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**CITY COUNCIL
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

The Ramsey City Council conducted a regular meeting on Tuesday, February 26, 2019, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Acting Mayor Chris Riley
 Councilmember Nadine Heinrich
 Councilmember Mark Kuzma
 Councilmember Debra Musgrove
 Councilmember Melody Shryock

Members Absent: Mayor John LeTourneau

Also Present: City Administrator Kurtis Ulrich
 Police Chief Jeff Katers
 Community Development Director Timothy Gladhill
 City Engineer Bruce Westby
 City Planner Chris Anderson

1. CALL TO ORDER

Acting Mayor Riley called the regular meeting of the Ramsey City Council to order at 7:04 p.m., followed by the Pledge of Allegiance led by Acting Mayor Riley.

2. PRESENTATION

2.01: Receive Update from Community Development Department

Community Development Director Gladhill provided a brief overview of development activity and other projects managed by the Community Development Department in 2018, as well as a forecast for 2019 focusing on the areas of planning, economic development, building inspections and nuisance enforcement.

3. CITIZEN INPUT

None.

4. CONSENT AGENDA

Motion by Councilmember Kuzma, seconded by Councilmember Shryock, to approve the following items on the Consent Agenda:

- 4.01: Receive January 2019 Financial Reports – General Fund and Enterprise Funds
- 4.02: Approve the following Meeting Minutes:
 - 1) City Council Work Session dated February 12, 2019
 - 2) City Council Regular dated February 12, 2019
- 4.03: Approve Licenses
- 4.04: Adopt Resolution #19-057 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of February 7, 2019 through February 20, 2019
- 4.05: Adopt Resolution #19-037 Granting a Conditional Use Permit for Auto Sales at 8000 Highway 10 (Project No. 19-100); Case of Druk Auto
- 4.06: Adopt Resolution #19-058 Granting a One (1) Year Extension to the Final Plat and Site Plan Approval for Regency Commons and National Self Storage at the Northeast Corner of Bunker Lake Boulevard and Ramsey Boulevard (Project No. 16-108); Case of Troy Halverson
- 4.07: Adopt Resolution #19-059 Authorizing Final Payment to Pearson Brothers, Inc. for Improvement Project 18-04, 2018 Crack Seal and Seal Coat Program
- 4.08: Adopt Resolution #19-060 Authorizing Execution of Quit Claim Deeds and Easement Agreement to Resolve Potential Title Issues on Ute Street (north of 179th Lane)
- 4.09: Adopt Resolution #19-061 Authorizing Staff to Enter into Proposed MnDOT Cooperative Landscaping Agreement #1033218 for the Highway 47 Landscaping Project
- 4.10: Adopt Resolution #19-041 Approving Environmental Review Document (AUAR) for The COR
- 4.11: Adopt Resolution #19-062 Affirming Status of Second Access at 5735 Alpine Drive NW

Motion carried. Voting Yes: Acting Mayor Riley, Councilmembers Kuzma, Shryock, Heinrich, and Musgrove. Voting No: None. Absent: Mayor LeTourneau.

5. APPROVE AGENDA

Motion by Councilmember Shryock, seconded by Councilmember Musgrove, to approve the agenda as presented.

Motion carried. Voting Yes: Acting Mayor Riley, Councilmembers Shryock, Musgrove, Heinrich, and Kuzma. Voting No: None. Absent: Mayor LeTourneau.

6. PUBLIC HEARING

None.

7. COUNCIL BUSINESS

7.01: Adopt Resolution #19-063 Approving Quit Claim Deed Conveying Tract B, Registered Land Survey No. 266

City Engineer Westby reviewed the staff report and recommendation to adopt Resolution #19-063 approving a Quit Claim Deed conveying Tract B, Registered Land Survey No. 266, from the

City of Ramsey to PSD, LLC. This alternative supports the terms and conditions of the MOU, MOA, and DA, and allows the City to recover \$166,422.70 of funds expended with City Improvement Project #12-22.

Acting Mayor Riley asked if this needed to occur in this order as the City has built a street and stormwater ponding on land that the City does not own.

City Engineer Westby stated that the City does own the land through the agreements. He noted that because there were a lot of different pieces of the project with different property owners, an MOU was used to spell out the terms of the agreement. He stated that there are cleaner ways to work out the details, but it would be dependent upon the amount of time the City has to work on those agreements.

Councilmember Musgrove referenced the fill of the original pond, where the road was constructed, and asked who would be responsible for that.

City Engineer Westby replied that the pond needed to be filled to construct the roadway, which was a City expense and has already occurred.

Motion by Councilmember Kuzma, seconded by Councilmember Shryock, to Adopt Resolution #19-063 Approving Quit Claim Deed Conveying Tract B, Registered Land Survey No. 266.

