

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

The Ramsey Planning Commission conducted a regular meeting on Thursday, January 7, 2016, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present:                   Chairperson Gary Levine  
  Commissioner Andrew Andrusko  
  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  
  Housing Intern Michael Healy

**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 Bauer, seconded by Commissioner VanScoy, to approve the agenda as amended removing Item 5.02 under Public Hearing/Commission Business.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Bauer, VanScoy, Andrusko, Brauer, and Nosan. 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 December 3, 2015**

Motion by Commissioner VanScoy, seconded by Commissioner Nosan, to approve the following minutes as presented: Planning Commission Meeting Minutes dated December 3, 2015.

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

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

### **5.01: Public Hearing: Consider Resolutions #16-01-005 through #16-01-008 related to a Request for a Variance to Minimum Lot Size, Lot Width and Side Yard Setbacks in the Critical River Overlay District on the Properties Located at 14510 and 14500 Bowers Drive NW (Project 16-01); Case of Central Bank**

#### **Public Hearing**

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

#### **Presentation**

City Planner Anderson presented the staff report stating the City has received an application for a Variance to the minimum required lot size and width requirements in the Critical River Overlay District (the "Overlay District") for the property located at 14510 Bowers Drive NW (the "Subject Property"). The purpose of the request is to address an existing structure encroachment from the adjacent property at 14500 Bowers Drive NW. The Subject Property is presently vacant with the exception of the aforementioned encroachments. Should the Variance to lot size and lot width be approved, the applicant would then proceed with an Administrative Subdivision to realign the common lot line between the Subject Property and the adjacent lot to eliminate the existing encroachments.

#### **Citizen Input**

Commissioner Bauer requested further information on the ordinary high watermark setback. City Planner Anderson explained the lot was platted prior to the ordinary high watermark standards being in place. He believed that a structure could be built on the lot at approximately 140 to 150 feet. Community Development Director Gladhill commented a stringline test could also be proposed for this lot.

Commissioner VanScoy understood both lots were owned by a single owner. He asked if this had always been the case. City Planner Anderson stated this may have been the case.

Commissioner VanScoy questioned if the 100-foot lot width was typical for this neighborhood. City Planner Anderson reported the majority of the Bowers Mississippi Neighborhood had 100-foot wide lots.

Commissioner VanScoy inquired if these lots had City water and sewer. City Planner Anderson explained these lots all had private well and septic. He provided further comment on another lot within this neighborhood that required a variance.

Steve Nash, 14500 Bowers Drive, explained he purchased his property in 1989. He was not aware of the deck situation when he purchased his property. He discussed how the proposed notch would impact his property. He did not oppose the bank and believed they had a right to use the property. While he preferred to have straight property lines, he understood this may not be the case. He then discussed the location of his well and septic system with respect to the notch.

Commissioner VanScoy questioned where the new well and septic system was located. Mr. Nash reviewed his site plan with the Commission along with the well and septic system location.

Community Development Director Gladhill recommended that the Commission state within their motion for approval that all State requirements regarding the placement of wells be followed.

Mark Madsen, 14520 Bowers Drive, reported he lives north of the subject property. He stated he was not aware of the fact that the lot between him and the Nash's was owned by another party. He did not support another home being built on the vacant lot.

Kerry Koller, 2989 Lady Nichole Lane in Duluth, explained he was a representative of Central Bank. He thanked staff for their thorough report on this Planning Case. He reported he was unaware of the neighboring properties well location and stated he would investigate this matter further.

Commissioner VanScoy asked if the applicant had a preference on how to address the setbacks. Mr. Koller preferred the box out option as it would provide a builder with more options for well and septic placement.

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

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

Chairperson Levine closed the public hearing closed at 7:32 p.m.

### **Commission Business**

Commissioner Andrusko stated after reviewing the Anoka County GIS website, he found the properties were linked up prior to December 24<sup>th</sup>. After which time, the bank took possession of the abstract. He stated originally these lots were each 100 feet wide.

Commissioner VanScoy supported the box out option for this property as it would provide the most future opportunities for this lot.

Commissioner Nosan found it odd that the City was unaware of the situation on this lot until now. She also supported the box out option for this property as the best solution.

Motion by Commissioner Bauer, seconded by Commissioner Andrusko, to adopt Resolution #16-01-005 approving the Findings of Fact inserting in Items 8 and 9 that a well was located on this property.

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

Motion by Commissioner Bauer, seconded by Commissioner VanScoy, to adopt Resolution #16-01-006 granting a variance to lot size and lot area at 14510 Bowers Drive NW, as depicted on the Subdivision Sketch, prepared by Rum River Land Surveyors & Engineers, adjusting the box out for the well on the adjacent property, if necessary.

