

City of Ramsey
Agenda
Regular Planning Commission
Thursday, December 3, 2020

7:00 pm
Council Chambers, 7550 Sunwood Drive NW

This meeting is being held in accordance with Minnesota Statutes 13D.021. Due to the COVID-19 Pandemic, it is not practical and prudent for all members of this board to attend in person. Current Minnesota law requires certain social distancing standards that impacts the capacity of the Council Chambers. For those at highest risk, it is advised to isolate themselves from the general public. For these reasons, it is not practical and prudent to have this meeting exclusively in person. Members of the public are welcome to attend in person or remotely.

Remote Attendance available at www.cityoframsey.com/meetings. To maximize social distancing due to the COVID-19 Pandemic, those that can join remotely are encouraged to do so. Those joining remotely and requesting to speak are asked to use a webcam when speaking.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Citizen Input**
4. **Approve Agenda**
5. **Consent Agenda**
 1. Approve the November 5, 2020 Planning Commission Meeting Minutes.
6. **Public Hearing**
 1. PUBLIC HEARING: Consider Resolution #20-283 Approving a Home Occupation Permit for Twin Cities Generator at 17040 Baugh St NW (Project No. 20-132); Case of Twin Cities Generator
 2. PUBLIC HEARING: Consider Resolution #20-281 Approving an Interim Use Permit for Storage Containers for Ve-Ve Inc. (Project No. 20-136); Case of John Vevea on behalf of Ve-Ve Inc.
 3. PUBLIC HEARING: Consider Resolution #20-282 Approving an Interim Use Permit for Storage Containers and Gravel Outdoor Storage Area at 8049 146th Ave NW (Project No. 20-137); Case of JBR Ramsey, LLC on behalf of Richard Lee
7. **Commission Business**
 1. Review Concept Plan for Rivenwick 4th Addition; Case of Lennar for Rivenwick 4th Concept Plan (Project 20-134)
 2. Review Sketch Plan for Bacon Property; Case of Bill Boyum

8. Commission/Staff Input

9. Adjournment

Regular Planning Commission

5. 1.

Meeting Date: 12/03/2020

By: JoAnn Shaw, Community Development

Information

Title:

Approve the November 5, 2020 Planning Commission Meeting Minutes.

Purpose/Background:

n/a

Notification:

Observations/Alternatives:

Funding Source:

Recommendation:

Action:

Attachments

[Planning Commission Meeting Minutes](#)

Form Review

Inbox

Tim Gladhill

Form Started By: JoAnn Shaw

Final Approval Date: 11/24/2020

Reviewed By

Tim Gladhill

Date

11/24/2020 09:07 PM

Started On: 11/19/2020 09:59 AM

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

The Ramsey Planning Commission conducted a regular meeting on Thursday, November 5, 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
 Planning Technician Brian McCann

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Chairperson Bauer led the group in the Pledge of Allegiance.

3. CITIZEN INPUT

None.

4. APPROVAL OF AGENDA

Motion by Commissioner Peters, seconded by Commissioner Anderson, to approve the agenda as presented.

A roll call vote was performed:

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

Chairperson Bauer aye

Motion Carried.

5. CONSENT AGENDA

5.01: Approve the October 1, 2020 Planning Commission Meeting Minutes

5.02: Review Sketch Plan for Northfork Meadows, Case of Lennar (Project 20-135)

Motion by Commissioner Anderson, seconded by Commissioner Peters, to approve the consent agenda as presented.

A roll call vote was performed:

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

Motion Carried.

6. PUBLIC HEARINGS/COMMISSION BUSINESS

6.01: Public Hearing: Consider Resolution #20-243 Approving a Conditional Use Permit for Additional Outside Storage Space at 6820 143rd Avenue NW (Project No. 20-133); Case of Molin Concrete Products Company

Public Hearing

Chairperson Bauer called the public hearing to order at 7:05 p.m.

Presentation

Senior Planner McGuire Brigl presented the staff report stating that staff recommends approving Resolution #20-243 granting a Conditional Use Permit for outside storage on the subject property not to exceed 35 percent of the lot size.