Motion carried. Voting Yes: Acting Mayor Riley, Councilmembers Kuzma, Shryock, Heinrich, and Musgrove. Voting No: None. Absent: Mayor LeTourneau.

7.02: Consider Multiple Actions Related to a Proposed Commercial Horse Farm at 17902 Saint Francis Boulevard NW (Project No. 19-101); Case of Dale and Tammy Wills

- 1. Request for a Home Occupation Permit to Operate a Commercial Horse Farm**
- 2. Request for a Conditional Use Permit to Exceed Square Footage for Detached Accessory Buildings**

City Planner Anderson reviewed the staff report and recommendation from the Planning Commission to approve both the Home Occupation Permit and the Conditional Use Permit.

Councilmember Shryock stated that this is a great idea. She stated that with the anticipated usage on the property, she would not anticipate higher levels of traffic than if this were developed as a neighborhood subdivision. She asked if there have been any discussions with the County on a possible access from Highway 47, should the property become more active, rather than channeling traffic through the neighborhood.

City Planner Anderson replied that City staff has sent the information to MnDOT because Highway 47 is a State highway and there has not been any feedback received. He stated that perhaps MnDOT will provide comments in the future.

Dale Wills, 2176 157th Lane, Andover, stated that he appreciates the consideration of the Council and noted that staff has been great to work with. He noted that they did incorporate changes to the original proposal after the meetings with the public and the Planning Commission. He stated that they would love to have an access off Highway 47 but noted that in his experience, the State would most likely require additional turn lanes, which would cause significant increases in cost.

Councilmember Kuzma asked the timeframe.

Mr. Wills stated that the purchase would be conditional on the approvals of the City and hoped to close on the property by March 14th. He stated that the hope would be to have an arena and indoor stable functional by October. He stated that they will also be completing minor remodels on the existing home, with the intention of moving into that home in June.

Councilmember Heinrich stated that she understands the desire to have a change in the hours of operation to make the facility available during the daytime hours, for those children that may be homeschooled or have afternoon sports. She stated that this is a great example of residents going through the Conditional Use Permit process and what a great help staff can be.

Motion by Councilmember Heinrich, seconded by Councilmember Musgrove, to Adopt Resolution #19-042 Approving the Issuance of a Home Occupation Permit to Operate a Commercial Horse Farm on the Property Located at 17902 Saint Francis Blvd NW and Declaring Terms of Permit and Resolution #19-043 Approving the Issuance of a Conditional Use Permit to Exceed the Allowable Square Footage and Number of Accessory Buildings on the Property Generally Known as 17902 Saint Francis Blvd.

Motion carried. Voting Yes: Acting Mayor Riley, Councilmembers Heinrich, Musgrove, Kuzma, and Shryock. Voting No: None. Absent: Mayor LeTourneau.

7.03: Introduce Ordinance #19-02 Amending the R-1 and R-2 Sections of Chapter 117 of City Code to Allow 50 and 65-Foot-Wide Lots and Clarifying Existing Language

Community Development Director Gladhill reviewed the staff report and recommendation from the Planning Commission to introduce Ordinance #19-02 amending the R-1 and R-2 sections of Chapter 177 of the City Code to allow 50 and 65-foot-wide lots and clarifying existing language.

Councilmember Kuzma asked what impact this would have on roads.

Community Development Director Gladhill replied that this would not change the standards for public roads or minimum design standards for public roads.

Councilmember Shryock asked if this would create a new zoning district.

Community Development Director Gladhill confirmed that this would create a subdistrict within the R-1 zoning district, titled R-1 Villas.

Acting Mayor Riley asked if the 50-foot width would apply to R-2.

Community Development Director Gladhill noted that 50-foot-wide lots are already approved within R-2, this change would actually simplify the language within the R-2 district. He confirmed that the Council would still determine where this subdistrict would be allowed.

Acting Mayor Riley stated that the housing study that the Council has authorized will help to determine where the new zoning change could be implemented.

Community Development Director Gladhill confirmed that the study will be an important tool to utilize as the City determines where to implement the subdistrict.

Motion by Councilmember Kuzma, seconded by Councilmember Musgrove, to introduce Ordinance #19-02 amending the R-2 and R-2 sections of Chapter 117 of the City Code to allow 50 and 65-foot-wide lots and clarifying existing language.

Motion carried. Voting Yes: Acting Mayor Riley, Councilmembers Kuzma, Musgrove, Heinrich, and Shryock. Voting No: None. Absent: Mayor LeTourneau.