### **Further discussion**

Community Development Director Gladhill asked if the Commission wanted the setback to be to the ordinary high watermark or if this stipulation should be addressed when building plans were submitted for the property.

Commissioner Bauer recommended the matter wait until someone was proposing to build on the property. The Planning Commission was in agreement.

Commissioner Brauer noted for the record that the applicant did not create the situation on the property.

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

Motion by Commissioner Bauer, seconded by Commissioner VanScoy, to adopt Resolution #16-01-007 approving the Findings of Fact.

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

Motion by Commissioner Bauer, seconded by Commissioner VanScoy, to adopt Resolution #16-01-008 granting a variance to the minimum side yard setback for the existing deck at 14500 Bowers Drive NW.

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

**5.02: Public Hearing: Consider Resolutions #16-01-012 and #16-01-13 Related to a Request for a Home Occupation Permit for a Food Truck Business with a Commercial Grade Kitchen on the Property Located at 7960 171<sup>st</sup> Lane NW (Project No. 16-04); Case of John and Anne Reineck**

This Planning Case was withdrawn from consideration by the applicant.

**5.03: Review Sketch Plan for Northfork Alpine Addition (Project No. 16-02); Case of Double T, LLC**

**Presentation**

Community Development Director Gladhill presented the staff report stating the purpose of this file is to review the official Sketch Plan prepared by A.P.A Consulting, Engineers & Surveyors, P.A. for the purpose of a four-lot subdivision located on Alpine Drive within the Northfork Planned Unit Development. The Sketch Plan Review process affords the Planning Commission to opportunity to provide early direction on the layout of the proposed plat, before the Developer prepares detailed Preliminary Plat plans. A key decision will occur at Preliminary Plat, in which the layout will be approved, subject to approving final construction plans and Final Plat documents. At that time, the City will review items including, but not limited to, Grading Plan, Utility Plan, Landscape Plan, and Street Light Plan. Staff recommended the Planning Commission provide feedback on the Sketch Plan and direct the Developer to proceed to preparing a Preliminary Plat, with the considerations listed in this staff report.

**Commission Business**

Commissioner Bauer asked where a common septic system would be located if this option were recommended. Community Development Director Gladhill reported the system would be located on one of the existing lots and would not impact minimum lot sizes.

Commissioner VanScoy questioned what assurances the City had that the proposed homeowners association (HOA) would still be in place in 20 years to provide maintenance to the shared septic system. Community Development Director Gladhill discussed the requirements that would have to be put in place to ensure the HOA was still in existence.

Commissioner Bauer inquired if the cul-de-sac would be a public or private roadway. Community Development Director Gladhill stated the cul-de-sac was proposed to be a public street that would be owned and maintained by the City.

Chairperson Levine asked if the City received any comment from surrounding property owners. Community Development Director Gladhill reported staff has not received any comments to date.

Chairperson Levine questioned what information staff was seeking from the Commission this evening. Community Development Director Gladhill requested the Planning Commission provide

feedback to the developer on the proposed sketch plan and whether or not the group supported the use of a shared septic system.

Mike Thompson, 15721 Andre Street, supported the properties having separate septic systems. He further discussed his vision for the four lots with the Commission noting each would have a basement.

Community Development Director Gladhill inquired if the four lots would have an HOA as was previously proposed by the developer. Mr. Thompson stated that because the development has been downsized to four lots, he believed it would be difficult to build maintenance free senior housing with an HOA. He was in favor of building single-family housing requiring each homeowner to maintain their landscaping and snow removal. It was noted the four lots would be a part of the existing North Fork HOA.

Bill Kingston, North Fork HOA President, noted the current HOA had five elected members and oversaw 271 lots. He reported the lots ranged in size from one to three acres. He noted the lots within the sketch plan were within the original PUD and would be a part of the North Fork HOA. He reported that Mr. Thompson was aware of the HOA building requirements and covenants. He explained the HOA supported the proposed development of the four lots with four separate septic systems.

Commissioner Bauer did not support a separate HOA for the four unique lots. In addition, he was comfortable with four separate septic systems given the size of the proposed lots. The Planning Commission was in agreement.

Commissioner VanScoy asked if there were any other developments with septic systems closer to the lake than the four proposed lots. Community Development Director Gladhill stated there were parcels on Andrie Court and Andrie Street that were closer in proximity to Lake Itasca.

The Planning Commission recommended the developer move forward taking into consideration the comments provided this evening.