Citizen Input

No comments made.

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

A roll call vote was performed:

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

Motion Carried.

Chairperson Bauer closed the public hearing closed at 7:07 p.m.

Commission Business

Motion by Commissioner VanScoy, seconded by Commissioner Gengler, to recommend that City Council adopt Resolution #20-243 approving a Conditional Use Permit for outside storage on the subject property not to exceed 35 percent of the lot size.

A roll call vote was performed:

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

Motion Carried.

6.02: Public Hearing: Consider Resolution #20-189 and Resolution #20-257 Approving Multiple Items Related to Outside Storage at 6300 Bunker Lake Boulevard NW (Project 20-124); Case of Lawn Monster

Public Hearing

Chairperson Bauer called the public hearing to order at 7:09 p.m.

Presentation

Planning Technician McCann presented the staff report stating that staff recommends approval of this case, contingent upon amendments as outlined in Resolution #20-189. The Planning Commission may add a termination date of five years from the date of approval for the Interim Use Permit, per past approvals and as allowed by City Code.

Senior Planner McGuire Brigl stated that this case arose through code enforcement.

Commissioner VanScoy stated that a blanket statement was made that there are other businesses that have structures within the 35-foot setback in that area and asked to what extent.

Planning Technician McCann stated that he does not have the exact number but displayed an aerial view that shows multiple businesses with encroachments.

Commissioner VanScoy stated that in the previous case there was a specific percentage of outdoor storage that would be allowed and asked if the current amount of outdoor storage could be validated as well as the percentage.

Senior Planner McGuire Brigl stated that in this case the outdoor storage would be based on the proposed site plan and provided details.

Commissioner VanScoy stated that it is his understanding that the ordinance allows a specific percentage of outdoor storage, 30 percent. He stated that this case is a legal non-conforming case and asked why the amount allowed would not be specified.

Senior Planner McGuire Brigl commented that this request is for a Conditional Use Permit to expand the legal non-conforming use, so it would be based on the site plan rather than a percentage. She stated that staff could complete the calculation and identified the area proposed for outdoor storage.

Commissioner VanScoy commented that it would appear that over half of the site would be allowed for outdoor storage.

Deputy City Administrator Gladhill noted that this site predated the establishment of the City and therefore the CUP tool would be an adequate tool to use in this case. He stated that it would be difficult to compare this site to the last case, as there needs to be acknowledgement of the lawful nonconforming protection.

Chairperson Bauer stated that the applicant indicated that they would like this to be permanent while the interim use would be for five years. He asked why the City is using the interim use tool if the desire would be for this to be permanent.

Senior Planner McGuire Brigl explained that there are allowed conditional uses within each zoning district and hoop buildings are not a listed conditional use. She stated that the only tool to allow this structure would be an interim use permit. She noted that two additional structures of this nature have been allowed within the City for salt storage through a similar Interim Use Permit process. She confirmed that when the five-year period expires, it would be reviewed and could be extended.

Councilmember Musgrove asked whether the Commission or staff looks at this type of structure differently for businesses and residential use. She noted that the Council does not desire these structures in residential areas, but the Public Works site uses this type of structure for salt. She asked if a condition could be added that the structure be placed on an appropriate surface.

Commissioner Anderson commented that this is a nonconforming site, noting that the whole site is dirt and without gravel or asphalt. He asked why the business would not want to build a permanent structure on the site. He stated that if the intent is to have retail operation there should be a permanent structure that is presentable.

Senior Planner McGuire Brigl commented that Lawn Monster is a tenant of the building and therefore investing in a permanent structure when you do not own the property would be a burden, especially in the current economical climate. She stated that for salt storage this type of structure would make more sense and follow industry standard.

Commissioner Anderson asked if the applicant has plans to update the site with class five gravel.

Senior Planner McGuire Brigl commented that staff has made that request and has worked with the property for multiple years related to code enforcement. She confirmed that could be added as a condition.

Commissioner Gengler asked for clarification on the covering.

