass. Regs. § 10.05(4)(e)-(f). Those regulations provide that, prior to filing an NOI, an applicant must apply for "all permits, variances and approvals required by local bylaw with respect to the proposed activity" that are "feasible to obtain."

Brockton Power appealed the Commission's decision to the state Department of Environmental Protection's ("DEP") Bureau of Resource Protection ("BRP"). The BRP overruled the Commission's decision and issued a superseding order of conditions.

The Commission again appealed under DEP adjudicatory procedures. The DEP upheld the superseding order of conditions. Among other things, the DEP found that Brockton Power was not required to apply for or obtain site plan approval from the local boards before filing an NOI with the Commission. The DEP determined that Brockton Power's application for exemption from

local zoning under Mass. Gen. L. c. 40A, § 3, satisfied the WPA's requirement that applicants seek all obtainable local permits and approvals when filing a NOI with the local conservation commission (Mass. Gen. L. c. 131, § 40).

The Commission appealed to superior court. The superior court judge affirmed the DEP's decision. The judge found that the exemption process under Mass. Gen. L. c. 40A, § 3, relieved Brockton Power of the WPA obligation to apply for or obtain local zoning approval.

The Commission again appealed.

DECISION: Affirmed.

The Appeals Court of Massachusetts held that public service corporations can request local zoning exemption from the DPU prior to filing a NOI under the WPA. In other words, a utility company's application for exemption from local zoning under Mass. Gen. L. c. 40A, § 3 satisfies the WPA's requirement that applicants seek all obtainable local permits and approvals when filing a notice of intent with the local conservation commission.

The Commission had argued that allowing the filing of an NOI before a utility had sought all possible local zoning approvals effectively eliminated any role for local conservation commissions in the over-all approval process. The court disagreed. The court found that DEP's decision "harmonized" and "reconcile[d]" the two statutes (Mass. Gen. L. c. 40A, § 3 and Mass. Gen. L. c. 131, § 40) and "fulfil[led] the statutory purpose of both." The court said that under that interpretation, the exemption process would go forward at the DPU, while the local conservation commission acted on the NOI. Otherwise, found the court, the purpose of the exemption for public service corporations—"to assure utilities' ability to carry out their obligations to serve the public when [that] duty conflicts with local interest"—would be frustrated if public service corporations were required to apply for site plan approval at the same time they sought an exemption from it.

See also: *New England Legal Foundation v. City of Boston*, 423 Mass. 602, 670 N.E.2d 152 (1996).

Case Note:

The Commission had also denied approval of Brockton Power's project because they found the NOI contained insufficient information in that Brockton Power did not describe the impact of the project's use of the Brockton advanced waste water reclamation facility ("Brockton Water"). The court determined that Brockton Power was not required to include in its NOI an accounting of water purchased from Brockton Water since Brockton Power's purchase of water was not "work" pursuant to the WPA. Rather, Brockton Water's sale of the water, not Brockton Power's purchase of the water, was the "work" that had the potential to affect the wetland.

Validity of Zoning Regulations—City Informs Business Owner He is Violating Sign Restrictions

Business owner challenges sign restrictions as being unconstitutional in violation of his free speech rights

Citation: *Catsiff v. McCarty*, 2012 WL 1232106 (Wash. Ct. App. Div. 3 2012)

WASHINGTON (04/12/12)—This case addressed the issue of whether city ordinances restricting the size and height allowed on wall signs violated a store owner's free speech rights under the state and federal constitutions.

The Background/Facts: In 1991, the city of Walla Walla, Washington (the "City"), enacted a sign ordinance (the "Sign Code"). The Sign Code's stated purpose was to improve the City's visual quality by accommodating and promoting sign placement "consistent with the character and intent of the zoning district; proper sign maintenance; elimination of visual clutter; and creative and innovative sign design." The Sign Code detailed wall sign size and height requirements for the City's central business district (the "CBD"): Wall signs were limited to 25% of a wall area; no combination of sign areas could exceed 150 square feet per frontage; and signs could not extend higher than 30 feet above grade.

In 2002, the City designated a "downtown area" as a subset of its CBD. Then, in 2003, it adopted design standards for the downtown area that contained signage requirements. Those signage requirements mirrored the Sign Code's requirements.

Beginning in March 2004, Robert Catsiff ("Catsiff") leased a building in the downtown area of the CBD in which he operated the "Inland Octopus" toy store. In April 2010, Catsiff painted a wall sign depicting an octopus hiding behind a rainbow over the rear entrance of the store. In September 2010, Catsiff painted on the store front an octopus hiding behind several buildings with a rainbow above the buildings. Catsiff did not obtain a sign permit for either sign.

