

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

The Ramsey Planning Commission conducted a regular meeting on Thursday, March 5, 2015, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present:                   Chairperson Gary Levine  
  Commissioner Randy Bauer  
  Commissioner Ralph Brauer  
  Commissioner Cindy Nosan  
  Commissioner Gary VanScoy

Members Absent:                   Commissioner Matthew Maul

Also Present:                      Community Development Director Timothy Gladhill  
  City Planner Chris Anderson

**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 VanScoy, seconded by Commissioner Nosan, to approve the agenda as presented.

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

**4.     APPROVE PLANNING COMMISSION MINUTES**

**4.01: Approve the Following Planning Commission Minutes:**

**4.01.1: Planning Commission Meeting Minutes Dated February 5, 2015**

Motion by Commissioner VanScoy, seconded by Commissioner Nosan, to approve the following minutes as presented: Planning Commission Meeting Minutes dated February 5, 2015.

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

## **5. PUBLIC HEARINGS/COMMISSION BUSINESS**

### **5.01: Public Hearing: Consider Request for Variances to Side Yard Setback for an Existing Pool and to Minimum Lot Size in the Critical River Overlay District on the Properties Located at 14255 and 14235 Bowers Drive NW; Case of Travis and Bridgette Richard and Lucas Hase**

#### **Public Hearing**

Chairperson Levine called the public hearing to order at 7:01 p.m.

#### **Presentation**

City Planner Anderson presented the staff report stating the City has received an application for a variance to minimum lot size standards in the Mississippi River Corridor Critical Area Overlay District to accommodate an Administrative Subdivision that would resolve an encroachment of an existing swimming pool across a property boundary. In reviewing the request, it became evident that the Administrative Subdivision, as proposed, would correct the encroachment but would not fully address the minimum required setback for a pool from an adjoining property. The request involves two (2) adjacent properties, 14235 Bowers Drive, NW and 14255 Bowers Drive NW. Staff discussed the request in further detail with the Commission and recommended approval of two variances.

#### **Citizen Input**

Commissioner Brauer asked what portion of the pool was encroaching.

City Planner Anderson discussed the City Code amendment that was made several years ago and noted the required 10 foot setback was to the water's edge and noted a four foot concrete apron was required around the pool. He noted that a portion of the water within the pool was split directly on the property line.

Steven Little, attorney representing Travis and Bridgette Richard, noted the pool was built in 1985, prior to his clients purchasing the home. He appreciated the cooperation of the neighbors and noted the buyers/sellers were in agreement with the proposed boundary lines.

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

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Bauer, Van Scoy, Brauer, and Nosan. Voting No: None. Absent: Commissioner Maul.

Chairperson Levine closed the public hearing closed at 7:11 p.m.

### **Commission Business**

Motion by Commissioner Bauer, seconded by Commissioner VanScoy, to adopt Resolution #15-03-063 approving a variance to minimum lot size on the property located at 14235 Bowers Drive NW.

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

Motion by Commissioner Bauer, seconded by Commissioner VanScoy, to adopt Resolution #15-03-064 approving a variance to minimum lot size on the property located at 14235 Bowers Drive NW.

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

Motion by Commissioner Bauer, seconded by Commissioner VanScoy, to adopt Resolution #15-03-065 approving a variance to pool setbacks on the property located at 14255 Bowers Drive NW.

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

Motion by Commissioner Bauer, seconded by Commissioner VanScoy, to adopt Resolution #15-03-066 approving a variance to pool setbacks on the property located at 14255 Bowers Drive NW.

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

### **5.02: Public Hearing: Consider Ordinance #15-07 Amending City Code Section 117-428 Entitled Towers**

#### **Public Hearing**

Chairperson Levine called the public hearing to order at 7:15 p.m.

#### **Presentation**

Community Development Director Gladhill presented the staff report stating the purpose of this case was to hold a public hearing for Ordinance #15-07. The intent of Ordinance #15-07 is to amend City Code Section 117-428 entitled Towers to increase the maximum height of communications towers to 199 feet for entities providing Stage I and Stage II improvements.

Said improvements are required by City Code and represent basic utility services provided to Ramsey residents such as gas, electric, land-line telephones, streets, water, sanitary sewer, etc. The current height limitation for communications towers is 100 feet. Staff reviewed the code amendment further and recommended approval.

### **Citizen Input**

Crystal Specht, 7060 147<sup>th</sup> Avenue NW, expressed concern with how the tower would impact the adjacent park. She believed that the tower would be an eyesore.

Community Development Director Gladhill commented other concerns have been voiced regarding the aesthetics or visual impact the tower would have on the neighborhood.

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

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

Chairperson Levine closed the public hearing closed at 7:23 p.m.

### **Commission Business**

Commissioner Bauer discussed how neighboring communities were addressing monopole heights. He explained that neighboring cities were allowing towers up to 150 feet in industrial and commercial zoning areas. He suggested that aesthetically pleasing towers be referenced within the code for residentially zoned areas.

Community Development Director Gladhill commented staff could review this language and reiterated that the visual impact of these towers could be softened, but noted the tower would still be visible.

Commissioner Bauer supported amending the Code to allow for a 150 foot tower in commercial-industrial zoning districts.