Senior Planner McGuire Brigl stated that during the summer months there would only be the poles and cement base and the tarp/membrane structure would be used in the summer. She commented that staff would recommend the covering stay on (in good repair) year-round.

Commissioner VanScoy asked for clarification on other encroachments within the 35-foot setback.

Senior Planner McGuire Brigl reviewed some of the neighboring encroachments.

Deputy City Administrator Gladhill stated that something similar was done for another Highway 10 business, near Tungsten, a few years back noting that business is a similar use.

Councilmember Musgrove asked if the neighboring properties with encroachments are also legal nonconforming.

Senior Planner McGuire Brigl confirmed that those properties are also legal nonconforming as the buildings were constructed prior to the current setbacks being in place.

Commissioner VanScoy commented that if a variance is allowed for a situation in which the applicant created the problem without a permit that would place the City in a position where it could have to approve similar requests in the future. He stated that when he drove past the site, he did not see the metal hoops on the concrete structure.

Senior Planner McGuire Brigl commented that the hoops were up the previous week but there were some improvements being made and it could have been moved.

Commissioner VanScoy asked for details on the surface under the structure.

Planning Technician McCann replied that the surface is concrete.

Councilmember Musgrove asked if the concrete base was installed by the applicant or part of the legal nonconforming.

Senior Planner McGuire Brigl replied that those things were done within the last six months and are not part of the legal nonconforming.

Deputy City Administrator Gladhill stated that if there are more types of these requests, perhaps the variance is not the tool the City would like to use in the future. He stated that typically these small structures want to be closer to the back property line and could be considered for a Code adjustment in the future.

Commissioner Woestehoff asked if this would be considered a structure if it were just the concrete sides and did not have the metal hoops. He stated that he has worked at a landscaping company and it was not uncommon to have concrete walls between materials that could be loaded in a truck.

Senior Planner McGuire Brigl replied that if there was not a roof it would not be considered a structure. She stated that the preference of staff would still be to have it within the yellow area behind the building.

Commissioner Woestehoff asked for details on the traffic flow of the site and why the proposed location would make the most sense.

Senior Planner McGuire Brigl commented that unfortunately the applicant is not present but in past discussions the applicant stated that this was the best location. She commented that this is a large site, so most likely other sites could work.

Commissioner Woestehoff asked where the entrance to the site is.

Senior Planner McGuire Brigl identified the entrance to the site.

Commissioner Woestehoff stated that he does not feel that is an adequate reason to put it so close to the fence. He stated that he would be more likely to support the request if it were in a different location, as suggested by staff.

Citizen Input

No comments made.

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

A roll call vote was performed:

Commissioner Anderson aye

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

Motion Carried.

Chairperson Bauer closed the public hearing closed at 7:38 p.m.

Commission Business

Commissioner VanScoy commented that he is not opposed to the use proposed but is concerned with the variance to place the structure within five feet of the property line.

Commissioner Woestehoff echoed those comments noting that this is not a situation where the plight is not caused by the landowner, noting that there are other locations where the structure could fit on the property.

Chairperson Bauer stated that the Commission could table this and request the applicant to be present to answer some of the questions raised tonight.

Senior Planner McGuire Brigl commented that while that is an option, the longer this is pushed out the more likely the blocks would be frozen into the ground and unable to be moved.

Motion by Commissioner VanScoy, seconded by Commissioner Peters, to recommend that City Council adopt Resolution #20-189 approving an Interim Use Permit (IUP) for use of a membrane accessory structure and Conditional Use Permit (CUP) for expansion of outdoor storage.

Further discussion

Deputy City Administrator Gladhill clarified that this action is simply for the IUP and CUP and does not yet address the variance.

A roll call vote was performed:

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

Motion Carried.

Motion by Commissioner VanScoy, seconded by Commissioner Anderson, to deny Resolution #20-257 approving a Variance to reduce the rear building setback of the membrane structure for Lawn Monster.

A roll call vote was performed:

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

Motion Carried.

