

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

The Ramsey Planning Commission conducted a regular meeting on Thursday, April 5, 2018, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Chairperson Randy Bauer
 Commissioner Bruce Anderson
 Commissioner Cheri Gengler
 Commissioner Daniel Onyambu
 Commissioner Patrick Surma
 Commissioner Gary VanScoy
 Commissioner Woestehoff

Members Absent: None

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

1. CALL TO ORDER

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

Chairperson Bauer welcomed Commissioner Onyambu and Commissioner Woestehoff to the Planning Commission.

Commissioner Surma read a statement regarding political correctness and stated he was pleased the City of Ramsey was embracing diversity. He explained he would like to see the Planning Commission stand and state the Pledge of Allegiance at the start of each meeting.

The Commission stood and said the Pledge of Allegiance.

2. CITIZEN INPUT

None.

3. APPROVAL OF AGENDA

Motion by Commissioner VanScoy, seconded by Commissioner Gengler, to approve the agenda as presented.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Gengler, Anderson, Onyambu, Surma, and Woestehoff. 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 March 1, 2018

Motion by Commissioner Woestehoff, seconded by Commissioner Surma, to approve the following minutes as presented: Planning Commission Meeting Minutes dated March 1, 2018.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners Gengler, Onyambu, Surma, VanScoy, and Woestehoff. Voting No: None. Absent: None. Abstain: Commissioner Anderson.

5. COMMISSION BUSINESS

5.01: Appoint Chairperson and Vice Chairperson of the Planning Commission

Community Development Director Gladhill requested the Commission appoint a Chair and Vice Chairperson for the coming year.

Motion by Commissioner VanScoy, seconded by Commissioner Anderson, to appoint Randy Bauer as Chairperson of the Planning Commission for 2018.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Anderson, Gengler, Onyambu, Surma, and Woestehoff. Voting No: None. Absent: None.

Motion by Commissioner Anderson, seconded by Commissioner Gengler, to appoint Gary VanScoy as Vice Chairperson of the Planning Commission for 2018.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners Anderson, Gengler, Onyambu, Surma, VanScoy, and Woestehoff. Voting No: None. Absent: None.

6. PUBLIC HEARINGS/COMMISSION BUSINESS

6.01: Public Hearing: Consider Home Occupation Conditional Use Permit for 5751 177th Avenue NW (Project #17-152); Case of Tracer Landscape and Concrete LLC

Public Hearing

Chairperson Bauer called the public hearing to order at 7:07 p.m.

Presentation

Community Development Director Gladhill presented the staff report stating through the code enforcement program, the City learned of a home-based business being operated on the property located at 5751 177th Avenue NW. Upon receipt of a request for information notice from the City, the property owner submitted a completed Home Occupation questionnaire and subsequently submitted an application for a Home Occupation Conditional Use Permit for Tracer Landscaping and Concrete, LLC. Staff commented on the request in further detail and recommended approval of the home occupation permit.

Citizen Input

Commissioner VanScoy asked if the site usage was within the City's Ordinance.

Community Development Director Gladhill reported the City's main concern at this time was exterior evidence. He stated traffic and the number of vehicles was not an issue. He explained the proposed home occupation permit would bring the property into compliance. He provided further comment on how the City would pursue a revocation of the permit if the applicant were not following the specified conditions.

Commissioner Anderson questioned if the proposed building fit within the City's size limits.

Community Development Director Gladhill stated this was the City's understanding at this time.

Ron Shainess, representative for the applicant, explained the applicant was seeking to operate his landscaping business from his property noting the majority of the things he was doing were well within City Ordinance. He indicated there was only one item that was deviating from City Code at this time. He reported the applicant was well within his rights to park a commercial vehicle on his property. He commented the applicant's employees only had four additional round trips per day. He reported the applicant's property was surrounded by large wooded properties. He noted the only property being impacted by his client was a two-acre property to the west. He stated the proposed barn would be located away from this property and would have a privacy fence surrounding it. He reiterated that the applicant had only two employees coming and going from the property. He explained his applicant has spoken to his employees to ensure they were driving at a proper speed.