The City eventually issued a notice of civil violation to Catsiff and his landlord regarding both signs. The notice advised them that Catsiff's signs violated the Sign Code permitting requirements, and the sign size and height requirements, as well as the downtown design standards.

Catsiff conceded that his signs violated these requirements and standards. However, he asserted that the Sign Code and downtown design standards were unconstitutional in violation of Catsiff's free speech rights under the state and federal constitution.

After a hearing examiner ruled that Catsiff had violated the Sign Code and design standards, Catsiff appealed to the superior court. The court rejected Catsiff's constitutional claims and affirmed the hearing examiner's decisions.

Catsiff appealed.

DECISION: Affirmed.

The Court of Appeals of Washington, Division 3, held that the Sign Code and design standards were constitutionally valid and did not violate Catsiff's free speech rights. In so holding, the court first determined that, contrary to Catsiff's claims, his signs were commercial speech; the signs were related solely to Catsiff's economic interests and proposed a commercial transaction.

Next, because the City's Sign Code and design standards restricted commercial speech, the court had to decide whether the City's sign restrictions were an unconstitutional restriction of speech. In other words, the court had to decide whether, as Catsiff contended, the City had failed to meet its burden of justifying the restrictions by showing they were narrowly tailored to protect the city's substantial interest in traffic safety and aesthetics.

The court explained that while signs are a form of expression protected by the free speech clause, "they pose distinctive problems that are subject to municipalities' police powers." For example, unlike oral speech, signs "take up space and may obstruct views, distract motorists, displace alternative uses of land, and pose other problems that legitimately call for regulation." The court explained that restrictions upon the noncommunicative aspects of signs (i.e., the physical characteristics of signs)—such as found here in the size and height restrictions found in the Sign Code and the design standards—are constitutionally valid if they are: (1) content neutral (i.e., "absent censorial purpose"); (2) reasonable (i.e., not necessarily the least restrictive, but having a reasonable fit "between the means chosen and the interests asserted"); and (3) supported by legitimate regulatory interests (such as "aesthetics" and "traffic safety").

The court concluded that the City's sign restrictions under the Sign Code and the design standards were lawfully justified and constitutional, finding they were: (1) content neutral in that they did not limit what a business owner may say or depict, and they applied to all wall signs without classification and without reference to content; (2) reasonable in light of the fact that the City used certain careful considerations when choosing the size and height restrictions; and (3) meant to protect a legitimate regulatory interest in that they were meant to eliminate "visual clutter" and applied only to signs visible to motorists or pedestrians on public rights-of-way (thus addressing aesthetics and traffic safety).

See also: *City of Ladue v. Gilleo*, 512 U.S. 43, 114 S. Ct. 2038, 129 L. Ed. 2d 36 (1994).

See also: *Collier v. City of Tacoma*, 121 Wash. 2d 737, 854 P.2d 1046 (1993).

See also: *State v. Lotze*, 92 Wash. 2d 52, 593 P.2d 811, 13 Env't. Rep. Cas. (BNA) 1123, 5 Media L. Rep. (BNA) 1069 (1979).

Case Note:

Catsiff had also argued that the ordinances were unconstitutionally vague. The court disagreed, finding it clear they regulated "wall signs" and could not be mistaken as

regulating other surfaces such as T-shirts or hats.

Variance Modification—Restaurant Seeks Modification to Hours-of-operation Condition in Original Variance

Restaurant claims increased competition and the economic downturn established a change in circumstances warranting the modification

Citation: *German v. Zoning Bd. of Adjustment*, 2012 WL 1150785 (Pa. Commw. Ct. 2012)

PENNSYLVANIA (04/09/12)—This case addressed the issue of whether there was a change in circumstances sufficient to allow for a modification of conditions attached to a grant of variance, which limited the hours-of-operation of a restaurant/bar.

The Background/Facts: In April 2001, the Philadelphia Zoning Board of Appeals (the “Board”) granted a variance to Jorgi Mosquera (the “Owner”) to construct a two-story addition on property he owned and to use the property for a restaurant, Mixto, Inc (“Mixto”). As a condition to granting that variance, the Board limited Mixto’s hours of operation to 8:00 a.m. to 11:00 p.m. Monday through Thursday and 8:00 a.m. to 12:30 a.m. on Friday, Saturday and Sunday.