#### **5.04: Discuss Creation of Neighborhood Office Zoning District (Project No. 16-26); Case of the City of Ramsey**

##### **Presentation**

Community Development Director Gladhill presented the staff report stating that after the Public Hearing regarding the property located at 6139 157<sup>th</sup> Lane NW, staff was instructed to create a new zoning district within the City of Ramsey for the purposes of commercial property located near or adjacent to residential properties. This came about due resident concern about the current secretarial/daycare business moving from this property, and what business might replace it. Stated concerns included a new business negatively affecting property values, high speed and level of traffic along Nowthen Boulevard, gas stations creating too much traffic if it were to locate on this site and potential expansion of the current building. The initial thought was to re-zone this

property B-1, however that would allow some of the types of businesses that residents were concerned about to potentially locate on the property. The Commission suggested the possibility of creating an entirely new zoning district that would allow the types of businesses that fit well in a residential area, and restrict the ones that do not. Residents that were present for the public hearing were amenable to that option. The purpose of the discussion tonight is to review the draft zoning district, collect feedback from the Planning Commission regarding the new zoning district, and bring an ordinance back to a later meeting.

### **Commission Business**

Commissioner Bauer questioned how staff was defining “small scale” coffee shop or deli. Community Development Director Gladhill reported this would be a coffee shop or deli without a drive-thru.

Commissioner Bauer did not oppose a Jimmy John’s or Subway on this property.

Commissioner Andrusko believed other properties should be considered for the new zoning district as well so as not to spot zone this parcel. His main concern with rezoning the property was the amount of traffic that would be flowing in and out of the site.

Chairperson Levine agreed with the traffic concerns and stated he did not want to see the property restricted.

Commissioner Brauer saw value in having quaint neighborhood businesses and creating walkable areas within the community. He recommended the word drive-thru be eliminated from the proposed zoning district. He wanted to see the City pursue developments that were walkable. He suggested medical and animal clinics be removed from the allowed uses.

Commissioner explained she used to live in this neighborhood and supported a small deli, coffee shop or daycare in this area.

Commissioner Andrusko questioned if Walgreens could locate on this corner. Community Development Director Gladhill reported this would not be allowed under the current zoning.

Commissioner Brauer recommended staff address the scale of a development that would be allowed on this property. Community Development Director Gladhill reviewed the bulk design standards for the site currently and reported he would revise them further to address the Commission’s concerns.

Commissioner VanScoy requested the buffering language also be addressed by staff.

Community Development Director Gladhill thanked the Commission for their feedback. He stated he would revise the language within the zoning district and report back to the Commission at a future meeting.

## **5.05: Discuss Amending the Approved Format for Warranties on Stage I and Stage II Improvements (Project NO. 16-21); Case of the City of Ramsey**

### **Presentation**

Housing Intern Healy presented the Staff Report stating the purpose of this discussion is to consider amendments to City Code to align City Code language with the City's current policy regarding warranties for Stage 1 and Stage II improvements on private developments. When private developments construct Stage 1 improvements (public improvements such as sidewalks, roads, storm drainage, etc.) and Stage 2 improvements (seal coating, street striping, streetlights, etc.), the developer must warranty their work for one (1) year following the final acceptance of any required improvements. If the improvements are defective or fail within that year, the City can draw from the warranty funds to make repairs.

Housing Intern Healy reported the City has a longstanding informal policy of requiring developers to warranty their work by giving the City cash or a letter of credit equal to 25% of the cost of the improvements. The money is refunded at the end of the one-year warranty period. Currently, however, the code suggests that developers also have the option of submitting a bond for warranty and maintenance. The City historically has not accepted bonds in these situations because the logistical difficulties involved in trying to collect on a bond to pay for repairs. The proposed amendment would remove the language that states that bonds are acceptable for warranties and replace it with new language formalizing the City's policy of requiring 25% of the project costs as a warranty in the form of either cash or a letter of credit. Leaving the language in its current form could create confusion among developers who might reasonably expect the City to honor the current language that bonds are an acceptable format for warranties.

### **Commission Business**

Commissioner Bauer was in favor of the City's Ordinances aligning with the City's practices.

Commissioner Nosan agreed.

There was consensus of the Commission for staff to proceed with the proposed amendment for the approved format for warranties on Stage I and Stage II improvements.

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

### **6.01: Staff Update**

The Staff Update was noted.

### **6.02: Zoning Bulletins**

Zoning Bulletins were noted.

**7. ADJOURNMENT**

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

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

The regular meeting of the Planning Commission adjourned at 8:50 p.m.

Respectfully submitted,

---

Tim Gladhill  
Community Development Director

ATTEST:

---

JoAnn Shaw  
Community Development Assistant

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