Commissioner VanScoy explained the City put this particular Ordinance in place to protect neighbors from a certain level of activity that is created by home occupations. He questioned if there was a limit to the number of commercial vehicles that could be parked on a residential lot.

Community Development Director Gladhill reported when the Ordinance was amended several years ago, a hard cap was not set. He noted the number of vehicles allowed on a lot was based on the size of a property.

Mr. Shainess requested the applicant be allowed to have until March of 2019 to complete the barn.

Commissioner Anderson questioned what the projected growth was for this landscaping business. He asked if this company would only have two employees or if this would be increasing in the coming years.

Mr. Shainess explained if the business were to grow it could not continue to operate from this residential site per City Code.

Commissioner Anderson inquired if the landscaping business worked on weekends.

Mr. Shainess stated the applicant does not work on weekends.

Commissioner Anderson commented on how the landscaping business worked to dispatch employees and equipment from the residential home.

Commissioner Surma asked if the neighbors liked one another and questioned if the main concern was the amount of traffic going up and down the road.

_____ stated the main concern was the amount of commercial traffic going to and from the residential home.

Ricky Eagle, stated the proposed location of the barn was 100 feet north of his home. He explained he had called the police regarding the speed of traffic going up and down the roadway. He noted he also had concerns with the large brush fires the applicant has had on his property.

Don Kveton, , reported he owns the working farm adjacent to the applicant's property. He stated he has horses and cattle on his farm. He noted he owns the Village Banks in Anoka County. He explained he loves living in Ramsey and noted he lives in Ramsey because he wants his property to remain rural. He encouraged the Planning Commission to speak with the Police Department and Sheriff's Department prior to making a decision on this matter in order to learn about what was really taking place. He explained 177th Avenue had been destroyed by the applicant and his equipment. He indicated he was scared for himself and his neighbors. He reported his employees were being harassed by the applicant and his employees. He reported he would be installing cameras on his property to capture the applicant's activity.

Commissioner Surma stated freedom isn't easy and it demands responsibility from everybody involved. He commented if the number of police reports were high, this information could assist the Planning Commission in making a better-informed decision. He requested staff investigate this further and provide the Planning Commission with this information.

Commissioner Bauer asked how many of the police calls were related to the business.

Mr. Kveton stated he was uncertain and commented further on the activities occurring on his neighbor's property. He reported there has never been a police call to his neighborhood in the past 20 years until the applicant moved in. He encouraged his neighbor to relocate his business into an industrial park.

Commissioner Woestehoff commented the matter before the Planning Commission was not whether these were good people or not, but rather if the business was operating within City statute.

Commissioner VanScoy asked if staff had had the opportunity to follow up with the police department.

Community Development Director Gladhill reported he had made a request to the police department but had not received any information prior to the meeting. He stated he could pull the police records and forward this information on to the Planning Commission. He commented further on the code enforcement violations that have occurred at this property. He explained the character of the applicant should not be brought into consideration when the Planning Commission makes a decision. However, he understood the information may assist the Commission in learning if compliance with City Ordinances would be a concern.

Mr. Kveton stated in most cases businesses grow and he feared how his neighborhood would be impacted if this landscaping business were to continue to grow.

Commissioner VanScoy asked why Mr. Kveton had contacted the Anoka County Sheriff instead of the Ramsey Police Department with his concerns.

Mr. Kveton stated he contacted the Sheriff because he was a close person friend. He reported his neighbor's property had turned into a junk yard and he was no longer able to host fundraising events at his home.

Commissioner Woestehoff asked if Mr. Kveton believed the proposed barn and fence would assist in cleaning up the exterior of the property.

Mr. Kveton stated there were trucks coming and going from the property at all hours, even on the weekends.

Mr. Eagle commented the applicant has pallets, tiles and sod along his fence line. He feared how he would be impacted if the applicant was driving his commercial vehicles along the dirt path adjacent to his electric fences. He encouraged the applicant to have more respect for the neighboring property.

Commissioner Onyambu questioned if Mr. Eagle has seen the applicant coming and going from his property on the weekends or during the evening.