Seven years later, in April 2008, Mixto applied to the City’s Department of Licenses and Inspections (the “Department”) for a Zoning/Use Registration Permit. Mixto wanted permission to operate its restaurant and bar until 2:00 a.m. daily. The Department denied the application.

Mixto appealed to the Board. Before the Board, Mixto indicated that it was seeking a modification of the Board’s original limitations on Mixto’s operational hours.

The Board found that Mixto was entitled to a modification of the original 2001 conditions attached to its grant of variance because Mixto had “sustained [its] burden of proving a proliferation of restaurants open until 2:00 a.m. and the national and local economic contraction, [were] changed circumstances that ma[de] the previously imposed limitation of hours inappropriate.” The Board also concluded that permitting Mixto the extended hours of operation “[would] not injure the public because, although some individuals may suffer inconvenience, there w[ould] be at least an equal amount of benefit to them and other members of the public.”

Carl N. German (“German”) objected to the Board’s decision. He argued that: (1) the Board erred in concluding that increased competition and a

downturn in the economic climate were sufficient to establish a change in circumstances necessary for modification of conditions imposed in granting an earlier variance; (2) the record did not contain sufficient evidence to support the factual findings concerning the economic downturn and increased competition that Mixto relied upon as a basis for the modification; and (3) the Board erred in concluding that the record contained sufficient evidence to support its conclusion that the grant of the requested modification would not injure the public.

The trial court affirmed the Board's decision.

German again appealed.

DECISION: Reversed.

The Commonwealth Court of Pennsylvania held that the evidence was insufficient to support the Board's finding of a change in circumstances that would demonstrate that the hours-of-operation limitation imposed in Mixto's 2001 variance conditions were no longer appropriate.

In so holding, the court explained that in order to obtain a modification of the hours-of-operation condition on the 2001 variance, Mixto had to prove that the condition no longer promoted the public interest. In other words, there must have been a change in circumstances that made the condition no longer appropriate.

Here, the court found Mixto failed to show changes in circumstances rendered the hours-of-operation condition no longer appropriate. The court found that Mixto had failed to show that the hours of operation of other restaurants changed *after* Mixto opened. Moreover, the court found that there was a lack of evidence as to the proximity of other restaurants that Mixto had claimed had later operating hours. Without such evidence, said the court, "the Board could not define the competition area at issue or determine whether the overall characteristic of the area (or areas) ha[d] changed, such that the Board could conclude that the original conditions imposed, limiting Mixto's hours of operation, [were] no longer appropriate."

The court further concluded that, even if the economic downturn was relevant to the question of whether a change in the circumstances made the conditions of the 2001 variance no longer appropriate, the evidence presented here was insufficient to demonstrate that the economic downturn has impacted Mixto. The only comments in the notes of testimony regarding the economy came from Mixto's legal counsel, who referred to a general economic downturn. The court found this was "simply insufficient in any light to support factual determinations that the alleged [economic] downturn had created a change in circumstances that could be remedied by increased hours of operation."

See also: *Ford v. Zoning Hearing Bd. of Caernarvon Tp.*, 151 Pa. Commw. 323, 616 A.2d 1089 (1992).

Validity of Zoning Regulations—City Adopts Ordinance Imposing Different Parking Requirements for Residences Owned by Absentee Owners

Property owners argue ordinance violates city law

Citation: *Tupper v. City of Syracuse*, 93 A.D.3d 1277, 941 N.Y.S.2d 383 (4th Dep't 2012)

NEW YORK (03/23/12)—This case addressed the issue of whether a city ordinance that imposed different parking requirements for residences owned by absentee owners violated city law, which required regulation of open spaces be “uniform for each class of buildings throughout any district.”

The Background/Facts: In 2010, the City of Syracuse, New York (the “City”), adopted ordinances related to parking spaces for one- and two-family residences. General Ordinance 21 imposed parking requirements for one- and two-family residences that were owned by absentee owners (i.e., nonowner occupied houses). Under General Ordinance 21, one- and two-family residences that were owned by absentee owners were required to have one off-street parking space for each potential bedroom. Although existing absentee-owner properties were exempt from the new requirements, the owners of those properties would be required to meet the new parking requirements if they made any “material changes” to the properties.

Owners of nonowner occupied houses in the City, as well as an unincorporated association of owners of those properties, and the president of that association (collectively, the “Owners”), challenged the validity of General Ordinance 21. Among other things, they argued that the City had violated City law because General Ordinance 21 treated absentee-owner properties differently from owner-occupied properties.

