

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

**RESOLUTION #05-06-169A**

**RESOLUTION ADOPTING FINDINGS OF FACT #0721A TO REZONE CERTAIN PROPERTY FROM R-1 SINGLE FAMILY RESIDENTIAL TO PLANNED UNIT DEVELOPMENT**

**WHEREAS**, the City received an application to rezone certain property in accordance with Section 9.03.03 (Zoning Amendments) and 9.20.31 (Planned Unit Development) of the Ramsey City Code.

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

1. That Shade Tree Communities, hereinafter referred to as "Applicant," has properly applied to rezone certain property from R-1 Single Family Residential to Planned Unit Development (PUD).
2. That the Planning Commission conducted a public hearing pursuant to Section 9.03.03 of the City Code on April 7, 2005 and said public hearing was properly advertised, and the minutes of said public hearing are hereby incorporated by reference.
3. That the property proposed to be rezoned is legally described as follows:

All that part of the Northeast Quarter of the Northwest Quarter of Section 23, township 32, Range 25, lying east of the easterly right-of-way of County State Aid Highway No.5, Anoka County, Minnesota.
4. That the total area of the property to be rezoned is 28 acres in size.
5. That the proposed rezoning is located within the Metropolitan Urban Service Area (MUSA) boundary.
6. That the Subject Property is currently zoned R-1 Single Family Residential and the surrounding adjacent properties are zoned R-1 Single Family Residential Rural Developing and R-2 Medium Density.
7. That the development will include single-family homes and single unit detached townhome units.
8. That the development is proposing to deviate from City Ordinances in the following manner; smaller lot sizes, narrower lot widths for the detached townhouses, reduced building setbacks, a narrower private street, and a public street that exceeds 600 feet in length.

9. That the preliminary plat is proposing 50.2% private open space as part of the development, which meets the 50% requirement for private open space required under City Ordinances.
10. That the Applicant is proposing a high quality of design and design compatible with surrounding land uses, both existing and planned.
11. That the proposed development contains a wider range of housing types, price ranges and styles than could be accomplished under existing zoning.
12. That the proposed public amenities, facilities and open spaces are greater than the minimum requirements of existing zoning and determined to be in the public good.
13. That the Applicant is proposing a development that is compatible with the purposes and intents of this Zoning Chapter and the City's Comprehensive Plan.
14. That the proposed development is consistent with all other applicable City and State regulations.
15. That the proposed development will not exercise substantial detrimental influence on the market value of surrounding properties.
16. That the proposed development will show a favorable economic impact on the community at large.
17. That the proposed development will not adversely impact natural features such as wetlands, water features, woodlands, and steep slopes.
18. That the proposed development will protect and preserve scenic qualities to the greatest extent possible.
19. That the proposed development will not impose undue burden on public services and facilities, including fire and police protection, schools, streets, water systems, sanitary sewer systems and storm sewer systems.
20. That the proposed development is designed in such a way as to form a desirable and unified environment within its own boundaries, and also will not be detrimental to future land uses in the surrounding areas.

**NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL FINDS THE FOLLOWING DEVIATIONS FROM CITY CODE ACCEPTABLE:**

1. That the following deviations from City Ordinances are found acceptable as part of this PUD;
  - a. Smaller lot sizes
  - b. Narrower lot widths

- c. Reduced setbacks related to building, exterior boundary line, structure to structure
- d. The utilization of single family and detached townhouse units
- e. A private street that exceeds 300 feet in length and is 28 feet wide
- f. A public street that is 640 feet in length.

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

Mayor Gamec  
Councilmember Cook  
Councilmember Pearson  
Councilmember Elvig  
Councilmember Jeffrey  
Councilmember Olson  
Councilmember Strommen

and the following voted against the same:

None


and the following abstained:

None

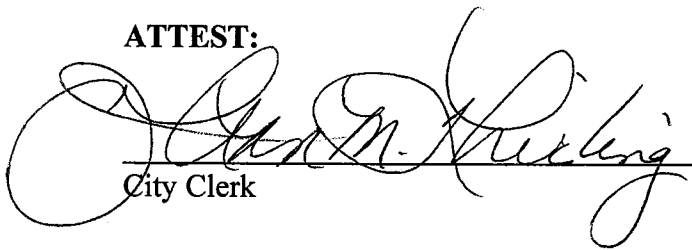
and the following were absent:

None

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 14<sup>th</sup> day of June 2005.

  
\_\_\_\_\_  
Mayor

**ATTEST:**

  
\_\_\_\_\_  
City Clerk

CASE #

**REQUEST TO REZONE PROPERTY FROM R-1 SINGLE FAMILY RESIDENTIAL  
TO PLANNED UNIT DEVELOPMENT;  
CASE OF SHADETREE COMMUNITIES**

**By: Patrick Trudgeon, AICP, Community Development Director**

**Background:**

Shadetree Communities have applied for a rezoning to Planned Unit Development (PUD) for the Shadetree Cottages subdivision located north of Potassium Street and south of 157<sup>th</sup> Lane.

The following items are enclosed for your information:

- a) Site Location Map
- b) Resolution #05-06-169A adopting Findings of Fact to approve the rezoning request
- c) Proposed Ordinance

**Notification:**

Property owners located within 700 feet were notified of the proposed rezoning in 2005.