Mr. Eagle stated this does occur on occasion.

Mr. Shainess encouraged the Planning Commission to not confuse the work that the applicant was doing to improve his own property with the work he conducts for his business. He explained that the applicant completed a great deal of landscaping work on his own property and this occurred on the weekends and in the evening hours. He commented he was not aware of any concerns regarding the police department. He explained he was aware of a concern with a fire on the property but noted his client had received a burning permit. He stated he understood there were

concerns with the applicant's ability to comply with the home occupation permit but believed with a fleet of cameras on the neighboring property the City would soon know.

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

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Anderson, Gengler, Onyambu, Surma, and Woestehoff. Voting No: None. Absent: None.

Chairperson Bauer closed the public hearing closed at 7:58 p.m.

Commission Business

Chairperson Bauer requested staff read the conditions for approval aloud for the record.

Community Development Director Gladhill stated the conditions are as follows:

1. That this resolution shall allow for Tracer Landscaping and Concrete, Inc., (the "Home Occupation") to operate on the Subject Property. The PERMITTEE shall be required to reserve at least 400 square feet of accessory structure space for the purposes of the primary residential use.
2. That the PERMITTEE shall construct a detached accessory building by no later than October 31, 2018 and that all vehicles and equipment associated with the Home Occupation shall be stored within that detached accessory building.
3. That the PERMITTEE shall reside in the dwelling unit of the Subject Property. The PERMITTEE may also employ two (2) non-resident employees that may only arrive on site to pick up, load, and/or drop off equipment. The two (2) non-resident employees may not perform any other function related to the Home Occupation on the Subject Property.
4. That the PERMITTEE may not lease portions of the accessory structure located on the Subject Property to any person(s) that does not reside on the Subject Property.
5. That the PERMITTEE agrees to comply with Chapter 117, Article II, Division 6, Subdivision 1 of City Code, titled "Signs".
6. That the PERMITTEE agrees to comply with section 117-355 of City Code relating to outside storage and maneuvering of vehicles and equipment on the Subject Property; all parking and maneuvering areas on the Subject Property must be surfaced with class V gravel, concrete or asphalt.
7. That the PERMITTEE must obtain all applicable permits to ensure that the structures and driveway(s) are compliant with all applicable state and local codes.
8. That should the PERMITTEE die or sell the Subject Property, the Permit shall be automatically terminated, except that in the case of death, should a surviving spouse or child, residing at the same

address, desire to continue the home occupation, written notice to that effect shall be given to the City Administrator and the City Council may authorize continuation of the Permit without further hearing.

9. The PERMITTEE shall reside on the Subject Property; if the PERMITTEE does not reside on the Subject Property, the Permit shall be terminated.

10. That adequate water supply and on-site sewage disposal facilities shall be the responsibility of the PERMITTEE.

11. The PERMITTEE shall be responsible for maintaining any applicable State or County licenses.

12. The PERMITTEE shall be responsible for all costs incurred in the administration and enforcement of this Permit.

13. That the City Administrator, or his/her designee, shall have the right to inspect the Subject Property for compliance and safety purposes annually or at any time, upon reasonable request.

Chairperson Bauer asked if there was a condition that specifically addressed hours of operation.

Community Development Director Gladhill reported this would be addressed under the City's nuisance and noise code but noted it would be reasonable for the Commission to add a condition to address the hours of operation.

Chairperson Bauer questioned if the applicant's employees would be able to work on Saturday and Sunday to assist in constructing the proposed barn.

Community Development Director Gladhill explained the barn was a function of the home occupation and noted employees would be able to work on Saturday. He indicated Sunday work would have to receive approval from the City Council.

Commissioner VanScoy commented on the hours of operation and recommended the Commission add a condition to address this matter.

Commissioner Woestehoff questioned how many properties in Ramsey were over five acres in size. He stated he was asking this question to see how many other residents in the City could be asking for a home occupation permit.

Community Development Director Gladhill stated he would have to run a GIS report and did not have this information available. He commented the City receives a home occupation request once or twice each year.