6.03: Public Hearing: Review Conditional Use Permit Request for Fill within a Floodplain at 6349 168th Circle NW; Case of John and JoDell Seaman

Public Hearing

Senior Planner McGuire Brigl commented that 11 written comments in support were entered into the record and provided to the Commission prior to the meeting.

Chairperson Bauer called the public hearing to order at 7:44 p.m.

Presentation

Senior Planner McGuire Brigl presented the staff report and stated that due to the degree of policy/legislative discretion of this case, staff needs policy direction from the Commission and has forwarded this case in the event that the Commission is ready to make a contingent recommendation. The applicant is willing to extend the application period if more information is necessary. At the end of the day, staff felt it was important to discuss with the Commission due to the time it has taken to get to this point. Staff desired to ensure that the current direction to find a compromise solution is still appropriate before investing more staff resources into this project.

Commissioner Anderson asked if this floodplain is part of the 100-year floodplain and the chances of this area flooding.

Senior Planner McGuire Brigl confirmed that this area is part of the 100-year floodplain. She stated that a 100-year floodplain equates to a one percent chance of flooding during a year.

Commissioner Anderson stated that he would be more concerned on whether this would alert the flow of water. He asked if there have been comments received from the DNR.

Deputy City Administrator Gladhill stated that this is a backyard, and it would not impact a structure. He stated that the chances of flooding are minimal. He stated that there have been

numerous conversations with the DNR Floodplain Manager and the fact that this is before the Commission shows that there is a path to approval, if desired. He stated that the watershed was not consulted because the disturbance is under the one-acre threshold. He noted that the City, DNR and FEMA have been involved in the review of this request.

Commissioner Anderson asked if the necessary approvals were gained from the City for the retaining wall construction.

Senior Planner McGuire Brigl replied that there were no approvals for the retaining wall. She stated that a contractor did reach out last year and staff noted the necessary regulations and that a wall over four feet requires a permit. She stated that originally the wall was measured at four feet tall, but one layer of brick has since been removed to come under that height. She stated that the DNR has helped staff find a path to approval but does not provide recommendations. She explained that the DNR is available as a tool and resource but does not make a recommendation or approval.

Chairperson Bauer asked the options that would be available if this were approved and the calculations come back above zero percent rise.

Senior Planner McGuire Brigl replied that staff is hopefully that the results will show a 0.0 percent rise, but if rise is created the applicant could completed remediation of the rise elsewhere to mitigate that rise.

Chairperson Bauer stated that this intrudes on a portion of the conservation and trail easement and asked what would need to be reimbursed.

Senior Planner McGuire Brigl replied that the City on occasion vacates drainage and utility easements but does not typically vacate conservation easements. She estimated that the cost would be about \$1,000 and staff would recommend that the homeowner pay that amount.

Commissioner VanScoy stated that staff indicated that the applicant did not obtain a building permit for the wall and indicated that a contractor contacted the City in advance. He asked if the applicant was aware that they were building a retaining wall in a conservation easement and floodplain and still proceeded.

Senior Planner McGuire Brigl suggested that the applicant answer that question.

Commissioner Anderson stated that perhaps neighboring property owners would want to construct retaining walls and asked if those property owners would also need to obtain CUPs.

Senior Planner McGuire Brigl confirmed that a CUP would be required along with vacation of the conservation and trail easement. She stated that the easement varies from site to site and some property owners have more usable backyard space outside of the easement.

Councilmember Musgrove referenced the letter sent to the residents and asked if the Commission has a copy of that letter. She felt that the information in the letter could be helpful to clarify some

of the questions. She asked if there are not other violations to the floodplain because of the variations to the floodplain.

Senior Planner McGuire Brigl replied that there are a lot of structures close to the easement and along the trail. She noted that staff completed a high-level analysis, and they encroach, most are one to two feet into the easement, and there were no unpermitted structures. She stated that some things, such as swing sets will need to be moved and the property owners have been alerted to that. She stated that the larger structures did not appear to encroach.

Councilmember Musgrove asked if this is land that the property owner owns and pays taxes on but cannot do anything on because of the easement.