7.04: Consider Multiple Actions Related to Harvest Estates 2nd Addition; Case of Meadow Creek Builders

- 1. Introduce Ordinance #19-04 Amending Official Zoning Map**
- 2. Adopt Resolution #19-025 Approving Preliminary Plat and Rezoning for Harvest Estates 2nd Addition**

Community Development Director Gladhill reviewed the staff report and recommendation from the Planning Commission to introduce Ordinance #19-04 rezoning the subject property and to approve Resolution #19-025 approving the preliminary plat for Harvest Estates 2nd Addition, contingent upon adoption of the Zoning Amendment (Ordinance #19-02).

Acting Mayor Riley referenced the access, which it seems will be reconstructed in the current state and asked if that would be gravel.

Community Development Director Gladhill explained that it should have stated that the developer would update the gravel base under asphalt.

Acting Mayor Riley asked if the roads would be public roads.

Community Development Director Gladhill confirmed that even though there would be an HOA for the development, the roads would be publicly owned and maintained.

Acting Mayor Riley asked if this is being requested by the developer and not by the City.

Community Development Director Gladhill confirmed that the request for the lot sizes and number of lots came to the City from the developer.

Councilmember Musgrove asked for additional details on the proposed landscaping.

Community Development Director Gladhill highlighted the tree removal, which will be necessary for the grading of the site. He noted that not all of the trees are of great quality, and tree replacement is required. He stated that there are existing homes that are larger than the minimum standards and therefore there will be additional screening provided through the use of trees to buffer between the different lot sizes.

Councilmember Shryock stated that the Environmental Policy Board had a similar discussion on possible tree preservation, and it was explained that the tree removal is needed to support the grading and drainage. She appreciated the additional trees that will be planted on this plan.

Acting Mayor Riley stated that it appears that the existing homes will not be affected by more than a portion of one home in a small area.

Community Development Director Gladhill confirmed that the stormwater pond would provide a buffer, there are similar lot sizes near the cul-de-sac and the concern on the southside would be mitigated through additional plantings.

Randy Hedlund, civil engineer for the project, stated that he is present to address any questions. He stated that this parcel is strange in that it is so deep. He stated that even though the lot width is proposed for 65 feet, the average depth is 200 feet, which exceeds the average depth in the first phase of the development. He stated that on the west side there was a concern with the tree loss. He stated that there are ten trees, two of which will be removed and the remaining eight would be saved.

Motion by Councilmember Kuzma, seconded by Councilmember Heinrich, to introduce Ordinance #19-04 amending Official Zoning Map and to Adopt Resolution #19-025 Granting Preliminary Plat Approval of Harvest Estates 2nd Addition, contingent upon adoption of Ordinance #19-02.

Motion carried. Voting Yes: Acting Mayor Riley, Councilmembers Kuzma, Heinrich, Musgrove, and Shryock. Voting No: None. Absent: Mayor LeTourneau.

7.05: Introduce Ordinance #19-05; Amendment to City Code Chapter 117 (Zoning and Subdivision of Land) to add a Neighborhood Business District

Community Development Director Gladhill reviewed the staff report and recommendation of the Planning Commission to adopt Ordinance #19-05 with the revisions included in the draft (limit on hours of operation and outdoor speakers). He noted that the Planning Commission did take into account feedback from the community and amended their original recommendation.

Acting Mayor Riley stated that this simply creates the zoning and does not apply it to a specific parcel.

Jaqueline Abendroth, 15810 Sodium Street, stated that she is not thoroughly understanding what is being proposed at this point. She stated that she understands that the change in zoning needs to occur for the property but was unsure the impact that would have to the adjacent property owners.

Community Development Director Gladhill explained that this action simply creates a tool and is not specific to a property. He explained that even when they get to the next case that would not change anything for the commercial property, above what has already been approved for that commercial property.

Councilmember Heinrich stated that she has appreciated the residents that have provided input throughout this process and the diligence of staff in listing the specific activity that would not be allowed on the property. She commented that this is a great level of detail for the Neighborhood Business District.

Councilmember Musgrove asked for classification on this first action.

Community Development Director Gladhill explained that the zoning district must first be created and in the second case it will be requested to apply it to a specific property. He stated that the new zoning district is more conducive to the specific property, noting that both actions are in attempt to resolve an existing zoning conflict.

Councilmember Shryock stated that she appreciates that the district clearly states what is not allowed. She was unsure if the on-sale liquor portion would be appropriate as a conditional use and would fit within a neighborhood.

Community Development Director Gladhill stated that use was added by the Planning Commission. He provided an example of a restaurant in Champlin that serves alcohol but is residential looking and tucked within a neighborhood. He stated that the hour limitation of 9:00 p.m. was added to limit the type of use to a smaller café or restaurant rather than a bar and grill type use.