City Planner McGuire Bergle reported the City has approximately 300 lots that were five acres or larger in size.

Commissioner Surma stated the Commission could approve the permit as requested and if the applicant was not able to follow the permit and all of the conditions, it would be revoked.

Mr. Kveton commented he would not be reinvesting any further into the community if the permit were approved. He believed that it would not be wise for him to invest any further dollars into his property given the condition of his neighbor's property.

Chairperson Bauer noted the Planning Commission had received two letters for the record.

Commissioner VanScoy asked if outside storage was allowed with the home occupation.

Community Development Director Gladhill reported outside storage was not allowed. He commented the applicant previously had pallets and sod being stored outside, but noted this has been addressed. He recommended that if the Commission was considering a motion for approval that the motion be amended to state the hours of operation and that the applicant be allowed to extend the structure deadline to March 31, 2019. He suggested the hours of operation be from 7:00 a.m. to 7:00 p.m.

Mr. Shainess indicated his client has requested the hours of operation be from 6:00 a.m. to 8:00 p.m. Monday through Friday.

Community Development Director Gladhill commented on the noise threshold within the City Code and stated there would not be a sustained decibel level from the applicant's property but rather the applicant would be loading up equipment and leaving for the day at 6:00 a.m.

Commissioner Anderson stated it was his opinion this was the wrong type of business to be located in a residential neighborhood. For this reason, he would not be supporting the proposed request. He stated there were too many commercial vehicles, trailers and equipment coming to and from the property.

Commissioner Surma asked who approved all of the smaller residential homes leading up to the applicant's property.

Community Development Director Gladhill reported these were approved in the 1990's.

Commissioner VanScoy stated he understood there were concerns from the adjacent residents, however, he was going to offer his support to the home occupation permit with the understanding the applicant would have to abide by the recommended conditions. He indicated he did not support the extension of the barn construction deadline and noted he wanted to see the hours of operation remain between 7:00 a.m. to 7:00 p.m. Monday through Friday.

Motion by Commissioner VanScoy, seconded by Commissioner Gengler, to recommend that City Council adopt Resolution #2018-066 issuing a home occupation permit to operate Tracer Landscaping and Concrete, LLC on the property located at 5751 177th Avenue NW based on those findings of fact and listed conditions for approval, limiting the hours of operation to Monday through Friday from 7:00 a.m. to 7:00 p.m.

Chairperson Bauer requested a roll call vote:

Commissioner Anderson – nay
Commissioner Gengler – aye
Commissioner Onyambu – aye
Commissioner Surma – aye
Commissioner VanScoy – aye
Commissioner Woestehoff – nay
Chairperson Bauer – aye

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Gengler, Onyambu, and Surma. Voting No: Commissioners Anderson and Woestehoff. Absent: None.

Commissioner VanScoy requested staff inspect this site to ensure that the applicant was complying with the City's requirements if the home occupation permit was approved by the City Council.

Community Development Director Gladhill requested the Commission recess the meeting.

Chairperson Bauer recessed the Planning Commission meeting at 8:26 p.m.

Chairperson Bauer reconvened the Planning Commission meeting at 8:28 p.m.

7. COMMISSION BUSINESS

7.01: Consider Site Plan for Sharp Industrial Building located at 6590 141st Avenue NW (Project No. 18-105); Case of Sharp & Associates

Presentation

City Planner McGuire Bergle presented the Staff Report stating Sharp & Associates, LLC (the "Applicant") has submitted a Site Plan for review for an industrial, multi-tenant building on the property located at 6590 141st Ave NW (the "Subject Property"). The Applicant has a Purchase Agreement in place with the City of Ramsey to acquire the Subject Property.

Commission Business

Motion by Commissioner Surma, seconded by Commissioner VanScoy, to recommend that City Council approve the Site Plan contingent upon the Applicant entering into a Development Agreement with the City and upon compliance with the Staff Review Letter dated March 15, 2018.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners Surma, VanScoy, Anderson, Gengler, Onyambu, and Woestehoff. Voting No: None. Absent: None.