Senior Planner McGuire Brigl confirmed that to be true. She commented that it is very common in more rural areas. She stated that almost all properties have drainage and utility easements around the property lines. She noted that properties along other features such as the river, a bluff, or wetland have similar restrictions.

Councilmember Musgrove commented that the difference she would see in this case is that the City received funds for the easement.

Councilmember Woestehoff asked for more information on a holistic approach for the neighborhood as he felt that this situation could come forward again. He commented that there is a steep drop and there are not enough trees on the hillside to prevent the constant runoff. He asked if the easement could match the floodplain or trail itself.

Senior Planner McGuire Brigl stated that is something staff would like to bring to the City Council as it seems more logical for the conservation boundary to follow two or three feet off the trail. She noted that would require repayment of the funds. She stated that when people purchase a home in this area the easement is on the title documents, but it has been said that builders and realtors are not alerting buyers to that.

Commissioner VanScoy asked whom the City would pay back for a change to the easement.

Deputy City Administrator Gladhill stated that there is a funding pot allocated by the State Legislature which provides funding for this type of activity. He commented that the easement was acquired for about \$75,000 in 2005 but recognized that would be a higher value today. He stated that there is a process outlined for vacating that type of easement that would come along with a valuation.

Commissioner VanScoy asked who was paid \$75,000 for the easement.

Deputy City Administrator Gladhill stated that the City secured the easement rights from the property owner at the time, Oakwood Land Development. He stated that the easement allowed the City to have the trail and obtain the easement which helps to protect the corridor.

Commissioner VanScoy stated that it is his understanding that taxes are based on the value of the home and property and not based on the size of the lot.

Deputy City Administrator Gladhill confirmed that to be generally correct. He stated that encumbrances on property typically have some impact on land values.

Commissioner VanScoy commented that he has a one-acre lot but about 75 percent of the lot is encumbered by wetland and buffer area, but the value of his home is still comparable to the other lots/homes in his development.

Citizen Input

JoDell Seaman, applicant, stated that Capstone told them that they could do what they wanted up to the middle of the brook and they experience continuous washouts on their property. She stated that she has sent multiple emails to City staff about the issue and their communication with Capstone related to that washout and trees falling onto their property and the trail. She stated that the email from staff to the contractor stated that they could go about 25 to 30 feet from their home and would need to work around the easement. She stated that the builder told them that he came to the City and identified the location they could use. She stated that they have cleaned up trees that have fallen, unaware of the easement. She stated that they were also unaware that a permit would be needed as they were under four feet. She stated that in the spots on the wall that reached four feet, they removed the top layer of brick. She stated that there are trees removed, retaining walls and fire pits that are within the easement throughout that area. She stated that they were not attempting to create additional land use in their backyard but are trying to correct the problems they experience from washout and trees falling. She stated that they want to plant additional trees to replace those that have fallen. She stated that she was not made aware of the different aspects of their yard until this process. She commented that the easement on their property comes up to ten feet from their home. She stated that if she were aware that this issue was the responsibility of the City, she would have placed the burden on the City. She commented that they feel that they were setup for failure from the beginning with the grading of the site.

Councilmember Musgrove asked the number of trees that have fallen in the applicant's backyard. She noted that it also appears that there are a number of dead trees in the neighboring lot.

Mr. Seaman replied that three or four trees have fallen in their yard and they removed one additional tree because of unsafe conditions.

Mrs. Seaman stated that the neighboring property owner pleaded with Capstone about the dead trees and she was told by both Capstone and the City that the trees could not be removed. She commented that one of those dead trees actually hit the neighbor's home and caused damage. She stated that following that incident the neighbor was allowed to remove the dead trees in that area at their expense. She stated that she has now found out that trees removed could result in a fine to the property owner but explained that those trees were removed because they were hazards and caused unsafe conditions.

Justin Gross, 7344 168th Circle Drive NW, commented that he supports the retaining wall. He commented that it looks nice. He echoed the comment that there are a lot of dead trees that need to be removed. He noted that snow removal could be pushed to the other side of the trail. He stated that he supports this request.

