

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

The Ramsey Planning Commission conducted a regular meeting on Thursday, April 2, 2020, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Chairperson Randy Bauer
 Commissioner Bruce Anderson
 Commissioner Cheri Gengler
 Commissioner Eric Peters
 Commissioner Gary VanScoy
 Commissioner Matt Woestehoff

Members Absent: Commissioner Torrey Johnson

Also Present: Senior Planner Chloe McGuire Brigl
 Deputy City Administrator Tim Gladhill
 City Planner Chris Anderson
 City Council Liaison Debra Musgrove

1. CALL TO ORDER

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

Deputy City Administrator Gladhill explained that the City is under a declaration of emergency and therefore City Hall has been closed to the public and meetings are being held by telephonic means. He provided details on how members of the public can provide input and how the meeting will run.

2. PRESENTATIONS

2.01: Receive Update on COVID-19 Emergency Declaration and Public Meeting Impacts

Deputy City Administrator Gladhill provided board updates on the impacts of public meetings due to local, County, State and Federal Emergency Declarations as it pertains to the work of Boards and Commissions. He reported that City Hall is closed to the public through at least May 4th.

2.02: Receive Update on Postponed Land Use Applications and Impacts of Minnesota Statutes Chapter 15.99 (60 Day Rule)

City Planner McGuire Brigl reviewed the staff report and provided an update to the Commission on the current cases and the impact of the State of Emergency on ongoing functions and the 60 Day Rule.

Chairperson Bauer asked for an update on any changes the State may make.

Deputy City Administrator Gladhill stated that the development community is concerned that municipalities would use this as a tool to continually delay action. He provided an update on recent legislative activity, noting that the League of Minnesota Cities continues to work on the topic in attempt to find language that could satisfy both parties.

3. CITIZEN INPUT

None.

4. APPROVAL OF AGENDA

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

A roll call vote was conducted by the Deputy City Administrator:

Commissioner Peters	aye
Commissioner VanScoy	aye
Commissioner Gengler	aye
Commissioner Woestehoff	aye
Commissioner Anderson	aye
Chairperson Bauer	aye

Motion Carried.

5. CONSENT AGENDA

5.01: Approve the March 5, 2020 Planning Commission Meeting Minutes:

Chairperson Bauer noted a few typos on the minutes that he could provide to staff.

Motion by Commissioner VanScoy, seconded by Commissioner Gengler, to approve the consent agenda with the changes suggested by Chairperson Bauer.

Commissioner Anderson	abstain
Commissioner Woestehoff	aye
Commissioner Gengler	aye
Commissioner Peters	aye
Commissioner VanScoy	aye

Chairperson Bauer aye

Motion Carried.

6. PUBLIC HEARINGS/COMMISSION BUSINESS

6.01: Public Hearing: Consider Resolution #20-060 Approving a Variance for 5805 148th Ln NW (Project 20-106); Case of Mike and Sarah St Clair

Public Hearing

Chairperson Bauer called the public hearing to order at 7:20 p.m.

Presentation

Senior Planner McGuire Brigl presented the staff report stating that staff recommends that the Commission adopt Resolution #20-060 approving a Variance for a detached garage at 5805 148th Ln NW.

Commissioner VanScoy referenced the easement and asked if the City is considering vacating the easement.

Senior Planner McGuire Brigl stated that public works is open to walking through the process, but there has not been communication with the southern property owner. She stated that the St Clair family was open to vacating the easement. She explained that the process to vacate an easement is lengthy and may be an option for the future, but staff believed that this was the best option to move forward.

Commissioner VanScoy stated that this lot and adjacent lots along the road could be subdivided and if the road were constructed it could serve all the homes along 148th. He noted that if the property were developed, beyond this, and the road were put in, that could create major issues for future development. He asked if there is a way to put the structure on the property without a variance.

Senior Planner McGuire Brigl stated that it is unlikely that the road would ever be built in this area. She explained that the goal would be to vacate the easement in the future. She stated that the variance is an intermediate step that would allow this to move forward in the building season. She explained that once the easement is vacated, the variance would not be necessary. She stated that staff feels that the requests meets the variance criteria. She explained that the easement on the property is unique as it a road easement with a full cul-de-sac that has never, and likely will never, be built upon. She commented that the City Attorney felt that this was the cleanest way to move forward at this time.

Commissioner VanScoy asked where the full turnaround could occur to the west of this property.

Senior Planner McGuire Brigl provided additional details on the existing dead-end of the road that could be expanded to a cul-de-sac.

Citizen Input

Mr. St Clair, applicant, stated that this is the only location for the structure that would be accessible from the road because of the topography of the property and location of the mature trees. He stated that this also makes sense with the layout of the existing home and detached garage. He stated that the proposed location of the building is setback at least 53 feet from the property line. He stated that their front yard is the west side of the property, noting that the detached garage was approved without a variance. He explained that the 53 feet would include the 33-foot easement with an additional 20-foot setback. He stated that they have been beekeepers for three seasons and provided additional information on the bees and upkeep.