7.02: Consider Request for Extension for a Variance to Lot Depth for Homestead Road Addition (Project No. 16-32); Case of CTW Group, Inc.

Presentation

City Planner Anderson presented the Staff Report stating on April 6, 2017, CTW Group, Inc. (the "Property Owner") was granted a variance to the lot depth standard for Lots 1 & 3, Block 1 Homestead Road Addition. A standard condition of the approved variance was that it needed to be initiated within one (1) year of the date of its approval and that recording of the plat of Homestead Road Addition (the "Plat") would constitute initiation. The Property Owner has not yet completed the necessary steps to record the approved Plat and thus, have requested an extension for their approved variance.

Commission Business

Commissioner VanScoy asked what the primary purpose was for the original variance request.

City Planner Anderson stated the variance was required due to the significant amount of wetlands on the property. He reported the wetlands would not be endangered in any way due to the proposed variance.

Motion by Commissioner Anderson, seconded by Commissioner Surma, to recommend that City Council adopt Resolution #18-067 granting a one (1) year extension to initiate the variance to lot depth standard for Lots 1 and 3 Block 1 Homestead Road Addition.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners Anderson, Surma, Gengler, Onyambu, VanScoy, and Woestehoff. Voting No: None. Absent: None.

8. COMPREHENSIVE PLAN UPDATE ITEMS

8.01: Review Draft Comprehensive Plan Update

Community Development Director Gladhill provided the Commission with an update on the draft Comprehensive Plan. He reported the vision of the Comprehensive Plan was for Ramsey to evolve through citizen-driven collaborative processes that respect the balance and connectivity between its unique urban, rural, and natural environment for current and future generations. He stated the key themes within the Comprehensive Plan were to find a balance of rural character and urban growth, to create an active community, a connected community, to have smart citizen-focused government and to be financially stable.

Community Development Director Gladhill reviewed the demographics of the City with the Commission along with projected growth numbers. The key initiatives for the City would be to focus on neighborhoods, transportation, to prioritize ecological resources, along with parks and recreation. The future land use plan was discussed with the Commission as well as the City's housing goals. He reported a workshop meeting would be held on Monday, April 9th to discuss the Comprehensive Plan and noted the Planning Commission would be considering the draft Comprehensive Plan at their Thursday, May 3rd meeting.

Chairperson Bauer stated he would like the Rum River crossing into Andover remain within the plan as this would assist the City with future funding and planning initiatives.

Commissioner Surma and Commission VanScoy agreed with this recommendation.

Commissioner Anderson encouraged staff to put a link on the City's website to assist with gaining additional feedback from the public.

9. COMMISSION / STAFF INPUT

9.01: Receive Staff Update

The Staff Update was noted.

Chairperson Bauer reported the Mayor announced she would be ending her position with the City effective Tuesday, May 1st because she was moving out of the community. He explained Mayor Pro-Tem John LeTourneau would be acting as Mayor until November. He noted the 4th Ward would also have an opening due to a Councilmember moving.

Chairperson Bauer requested the Commission pass a Resolution of Support for Mayor Strommen given the high level of support she has always displayed to the Planning Commission and thanking her for her service to the City of Ramsey.

Motion by Commissioner VanScoy, seconded by Commissioner Anderson, to direct staff to draft a Resolution of Support for Mayor Strommen and thanking her for her dedicated service to the City of Ramsey.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Anderson, Gengler, Onyambu, Surma, and Woestehoff. Voting No: None. Absent: None.

9.02: Zoning Bulletins

Zoning Bulletins were noted.

10. ADJOURNMENT

Motion by Commissioner Onyambu, seconded by Commissioner Woestehoff, to adjourn the meeting.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners Onyambu, Woestehoff, Anderson, Gengler, Surma, and VanScoy. Voting No: None. Absent: None.

The regular meeting of the Planning Commission adjourned at 9:00 p.m.

Respectfully submitted,

Tim Gladhill
Community Development Director

ATTEST:

JoAnn Shaw
Community Development Assistant

Drafted by Heidi Guenther
TimeSaver Off Site Secretarial, Inc.