Cindy Schulwalter, 6967 170th Trail, stated that she purchased a lot and found that it would not support a walkout rambler therefore they relinquished that lot to the builder and purchased a walkout rambler that was already constructed. She stated that she was never told that there were restrictions on the property and had been told that they could do whatever they wanted up to the middle of the brook. She stated that she was told it was her land to do what she wanted. She stated that when the neighborhood was first realized there was an association but was glad to find out that the association is no longer in existence. She stated that although the trail is nice, it also causes nuisance. She stated that she has now found out that the easement area is not their land to do what they want with but if someone is injured on their property, they would be responsible. She stated that there is also an old dump in that area which is hazardous. She stated that if the City wants the property of the easement, it should complete the maintenance as large tree limbs often fall. She stated that trees were damaged by the creation of that trail and continue to die. She stated that it has been frustrating to find out that there are encumbrances on the property, along with the problems they have with erosion. She stated that it was written into their purchase agreement that if there were issues with erosion the builder would need to construct retaining walls in the back and side yards, but the builder did not fulfill that agreement. She stated that they have also found out that after the builder received the certificate of occupancy, additional fill was brought into the site. She stated that when they brought the issue to the attention of City staff, about the grade that exceeds 20 percent, staff came to the property and she was told to “go inside and let the men talk about it”. She stated that she is upset about this issue. She stated that she has one retaining wall even though they need a second retaining wall, which the builder refuses to complete, and she has now been alerted by the City would not be allowed. She asked if the reference to altering the line of the easement would align with the floodplain. She noted that a majority of her backyard is floodplain.

Senior Planner McGuire Brigl explained that the easement would not be extended and would only be reduced if that were to be the direction of the Council. She stated that in spaces where more easement exists further than the trail, it could perhaps be adjusted to within two or three feet of the trail.

Ms. Schulwalter stated that she has backyard on both sides of the trail.

Senior Planner McGuire Brigl stated that if an adjustment is made it would only be made to the backyard side of the trail.

Deputy City Administrator Gladhill stated that the conservation and trail easement is shown on all property titles and the City is considering a compromise to pull back the easement and follow the southern boundary of the trail to allow property owners to maximize the usable backyard space. He stated that the north side of the trail contains considerable floodplain and wetlands therefore there would still be restrictions on use in that area. He stated that if the entire conservation and

trail easement were vacated it would have a potential cost of \$100,000 and there would still be other restrictions from the wetlands and floodplain.

Ms. Schulwalter asked the point of the easement if the land is already protected.

Deputy City Administrator Gladhill replied that it provides an extra layer of protection for the scenic area in terms of vegetative management and of the tree canopy cover.

Ms. Schulwalter commented that if the City wants that easement, it needs to manage that area. She stated that there are dying trees everywhere in the easement with large branches that fall onto the trail daily.

Deputy City Administrator Gladhill stated that staff can talk about a forestry management plan. He stated that if there is a safety hazard, that can be discussed as there are opportunities for vegetative management. He stated that is part of the broader neighborhood discussion that will be held and would like to focus the discussion tonight on the question of floodplain fill.

Ms. Schulwalter stated that they have been told by City workers that they appreciate the residents taking care of the lawn areas as it results in less work for them. She stated that after she moved in, she submitted a complaint via email as tree trimming was completed and the branches were left in her yard.

Josh Schulwalter, 7341 168th Circle NW, commented that he experiences dead tree fall in their yard and have additional dead trees. He stated that they also have washout in their yard because of the grading. He stated that they installed a fence on their property to prevent cyclists from going into their yard from the trail. He stated that Capstone told them that the path could not be obstructed but they were not advised of the floodplain or easement. He stated that the path is better because of the retaining wall and the people are not attempting to impede on the path but make it nicer for the community.

Tim Tyler, 7323 168th Circle, asked if the City does a survey when they plan to build a community.

Chairperson Bauer replied that the developer is responsible for preparing those plans and marking those restrictions.