**Observations:**

On June 14, 2005, the Ramsey City Council adopted findings of fact supporting the rezoning of the property proposed to be developed as Shadetree Cottages from R-1 Residential to Planned Unit Development (PUD). The PUD will allow for a detached townhouse subdivision to be developed on the Applicant's property. The PUD will allow for use of detached townhomes, the appropriate placement of the detached townhouse and single family lots with reduced setbacks, smaller lot sizes and lot widths for the single-family lots, a longer length than allowed for a public street cul-de-sac, and a smaller width for a private road.

The ordinance to rezone the property to PUD was introduced on June 14, 2005. The final plat of Shadetree Cottages will be considered by the City Council on June 13, 2006. If the final plat of Shadetree Cottages is approved, the attached ordinance should be adopted.

**Recommendation:**

Staff recommends approval of the ordinance once the final plat of Shadetree Cottages is approved.

**Council Action:**

Motion to adopt Ordinance #06-\_\_\_ approving the rezoning of the Subject Property from R-1 Residential to Planned Unit Development (PUD) based on Findings of Fact # \_\_\_.

**CC: 06/13/06**

**Reviewed by:**

Assistant Community Development Director/HRA Director  
City Attorney

CASE #

**REQUEST TO REZONE PROPERTY FROM R-1 SINGLE FAMILY RESIDENTIAL  
TO PLANNED UNIT DEVELOPMENT;  
CASE OF SHADE TREE COMMUNITIES**

**By: Patrick Trudgeon, AICP, Community Development Director**

**Background:**

Shade Tree Communities has applied for a rezoning to Planned Unit Development (PUD) for the property located east of Nowthen Blvd., west of Potassium Street, and south of 157<sup>th</sup> Lane.

**The following items are enclosed for your information:**

- a) Site Location Map
- b) Preliminary Plat
- c) Planning Commission meeting minutes dated April 7, 2005
- d) Findings of Fact to deny (drafted by the Planning Commission)
- e) Optional Findings of Fact
- f) Proposed Ordinance

**Notification:**

Property owners located within 700 feet were notified of the proposed rezoning. State law requires that the City notify property owners within 350 feet be notified.

**Observations:**

The property is 28 acres in size, zoned R-1 Single Family Residential, and located within the City's Metropolitan Urban Service Area (MUSA). The applicant submitted a preliminary plat and site plan that is proposing to develop 26 single unit detached townhomes and 16 single family lots for a total of 42 housing units. The City of Ramsey's Comprehensive Plan designates this area for low density residential development not to exceed a net density of 3 units per acre or up to 4 units per net acre with the utilization of townhomes and processed as a Planned Unit Development (PUD). The net density of the proposed subdivision is 2.75 units per acre.

The applicant is requesting a Planned Unit Development (PUD) zoning in order to accommodate the unique layout of the property. The following is a listing of deviations from City Code that the applicant is requesting to be considered as part of the PUD request:

- ◆ *Smaller lot sizes.* Current regulations require urban single family lots to be at least 10,800 square feet in size. The development is proposing single family lots sizes of 8,800 square feet and detached townhouse units of 3,354 square feet.

- ◆ *Narrower lot widths for urban single-family lots.* Current regulations require urban single-family lots to be at least 80 feet wide at the front-yard setback line. The proposed development shows lot widths for the detached townhomes at 43 feet.
- ◆ *Reduced building setbacks.* City Code establishes a 30 foot front yard setback. The development is proposing front yard setbacks that range from 10 to 50 feet for the single family lots and 25 feet for the detached townhouse units. The reduced setback is to accommodate the location of homes around the wetlands.
- ◆ *Reduced private street width.* The development contains one private street that is 28 feet in width. City Code states that streets exceeding 300 feet in length must be 32 feet in width. The reason the applicant is requesting a reduced private street width is to allow for additional green area/landscaping between the proposed development and the existing single family residential development located immediately north.
- ◆ *Public Street exceeding length requirement:* The preliminary plat is showing a public street that exceeds 600 feet in length. Due to the location of wetlands on the property, the public street is unable to be connected to another public street and the additional length is needed in order to access the high ground for the proposed single family homes.

The PUD ordinance requires that the development have either 20% public open space or 50% private and open space. The development shows 50.2 % private open space. The preliminary plat is providing a “no mow” zone around the wetlands in order to protect the wetlands from home owners who desire to manicure a portion of the wetland surrounding their lot.

The Planning Commission held the public hearing and reviewed the rezoning request at their April 7, 2005 meeting. Subsequent to the meeting, staff came across a section in City Code that requires developments proposing townhouses within the R-1 District to be reviewed under the R-2 standards when processed through a PUD. In lieu of this information, the above information has been modified accordingly:

Single Family Lots	Townhomes
Minimum lot size 8,800sf	Lot 3, Block 4 will be 20.4 feet from the exterior boundary line
Minimum 70 foot lot width	Minimum 15 feet between structures
Minimum 12 foot front yard setback from the edge of the street right of way (the houses will still have a 25 foot driveway)	
Lot 24 & 39 will have a 6 foot side yard setback on both sides	

**Recommendation:**

The Planning Commission recommended that the City Council deny the rezoning on a 3:2 vote and 1 member abstaining. The denial recommendation was based on findings of fact, which are attached to this case. In general the Planning Commission could not support the rezoning for the following reasons:

1. Inappropriate use of PUD
2. Ownership issue of Potassium Street is not resolved
3. Crowding of lots 1-14 on the private street

Staff has attached a copy of the original boilerplate findings that was presented to the Planning Commission for the purpose of allowing the City Council to see what changes were made by the Planning Commission and to update the findings to reflect the correct deviations.

The City Council has tabled this case due to unresolved issues related to Potassium Street.

**Council Action:**

Will be based on discussion.

**CC: 06/14/05**