Community Development Director Gladhill recommended that if this were the direction to staff that the Planning Commission hold another public hearing in April to further discuss the Ordinance as this was not staff's recommendation. He recommended that the proposed Ordinance continue per Connexus Energy's request.

Motion by Commissioner Bauer, seconded by Commissioner VanScoy, to recommend that City Council adopt Ordinance #15-07, directing staff to review the Code language per the Planning Commission's discussion.

### **Further discussion**

Commissioners requested staff create greater clarity within the City Code regarding tower height.

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

### **5.03: Public Hearing: Consider Request for Conditional Use Permit for 199 Foot Communications Tower; Case of Connexus Energy**

#### **Public Hearing**

Chairperson Levine called the public hearing to order at 7:34 p.m.

#### **Presentation**

Community Development Director Gladhill presented the staff report stating the purpose of this case was to hold a public hearing and recommend an action to the City Council regarding a request from Connexus Energy for a Conditional Use Permit to allow a 199 foot communications tower related to their operation. He reported Connexus Energy was located at 14601 Ramsey Boulevard NW and services several communities within a several mile radius of their headquarters. Connexus Energy desires to locate a monopole communications tower at this location to provide communications to its staff, sub-stations, grid, meters, and other related equipment. Primarily, in order to provide adequate coverage over their entire service area, Connexus Energy has stated that this height of tower is required in order to provide coverage with a single tower. It was noted the closed landfill does provide some barrier to coverage. Staff discussed the request further and recommended approval of the request, contingent upon Ordinance #15-07 becoming effective.

#### **Citizen Input**

Tom Guttormson, Connexus Energy, thanked the Commission for considering his request. He provided further comment on the purpose and need for the requested tower.

Commissioner VanScoy asked if any alternative locations for the tower.

Mr. Guttormson explained the proposed location was suggested because it would be as far away from adjacent properties as possible. He noted it would also be easier to service in the proposed location.

Chairperson Levine questioned if the tower could be located on top of the landfill site.

Mr. Thompson did not believe this would be possible as the site was not fully stable.

Crystal Specht, 7060 147<sup>th</sup> Avenue NW, feared that property values would be adversely impacted if the tower were installed on the Connexus property. She expressed concern with the amount of radiation that would be emitted from the tower.

Community Development Director Gladhill believed these were excellent points. He then referred to a study completed in 2008 noting no health concerns have been identified from existing cell phone towers. In addition, he had no data that showed property values declined in residential areas surrounding a cell tower.

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

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

Chairperson Levine closed the public hearing closed at 7:51 p.m.

### **Commission Business**

Commissioner Brauer discussed the information available on the CDC's webpage and noted there were no concerns listed with regard to cell towers.

Motion by Commissioner Bauer, seconded by Commissioner VanScoy, to recommend that City Council adopt Resolution #15-03-067 adopting Findings of Fact #0948.

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

Motion by Commissioner Bauer, seconded by Commissioner VanScoy, to recommend that City Council adopt Resolution #15-03-068 approving the Conditional Use Permit.

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

### **5.04: Public Hearing: Consider Ordinance #15-06 to Amend City Code Sections 117-111 (R-1 Residential District) and 117-349 (Accessory Uses and Buildings)**

### **Public Hearing**

Chairperson Levine called the public hearing to order at 7:53 p.m.

### **Presentation**

City Planner Anderson presented the staff report stating on January 24<sup>th</sup> of this year, the 2015 Minnesota State Building Code (MSBC) went into effect. There were several code changes that

occurred within the 2015 MSBC that are prompting this proposed Ordinance Amendment. Specifically, the thresholds triggering a building permit for detached accessory buildings and fences have increased and thus, the standards within Zoning Code need to be updated to ensure that there is not contradictory language between the two codes. The proposed amendments are to City Code Sections 117-111 (R-1 Residential District) and 117-349 (Accessory Uses and Buildings). Staff reviewed the matter further and recommended adoption of Ordinance #15-06.

### **Citizen Input**

Chairperson Levine inquired if a detached accessory structure would require a driveway.

City Planner Anderson stated this would not be required as proposed within the Ordinance.

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

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

Chairperson Levine closed the public hearing closed at 8:02 p.m.

### **Commission Business**

Commissioner Bauer supported staff's recommendation regarding the reduced need for impervious surface. He believed the code was forward thinking.

Commissioner VanScoy asked if a primary detached garage was addressed in the proposed code.

City Planner Anderson stated it was uncommon for new construction homes to have a detached primary garage on the property. He explained he could add language to address this concern noting a driveway would be required.

Motion by Commissioner Bauer, seconded by Commissioner VanScoy, to recommend that City Council adopt Ordinance #15-06 as amended.

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

### **5.05: Zoning Bulletins**

Zoning Bulletins were noted.

### **6. COMMISSION / STAFF INPUT**

Staff provided the Commission with an update.

## 7. ADJOURNMENT

Motion by Commissioner Nosan, seconded by Commissioner VanScoy, to adjourn the meeting.

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

The regular meeting of the Planning Commission adjourned at 8:17 p.m.

Respectfully submitted,

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Tim Gladhill  
Community Development Director

ATTEST:

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JoAnn Shaw  
Community Development Assistant

Drafted by Heidi Guenther  
*TimeSaver Off Site Secretarial, Inc.*