Mr. Tyler commented that it was then the responsibility of Capstone to alert potential buyers of the restrictions. He asked for clarification on the ownership of the land within the easement.

Deputy City Administrator Gladhill replied that the City holds an easement on top of private property and the easement gives the City certain rights. He stated that Capstone was required to do additional surveying and submit the information to FEMA, which is reflected on the certificate of survey.

Senior Planner McGuire Brigl stated that the City keeps records of surveys but does not complete the surveying itself.

Ben Pearson, 7371 168th Circle, thanked the Commission for taking the time to consider this request. He stated that he used to do professional landscaping and built retaining walls. He stated that the wall built by the applicant is a fine example of a professionally built wall and is a great addition to the neighborhood. He stated that it is his understanding that the only reason this is before the Commission is a result of a complaint. He noted that he is unsure that is the case and instead feels that this is an instance of the City wanting to play “big brother” and tell people what they can do on their own property. He commented that he does not believe the statement that the property value takes into account the encumbrance. He stated that his lot is smaller but is still valued the same as larger lots without the easement, while those properties owners get a lot more use of their lot. He stated that there are three massive oak trees on his property that have oak wilt and will die and impact other trees on the property. He stated that the property owner has a right to remove trees within the easement if there is an issue with safety. He stated that he has already removed two trees on his property in the easement because they were dead, and it was a hazard. He stated that he never would have purchased this property if he knew that this would be the case.

Chairperson Bauer commented that it is the responsibility of the City to enforce code violations. He stated that he does not have the background information about a complaint and noted that typically the City does not proactively look for violations.

Mr. Pearson commented that this is a small retaining wall that will not alter the floodplain.

Kendall Pane, 7336 168th Circle NW, stated that she wrote a letter of support. She echoed the comments of Mr. Pearson that a mountain has been made out of a molehill. She felt that the property owners pay taxes based on their lot size. She stated that even if a portion of the property is wetland, it still adds value to the property even if it is unusable. She stated that the applicant is paying taxes on the property and the wall does not encroach on the path. She supported the idea of the City adjusting the easement to match the path as there is a lot of confusion as to property rights. She stated that the wall has been built and did not see a benefit in making the property owners take the wall down. She asked the City to find a way to move forward that does not require the applicants to remove the wall.

Ms. Schulwalter stated that if the property owners are not going to be able to do anything with their land, she would like the money for that land and the City own it outright rather than have that easement.

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

A roll call vote was performed:

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

Motion Carried.

Chairperson Bauer closed the public hearing closed at 8:58 p.m.

Commission Business

Commissioner VanScoy stated that the retaining wall is close to the trail and asked if there would be an impact to snow removal.

Deputy City Administrator Gladhill stated that the placement is not ideal but manageable. He stated that there would be more concern if this was the situation along the entire corridor as they prefer to see things at least two feet from the trail.

Motion by Commissioner Anderson, seconded by Commissioner Peters, to recommend that City Council adopt Resolution #20-256 approving the Conditional Use Permit for floodplain fill at 7349 168th Circle NW.

A roll call vote was performed:

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

Motion Carried.

Commissioner VanScoy stated that there were a lot of concerns and issues raised tonight by residents and asked how staff intends to address those.

Deputy City Administrator Gladhill stated that additional information has been provided to homeowners in attempt to be more proactive, similar to what they do for river corridor property owners. He stated that they can continue to respond to individual requests as they come forward. He stated that staff is also going to seek direction from the Council in order to make the regulations easier to interpret. He stated that staff will also gain a better understanding of the financial impact to adjusting the easement and will bring that forward for Council consideration as well.

7. COMMISSION BUSINESS

7.01: Review Concept Plan for Rivenwick 4th Addition; Case of Lennar for Rivenwick 4th Concept Plan (Project 20-134)

Presentation

Senior Planner McGuire Brigl presented the Staff Report stating that staff recommends retaining the existing PUD as is. This guides land along Highway 10 for retail/commercial and leaves viable commercial pads with visibility on Highway 10.

Commission Business

Chairperson Bauer stated that he would follow the guidance of the EDA, noting that most retailers want Highway 10 visibility. He stated that he would prefer to leave the area as retail.