Acting Mayor Riley stated that he understands that this could be applied through the whole city and asked if this would be too restrictive for other areas of Ramsey.

Community Development Director Gladhill stated that the City would be able to choose where this would be applied, or whether a different zoning district would be appropriate. He noted that the B-1 district could be used in other locations to allow more flexibility.

Motion by Councilmember Kuzma, seconded by Councilmember Shryock, to introduce Ordinance #19-05 an amendment to City Code Chapter 117 (Zoning and Subdivision of Land) to add a Neighborhood Business District.

Motion carried. Voting Yes: Acting Mayor Riley, Councilmembers Kuzma, Shryock, Heinrich, and Musgrove. Voting No: None. Absent: Mayor LeTourneau.

7.06: Introduce Ordinance #19-06 Amending Official Zoning Map; Case of Carol Lublin

Community Development Director Gladhill reviewed the staff report and recommendation of the Planning Commission to approve the request to amend the official zoning map. He noted that this would simply activate the Conditional Use Permit that already exists and if the applicant desired changes, they would need to come back before the Planning Commission and City Council to request amendment.

Acting Mayor Riley stated that this will not change what is happening on the site or provide additional approvals to the site.

Councilmember Kuzma stated that he hears the comments from the neighborhood but is also concerned with the rights of the property owner as well. He noted that there has to be a balance between the rights of the property owner and the adjacent residents. He stated that this tool would provide the property owner the ability to come back before the Planning Commission and City Council if changes are desired and will also protect the neighborhood with the restricted allowed uses.

Motion by Councilmember Kuzma, seconded by Councilmember Shryock, to introduce Ordinance #19-06 amending the Official Zoning Map for 6139 157th Lane NW.

Further discussion: Councilmember Musgrove asked and received confirmation that this would simply correct the zoning for the property to bring it into compliance. Councilmember Heinrich stated that in past meeting minutes the property owner has stated that she does not have interest in tobacco or alcohol related uses in the future. Community Development Director Gladhill confirmed that statement.

Motion carried. Voting Yes: Acting Mayor Riley, Councilmembers Kuzma, Shryock, Heinrich, and Musgrove. Voting No: None. Absent: Mayor LeTourneau.

7.07: Introduce Ordinance #19-03 Amending the Definition of Topsoil (Project No. 18-146)

City Planner Anderson reviewed the staff report and recommendation from the EPB and Planning Commission to approve the Ordinance, which keeps, but modifies, the topsoil standard for the reasons stated in the case. The Public Works Committee received an update from staff on the proposed ordinance amendment on February 19th and by consensus, the Committee supported presenting the amendment to the City Council. In addition, the Committee requested that staff consider tailoring proposed water conservation educational material differently to property owners of larger rural lots on private wells.

Ben Minks, Capstone, stated that staff did a great job of presenting this information. He explained how this relates to the market. He explained that they attempt to create an affordable housing product, and this is an area where money is being spent that does not accomplish the purpose it is intended to as well as it could be. He stated that if this change is implemented the average Ramsey lot within Brookfield, would save a couple thousand dollars per lot. He stated

that his company also works in the neighboring communities that staff surveyed, and this is a unique cost to Ramsey and is a disadvantage to affordability in comparison to the ten other communities they build within.

Councilmember Heinrich stated that she appreciates Mr. Minks bringing this forward to the City and appreciates that the adoption of this ordinance would provide a cost savings to new Ramsey residents.

Motion by Councilmember Musgrove, seconded by Councilmember Heinrich, to introduce Ordinance #19-03 amending the definition of topsoil.

Further discussion: Acting Mayor Riley noted that there will still be a requirement for topsoil, the definition will simply be changed to match other communities and will be easier for developers to meet.

Motion carried. Voting Yes: Acting Mayor Riley, Councilmembers Musgrove, Heinrich, Kuzma, Musgrove, and Shryock. Voting No: None. Absent: Mayor LeTourneau.

8. MAYOR, COUNCIL AND STAFF INPUT

City Administrator Ulrich announced upcoming meetings and events.

Councilmember Shryock stated that residents are not supposed to push snow from their driveway into the road or across the road and asked residents to keep snow confined to their own property which will help travel and access on the roadways.

City Administrator Ulrich stated that it is also important for fire hydrants to be shoveled out, which will save time in the event of a fire.

9. ADJOURNMENT

Motion by Councilmember Kuzma, seconded by Councilmember Heinrich, to adjourn the meeting.

Motion carried.

The regular meeting of the City Council adjourned at 9:09 p.m.

Respectfully submitted,

Kurtis G. Ulrich
City Administrator

ATTEST:

Katie M. Schmidt
Administrative Assistant

Drafted by Amanda Staple
TimeSaver Off Site Secretarial, Inc.