

Commissioner \_\_\_\_\_ introduced the following resolution and moved for its adoption:

**RESOLUTION #19-099**

**A RESOLUTION APPROVING THE ISSUANCE OF VARIANCES TO CUL DE SAC LENGTH AND BLUFFLINE SETBACKS FOR RIVER WALK VILLAGE**

**RECITALS**

1. Village Bank/D&N Management, hereinafter referred to as the “Permittee”, has properly applied for a Preliminary Plat for River Walk Village, which requires variances to the City Code requirements to subdivide and construct a 14 lot medium density residential subdivision on the property located at 6080 Highway 10 NW and Outlot A Dickenson’s Mississippi Estate 2nd Addition and legally described in Exhibit A (the “Subject Property”).
2. That the Permittee appeared before the Planning Commission for a public hearing pursuant to Section 117-53 of the Ramsey City Code June 6, 2019, and that the public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.
3. That the project requires the construction of a cul-de-sac at a total length of approximately 995 feet.
4. That Section 117-614 limits the maximum cul-de-sac length to 600 feet, measured along the centerline from the intersection of origin to the end of the right-of-way.
5. That the proposed cul-de-sac would comply with all other applicable standards.
6. That the existing cul-de-sac is approximately 500 feet.
7. That the proposed homes on three of the lots in the southeastern part of the subdivision (Lots 3, 4 and 5, Block 3) would require a variance from the required 30 foot setback from bluffline according to the MnDNR Shoreland Rules.
8. That the proposed house pads vary in distance from the bluff line, but are approximately 20 – 30 feet from the bluffline.
9. That the Subject Property is zoned R-1 Residential (MUSA) (Detached Single Family) and E-1 Employment and is proposed to be rezoned to R-2 Detached Villa, and the project shall be contingent upon the successful rezoning and comprehensive plan amendment re-guiding the subject property from residential/business park to medium density residential.
10. That the adjacent properties are zoned R-1 Residential (MUSA) (Detached Single Family) and E-1 Employment.

11. That the Subject Property is approximately 5.55 acres.
12. That the Subject Property was previously treated as an unpermitted dumping grounds for construction debris.
13. That the Subject Property is subject to the MRCCA and Shoreland Rules of the Mississippi River.
14. That the Permittee has proposed a 14 lot residential subdivision with detached villas.
15. That the protection of steep slopes and the shoreland area of the Mississippi River is a goal of both the State of Minnesota and the City of Ramsey.
16. That the shoreland rules are in place to protect the Mississippi River and the natural environment.

#### **FINDINGS OF FACT**

1. That the proposed use **will not** adversely impact traffic in the area.
2. That the proposed use **will not** substantially or adversely impair the use, enjoyment or market value of surrounding properties.
3. That the proposed use **will be** constructed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and such use **will not** change the essential character of the area.
4. That the proposed use **will not** create additional requirements at public cost for public facilities and services.
5. That the proposed use **will not** be detrimental to the economic welfare of the community.
6. That the proposed use **will not** be disturbing or hazardous to existing or future neighboring uses.
7. That the proposed use **will not** involve uses, activities, processes, materials and equipment and conditions of operation that may be detrimental to any persons, property or the general welfare, by reason of excessive production of traffic, noise, smoke or glare.

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

That the Ramsey Planning Commission hereby grants approval of variances (the “Variances”) to total cul-de-sac length and bluffline setbacks as it relates to River Walk Village on the Subject Property contingent upon the following conditions:

## CONDITIONS

1. That the **Permittee** shall construct the cul-de-sac in accordance with all other provisions of City Code and applicable state standards.
2. That the **Permittee** shall pave the cul-de-sac to City standards.
3. That the **Permittee** shall construct/reconstruct Rivlyn Avenue and the cul-de-sac to City standards, with no gaps between existing road and updated road.
4. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.
5. That future improvements on the lots shall be subject to the provisions of the MRRCA and Shoreland regulations, where applicable.
6. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this **Permit**.
7. That the **Permittee** shall obtain all necessary permits prior to commencing any construction of the **Building**, including a Building Permit.
8. 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.
9. That this **Permit** shall be tied to the recording of the Final Plat for River Walk Village and will expire if the Final Plat is not recorded.

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

and the following voted against the same:

and the following abstained:

and the following were absent:

whereupon said resolution was declared duly passed and adopted by the Ramsey Planning Commission this the 6th of June, 2019.



## Exhibit A: Legal Description

Parcel B:

Outlot A, DICKENSON'S MISSISSIPPI ESTATE SECOND ADDITION, Anoka County, Minnesota.

PARCELC:

That part of Lots 26 and 27 AUDITOR'S SUBDIVISION NO. 96, Anoka County, Minnesota, lying Easterly and Southeasterly of the following described line:

Beginning at intersection of Northerly shoreline of the Mississippi River and a line 75.00 feet Southeasterly of and parallel with the Southeasterly line of Lot 7, DICKENSON'S MISSISSIPPI ESTATE, said Anoka County, as measured along Southeasterly extension of the Northeasterly line of said Lot 7; thence Northeasterly along said parallel line 235 feet, more or less, to its intersection with the Southeasterly extension of Northeasterly line of said Lot 7; thence Northwesterly along said Southeasterly extension 75 feet to the Northeast corner of said Lot 7; thence Northeasterly along Northeasterly extension of said Southeasterly line 66 feet to Northeasterly right-of-way line of Rivlyn Avenue; thence Southeasterly along said right-of-way line to a point 500 feet Southeasterly (as measured along said right-of-way line) of the intersection of said right-of-way line with Southeasterly right-of-way line of Poplar Drive (now known as Tungsten Street N.W.) as shown on the plat of DICKENSON'S MISSISSIPPI ESTATE; thence Northeasterly parallel with said Southeasterly right-of-way line to its intersection with the Southerly line of the plat of ANOKA INDEPENDENT GRAIN AND FEED; thence Southeasterly and Northeasterly along the Southerly and Easterly line of said plat of ANOKA INDEPENDENT GRAIN AND FEED to the North line of said Lot 26 and there terminating.

And lying Westerly of the following described line: Beginning at the most Northerly corner of Lot 14, said AUDITOR'S SUBDIVISION NO. 96; thence Southerly along Northwesterly line of said Lot 14 to the most Westerly corner thereof; thence Southerly along Southwesterly line of said Lot 14 to its intersection with a line parallel with and 150 feet Northwesterly (as measured at right angle) of the Southwesterly extension of Southeasterly line of said Lot 14; thence Southwesterly along said parallel line a distance of 500 feet; thence Southwesterly deflecting to right 45 degrees 00 minutes 00 seconds a distance of 900 feet, more or less, to the centerline of the Mississippi River and there terminating.

EXCEPT that property dedicated by deed of dedication dated December 9, 1949 to the Township of Ramsey for public road purposes, recorded as Document No. 132840.

ALSO EXCEPT that part platted as DICKENSON'S MISSISSIPPI ESTATE SECOND ADDITION.

PARCEL D (proposed public roadway to be vacated):

That part of vacated Rivlyn Avenue accruing thereto by reason of street vacation.

Or Upon Recording:

Lots 1 – 7, Block 1, Lots 1 – 2, Block 2, and Lots 1 – 5, Block 3, River Walk Village, Anoka County, Minnesota

(The “Subject Property”)