

Commissioner Bauer commented the primary access point to the former municipal site could greatly impact the adjacent residents if the site were to be developed as single family residential lots.

Senior Planner Gladhill reviewed the proposed access points as recommended by the Anoka County Highway Department.

Commissioner VanScoy questioned how the traffic would differ between a residential development and the data center. He anticipated that the data center would create less traffic to the neighborhood.

Senior Planner Gladhill stated the data center would not create a large number of jobs and traffic, but would create a large building adjacent to the residential neighborhood. He estimated the traffic trips per day to the data center would be less than the trips created by the proposed 47 unit single-family residential development.

Commissioner Brauer discussed the history of this property noting a residential development had been considered in the past; however, this was never completed. He commented there has also been discussion of a high school or middle school on this parcel. He noted this was not going to happen due to the fact an elementary school was located across the street. He discussed the valuable infrastructure the City of Ramsey had in place for future technology developments. He expressed frustration with Connexus Energy and their inability to work with the City on the data center. He questioned why the railroad tracks were a concern. He suggested the data center be located in the Town Center.

Senior Planner Gladhill commented the City would be receiving a second opinion on this matter. He stated the City welcomed the data center as well.

Commissioner Nosan asked if the data center were built if the current structure on the site would be taken down.

Senior Planner Gladhill stated this was the case.

Chairperson Levine thanked the Commission for their input this evening and recommended further comments be forwarded to Staff.

5.01: Public Hearing: Request for an Extension of Existing Interim Use Permit for Grading and Mining Activities on Outlot A & B Elmcrest Sanctuary; Case of Oakwood Land Development, Inc.

Public Hearing

Chairperson Levine called the public hearing to order at 7:47 p.m.

Presentation

Associate Planner/Environmental Coordinator Anderson presented the staff report. He explained that Oakwood Land Development, Inc. was granted an Interim Use Permit (IUP) for grading and mining activities on Outlot A and B, Elmcrest Sanctuary in July of 2012. The IUP allowed the applicant to export approximately 60,000 cubic yards of soil from the site to create/expand a wetland for the purposes of a wetland mitigation bank. The IUP was set to expire on August 1, 2013 or six months following approval by the Lower Rum River Watershed Management Organization (LRRWMO). The applicant received permit approval from LRRWMO; however, the applicant was unable to find a qualified contractor and end market for the exported soil.

Associate Planner/Environmental Coordinator Anderson indicated that Forest Lake Contracting has been hired for the work and would be capable of completing the project and finding a home for the exported soil. The applicant has requested an extension to the existing IUP to December 31, 2014 to allow for the completion of the grading and mining activities. He reported all other basic terms of the IUP would remain the same. Staff recommended the Commission approve an extension to the IUP.

Citizen Input

John Peterson, applicant, indicated he had difficulty in finding a contractor willing to remove the soil from the site. He stated Forest Lake Contracting has agreed to complete the work after they find a home for the material. This has taken time, which led to the request for the IUP extension. He noted all truck hauling operations would be conducted around the park use. Mr. Peterson thanked the Commission for considering his request this evening.

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

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Bauer, Field, Brauer, Maul, Nosan, and VanScoy. Voting No: None. Absent: None.

Chairperson Levine closed the public hearing closed at 8:01 p.m.

Commission Business

Commissioner VanScoy asked why the applicant was proposing to create a wetland bank.

Mr. Peterson stated the proposed wetland bank would give the City wetland credits with 7.4 acres of new ponding, which would be an asset to the community.

Associate Planner/Environmental Coordinator Anderson explained the site proposed for grading and mining would be challenging to develop due to the existing wetlands.

Commissioner Nosan approved of the proposed grading and mining.

Commissioner Brauer questioned if it would be possible to assure that the project was completed entirely by Forest Lake Contracting in one phase.

Mr. Peterson stated Forest Lake Contracting would be providing him with a bond to assure the work was done in its entirety. This would assure the project was not left half-done.

Commissioner VanScoy inquired if six months was an adequate amount of time to complete the project, once started.

Associate Planner/Environmental Coordinator Anderson stated the extension would allow 18 months to complete the entire project. It was Staff's opinion this was a reasonable amount of time to complete the proposed grading and mining. He commented that once the work begins the applicant would have six months to finish the work.

Mr. Peterson stated if the contractor was not able to find the right combination of projects to take all of the material he may be requesting another extension. He discussed that flexibility within the project was somewhat necessary as he did not know what projects the contractor would find for the soil. He requested he be allowed until December 31, 2014 to complete the project.

Associate Planner/Environmental Coordinator Anderson stated Staff was comfortable with this request noting the six month clause could be eliminated from the IUP.

Senior Planner Gladhill recommended the drop dead date remain five years from the IUP first being approved. He suggested that if the work does not begin in the next year, that another notification be sent to the surrounding neighbors. He commented the Commission could consider a six month clause, excluding the winter months.

Commissioner Bauer was in favor of having a 12 month completion clause once the hauling begins.

Chairperson Levine indicated the Planning Commission was trying to protect the surrounding properties and City streets to assure that gravel was not going to be hauled from this site "on and off" for the next five years.

Commissioner Brauer stated the applicant does not currently have a plan on how the dirt would be removed and that was what the Commission was looking for.

Senior Gladhill suggested the terms of the IUP be amended as follows to have the permit expire on December 31, 2018 and upon commencement of activities the applicant would have 12 months to complete the work. In addition, the City would be added to the contractor's bond and notification would be sent to the surrounding property owners upon commencement of the grading and mining work.

Mr. Peterson supported the recommended amendments.

Motion by Commissioner Bauer, seconded by Commissioner VanScoy, to amend the Interim Use Permit as recommended by Staff.

Further discussion

Commissioner VanScoy requested the permit expire five years from the date the Council approves the IUP.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Bauer, VanScoy, Brauer, Field, Maul, and Nosan. Voting No: None. Absent: None.

Motion by Commissioner VanScoy, seconded by Commissioner Maul, to recommend that City Council adopt Resolution #13-05-068 adopting Findings of Fact relating to the request for an extension of an existing Interim Use Permit.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners VanScoy, Maul, Bauer, Brauer, Field, and Nosan. Voting No: None. Absent: None.

Motion by Commissioner Bauer, seconded by Commissioner Field, to recommend that City Council adopt Resolution #13-05-069 approving the request for an extension of an existing Interim Use Permit with the following amendments to the IUP:

- Permit is extended to May 14, 2018 (five [5] years from the date of City Council approval); and
- Once excavation and hauling activities commence, that work shall be completed within twelve (12) months; and
- The City will be named on the contractor's bond; and
- Applicant would notify the City and surrounding property owners prior to commencing excavation and hauling activities.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Bauer, Field, Brauer, Maul, Nosan, and VanScoy. Voting No: None. Absent: None.

5.02: Public Hearing: Consider Amendments to the Tree Preservation Ordinance.

Public Hearing

Chairperson Levine called the public hearing to order at 8:26 p.m.

Presentation

Associate Planner/Environmental Coordinator Anderson presented the staff report. He commented in 2003 the City adopted a Tree Preservation Ordinance to establish reasonable protection of the community forest during development. The intent of this Ordinance was to guide more sustainable development and encourage preservation of existing trees. He indicated