Commissioner Anderson commented that the site does have a lot of trees and hills and there is already sand in the area they would be constructed the pole barn. He stated that this appears to be the only location the structure could be built without tree removal. He noted that he would prefer to issue a variance than to lose trees.

Councilmember Musgrove thanked the applicants for reaching out to their neighbors for input. She commented that this seems to be a reasonable request. She stated that if the applicants had a vehicle with a trailer, she would prefer to see it parked in the pole barn as proposed, rather than in the driveway and therefore believes this to be a good fit.

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

Commissioner Gengler	aye
Commissioner Peters	aye
Commissioner Anderson	aye
Commissioner Woestehoff	aye
Commissioner VanScoy	aye
Chairperson Bauer	aye

Motion Carried.

Chairperson Bauer closed the public hearing closed at 7:54 p.m.

Commission Business

Commissioner VanScoy stated that it sounds like a lot of this presumes that the road would never be built. He stated that if the area is developed in the future there would be issues that arise with the accessory building. He believed that there are other locations on the property that could support the structure without a variance but recognized that would be less convenient. He stated

that he finds it difficult to support the variance because convenience is not an element of the variance criteria. He stated that all residential properties have easements and therefore does not find that unique.

Senior Planner McGuire Brigl stated that variances do not set precedent and are individual to the property. She recognized that while most residential properties have drainage and utility easements, those are not counted in setbacks. She explained that the drainage and utility easements are simply included in the setbacks required from the property line, whereas this is a road easement.

Commissioner VanScoy asked if there would never be any further development in this area, as he believed that is an opportunity in the future. He explained that if the area is developed, the screening would be removed.

Chairperson Bauer recognized that while the existing property owners may have no desire to subdivide, future property owners may. He asked if the Commission could suggest that the City strongly look to vacate the road easement.

Senior Planner McGuire Brigl stated that the Commission could choose to approve the variance if desired, and then direct staff to look into vacating the road easement and noted that she would not suggest making one action contingent upon the other. She noted that neither property can currently subdivide.

Deputy City Administrator Gladhill stated that if the goal is to vacate the easement, this is a step that would allow the applicants to move forward with their request and staff can continue to pursue the vacation of the easement.

Commissioner Anderson stated that the variance is required because the side yard is turning into the front yard. He asked if there is a way to make the side yard the actual side yard, as a variance would not be required.

Deputy City Administrator Gladhill confirmed that if the easement is vacated, that would provide that resolution but noted that is a lengthy process and therefore staff suggested this step to allow the applicants to move forward during the building season.

Chairperson Bauer noted that granting the variance would allow the applicants to move forward with construction while the City goes through the process of vacating the easement.

Motion by Commissioner VanScoy to Deny Resolution #20-060 Approving the Issuance of a Variance to Construct a Detached Accessory Building within the Required Front Yard Setback at the Property at 5805 148th Ln NW.

The motion failed for lack of a second.

Motion by Commissioner Anderson, seconded by Commissioner Gengler, to Adopt Resolution #20-060 Approving the Issuance of a Variance to Construct a Detached Accessory Building within the Required Front Yard Setback at the Property at 5805 148th Ln NW.

Commissioner Peters	aye
Commissioner Gengler	aye
Commissioner Woestehoff	aye
Commissioner Anderson	aye
Commissioner VanScoy	nay
Chairperson Bauer	aye

Motion Carried.

Motion by Commissioner VanScoy, seconded by Commissioner Anderson, to recommend City staff begin the process of vacating the road easement.

Commissioner Anderson	aye
Commissioner Woestehoff	aye
Commissioner Gengler	aye
Commissioner Peters	aye
Commissioner VanScoy	aye
Chairperson Bauer	aye

Motion Carried.

7. COMMISSION BUSINESS

Following the motion recommending that the city vacate the easement, there was a discussion regarding the construction of a turnaround as supported by Fire and Police for safety reasons. It was determined that the current width of the easement will allow sufficient room for a turnaround. Any action to vacate the easement should allow for room for the construction of the turnaround. The Commission and the applicant were all supportive of this proposal.
~~None.~~

8. COMMISSION / STAFF INPUT

8.01: Receive Staff Update

Senior Planner McGuire Brigl noted that residents can find updated information on the City website related to COVID-19 and development related updates. She reminded all residents to fill out their census forms.

9. ADJOURNMENT

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

Commissioner Anderson	aye
Commissioner Woestehoff	aye
Commissioner Gengler	aye
Commissioner Peters	aye
Commissioner VanScoy	aye
Chairperson Bauer	aye

Motion Carried.

The regular meeting of the Planning Commission adjourned at 8:11 p.m.

Respectfully submitted,

Chloe McGuire Brigl
Senior Planner

ATTEST:

JoAnn Shaw
Community Development Assistant

Drafted by Amanda Staple
TimeSaver Off Site Secretarial, Inc.