The Supreme Court dismissed the Owners’ complaint.

The Owners appealed.

DECISION: Affirmed as modified.

The Supreme Court, Appellate Division, Fourth Department, New York, agreed with the Owners that the City had violated city law (Second Class Cities Law § 20(24) and Syracuse City Charter § 5-1302) because General Ordinance 21 was not uniform for each class of buildings within the district.

The court found that the statute and charter provided in relevant part that the City had the power “[t]o . . . regulate and determine the area of yards, courts and other open spaces . . .” and that such regulations “shall be uniform for each class of buildings throughout any district . . .”

The City had argued that the statute and charter did not apply to General Ordinance 21. The court, however, disagreed. It found that the creation of off-

street parking regulations was included in the authority to regulate the use of land and open spaces. Thus, the statute and charter applied to General Ordinance 21 as that ordinance regulated open spaces.

As to the uniformity required by the statute and charter “for each class of buildings throughout any district,” the City had contended that absentee-owners were in a different “class” from owner-occupied properties and, accordingly, did not have to be regulated uniformly. The court again disagreed. It found that contention lacked merit inasmuch as “[t]he uniformity requirement [was] intended to assure property holders that all owners in the same district [would] be treated alike and that there [would] be no improper discrimination.” The court found General Ordinance 21 treated buildings within the same class differently based solely on the status of the property owner (i.e., absentee property owners as opposed to owners who occupy the property). The court said that “[e]ven though such a distinction may be constitutionally valid, it [was] invalid under the uniformity requirements of the General City Law and the City of Syracuse Charter.”

The court concluded by declaring Ordinance 21 invalid.

Case Note:

The Owners had also argued that the City had violated their constitutional due process rights in adopting the ordinances. The appellate court held that the City was entitled to judgment as a matter of law on these constitutional due process rights claims. The court found that the ordinances were “reasonably related to the legitimate governmental purposes of eliminating traffic congestion due to on-street parking . . . and served to enhance traffic safety by removing cars from the [City’s] streets.”

Case Note:

The Owners had also argued that the City failed to comply with City law when the City’s Common Council adopted General Ordinance 21 and General Ordinance 20. General Ordinance 20 established, among other things, the amount of space required for workable parking spaces and the maximum square footage allowed for open surface parking areas for one- and two-family residences. The Owners had argued that adoption of these ordinances on the same day on which they were introduced without unanimous consent violated Second Class Cities Law § 35. That law provided that no ordinance shall be passed by the common council on the same day it is introduced, except by unanimous consent. The court agreed with the Owners, finding there was not the requisite unanimous consent here in the passage of the ordinances. The court also declared General Ordinance 20 invalid.

Zoning News from Around the Nation

CALIFORNIA

The state Assembly’s Public Safety Committee has passed through legisla-

tion that would create statewide regulations for medical marijuana dispensaries. Assembly Bill 2312 would reportedly “establish a nine-member medical marijuana board within the state’s Department of Consumer Affairs,” which would, among other functions “judge registration applications from businesses, develop rules for running dispensaries and issue fines and penalties.” The legislation would also require cities and counties to allow at least one medical marijuana dispensary per 50,000 residents. It also would “make getting or giving a doctor’s medical marijuana recommendation on false pretenses a misdemeanor.” The bill next goes to the Assembly’s Appropriations Committee for consideration.

Source: *KTVU*; www.ktvu.com

MARYLAND

Frederick County Commissioners have voted to “remove beekeeping from a zoning law that required it to be done on properties that are 3 acres or more—the same law that governs farm animals, such as cows, pigs and sheep.” Consequently, beekeepers in Frederick County can now keep honeybees on their property regardless of the size of the land.

Source: *Gazette.Net*; www.gazette.net

NEW YORK

New York State Assemblyman Fred W. Thiele Jr. has proposed a bill that would allow municipalities to ban chain stores and fast food restaurants. Reportedly, the bill is intended to allow municipalities to protect their “hometowns’ historic character” and would not be mandatory. Thiele reportedly believes the bill would withstand judicial challenge because its purpose is the “preservation of historic character.”

Source: *Southampton Patch*; <http://southampton.patch.com>

PENNSYLVANIA

Part of the Marcellus Shale law became effective April 16. Drillers are now required to pay impact fees based on the number of Marcellus shale wells they have producing and the price of natural gas. Meanwhile, the 120-day court-ordered injunction (issued on April 11) remains in effect in regards to the portion of the law that would impact local zoning laws.

Source: *Farm and Dairy*; www.farmanddairy.com

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