

City Staff Note: these comments partially based on previous plan sheets. See Staff commentary below in red.

City of Ramsey
Department of Economic Development
Ramsey, MN 55303

RE: Proposed Plat by DC Ramsey LLC Townhomes

Dear Planning Commission,

We have reviewed the sketch plat and plan for the above titled development. While we support development of the property, it must be done appropriately. We have the following comments regarding the proposed plat:

1. The boundary transition plan for the adjacent R-1 zoned property north of the proposed lots 8 thru 14:
 - The proposed plat does not include a transition plan for the adjacent R-1 zoned properties.
 - In “Review of Sketch Plan for DC Ramsey, LLC Townhomes” (Plat) it is acknowledged that the underlying zoning of the adjacent north properties are R-1 but tries to utilize the justification that the use is commercial as to why the transition plans are not required. While the use may be commercial, the underlying R-1 zoning is still controlling. Furthermore, there is no commercial zoning listed on the official zoning map; it is only Business Districts (B-1, B-2, or H-1) zoning. Therefore, a transition plan would be required by the City of Ramsey Zoning Ordinance (Zoning) Chapter 117-110(a).
 - Considering Chapter 117-110(e).2 for a PUD, the landscape requirement should be determined by correlating the overall density to either R-1, R-2, or R-3. Since the underlying zoning is R-1 it is reasonable to use that correlation and require landscaping to meet Level 4 requirements. This requirement should be implemented for lots 8-14.
 - The Plat indicated that the border between the proposed development is mostly wetland. Only lots 1-7 and Outlot B are buffered by the wetland. We agree that no transition plan is needed for the wetland area. However, lots 8-14 have little to no wetland buffer to the adjacent property therefore the reasoning that a transition plan is not needed does not reflect the reality of the property.
 - In addition, Chapter 117-112(e).7. should be implemented for this development. This would require a minimum of 30 feet of buffer and a 10% increase in number of plantings.
 - The Plat also indicated the willingness to “trade” the transition plan for additional architecture features on the front of the property.

“Staff would like feedback on the density transitioning requirement. Staff is comfortable with the 20 feet of buffer, with some additional architectural features on the homes, which could include “fronts” of homes facing the public road to the south to increase visual interest and continue the trend of townhomes in the COR.

This “trade” does not seem to reflect the reasonableness of the flexibility of the ordinance. It would be a reasonable accommodation if the proposal was to improve the development facing the area that required the transition plan, however to “trade” for property features that face away from the transition areas does not align with the intent of the ordinance. We believe the ordinance is clear in requiring a transition plan with adjacent properties and should be implemented for this property and alternatives such as improving the rear facing of the structure is not a reasonable alternative to a transition plan.

- Because of the openness of the adjacent property, it is important that a transition buffer is included to prevent unintended assumption of property lines or public open spaces. Without the transitions, there may be future conflicts involving neighbors that do not realize the adjoining areas of the PUD are private property. The transition plan would define these areas and ensure future homeowners are aware of the property lines and features to avoid these conflicts.
2. Review of required grading plan.
 - For lots 1-14 it is important that the grading plan addresses the concerns regarding tying into elevations of adjacent properties, the required transition plan, and prevent any impact to the adjacent wetlands.
 3. Required wetland protections. **Wetland Buffer standards addressed. Author disagrees with delineation.**
 - Lots 1, 5, 6, and 7 have structures located in wetland buffer area.
 - Buffer averaging is not an acceptable practice. The purpose of a buffer is to protect the adjacent wetland. While averaging may appear to be protective on paper, in practice it will not provide the necessary protection as required by the Wetland Conservation Act (WCA) or the intent of the ordinance. There shall be minimum buffer distances maintained even if averaging is allowed and 50 feet (as indicated below) will provide the necessary protection of this resource for the greater public good and comply with state laws and the ordinance. **State Buffer Law does not apply. LRRWMO Buffer does apply (16.5 ft.)**
 - Chapter 117-145.2.c shall be implemented for this development. Therefore, there should be additional review of the drainage plan and grading plan. Consideration should be given to utilizing a buffer distance in alignment with the new Minnesota Buffer Law (2019 MN Statutes 103F.48) of 50 feet to provide the protection of this valuable resource and review the buildability of lots 1, 5, 6 and 7. There should be no rain gardens in the buffer area to ensure the integrity of the wetland buffer.
 - With regards to the WCA, it is important to consider the detrimental impact that the additional stormwater, both in amount and rate of runoff, will have on the wetland and would be in violation of WCA. Additional water at a faster rate will degrade the wetland and does not meet the intent of WCA.

Based on the above comments we request that the plat be adjusted to include a transition plan along lots 8-14, the grading plan be scrutinized to ensure compatibility with adjacent property elevations, and wetland protections be implemented to ensure no impacts and full compliance with the letter and spirit of WCA. We appreciate the time and consideration of the Commission and recognize that the property should be developed but in an orderly fashion that minimize impact on the environment and

provides the required transitions between development densities to ensure long term harmony between uses.

Sincerely,

Noah and Kimberly Barka
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