Commissioner Peters agreed that would be too much residential next to the highway and the retail portion should remain.

Commissioner VanScoy concurred.

Commissioner Anderson stated that when this parcel has come up in the past, the Commission worked hard to determine the land use and found that commercial use along the highway was the best use of the space and he still agrees with that.

Commissioner Woestehoff agreed, stating that there has already been a compromise for this parcel to meet the current PUD and would not want to amend it further.

Commissioner Gengler agreed.

7.02: Discussion Item: Potential Interim Use Permit of Storage Containers for Ve-Ve Inc. (Project No. 20-136); Case of John Vevea on behalf of Ve-Ve Inc.

Presentation

Planning Technician McCann presented the Staff Report and asked the Commission to provide the applicant with any feedback, recommendations, and/or concerns related to the use of two storage containers for Ve-Ve Inc.

Commission Business

Chairperson Bauer commented that currently an accessory building is supposed to match the color/materials of the primary structure. He stated that the storage container could be painted to match the building, which would at least be closer to the Code.

Senior Planner McGuire Brigl commented that even if painted to match, the containers would not meet City Code provisions. She stated that if there are two of these structures located on a commercial property in Anoka, noting that they blend in with the building when driving by.

Commissioner VanScoy commented that he could see considering this on a temporary basis as there is a need to have additional space while the business grows. He commented that five years seems like a long time and does not seem temporary. He stated that he would not support this

permanently. He stated that he could support two years. He stated that he would not be in favor of amending the Code to allow these types of structures.

Commissioner Anderson echoed the comments of Commissioner VanScoy. He stated that he does not like using storage containers as they look good for a short time and then degrade and do not fit the character of Ramsey.

Commissioner Peters commented that the containers are metal and will rust out over time.

Commissioner Woestehoff commented that he would be okay with it on a temporary basis in this industrial district.

Senior Planner McGuire Brigl commented that the applicant was looking to use this as a permanent solution and therefore if an IUP is approved, the applicant would most likely come back to request extensions.

Tony Frolick, 6859 Lakewood Drive, stated that he represents Ve-Ve's for the storage units. He stated that they are experiencing heavy growth rather than steady growth. He stated that they have priced out making a permanent structure, but the expense would be a risk without knowing where the growth is going in the future. He stated that this would be a temporary solution, with a minimum of five years, to allow the company to further review the growth trend. He stated that they would keep the structures painted and maintained. He hoped that the City would consider the request.

Chairperson Bauer stated that it appears the applicant is asking if there would be support to change the Code and it is obvious that the Commission would not be in favor of that. He hoped that would provide the potential applicant with direction and save them the expense of going through the formal application process.

Councilmember Musgrove asked how this would impact or effect the business and the value that these containers would be, if allowed on a temporary basis.

Mr. Frolick explained that the applicant has many boxes on pallets that are stacked within the shop and it takes additional time to find the appropriate box. He stated that the container would allow better access to the boxes and materials and would provide additional temporary working area. He stated that if the growth continues the business could consider adding a permanent addition to the building. He stated that this would assist in the operations and production of the business.

Councilmember Musgrove asked what other communities allow.

Mr. Frolick commented on the allowances that he has seen in other communities. He stated that these are great temporary structures for different types of things that provide assistance to businesses.

Senior Planner McGuire Brigl commented that she has not reviewed neighboring community regulations but noted that Ramsey is unique in its use of Interim Use Permits to provide more

flexibility. She stated that more rural communities outside the metro tend to allow this type of structure.

Commissioner VanScoy stated that he is not interested in changing the ordinance to allow this but would support an IUP in certain circumstances. He believed that there should be additional control including the length of time allowed.

Commissioner Gengler stated that using an IUP allows the City to add stipulations and clarifications based on the request. She commented that the container could have its time and place and should be a short-term solution. She acknowledged that a business may need expansion space without being able to make a permanent expansion to their building and therefore would support this as an IUP.

Commissioner VanScoy asked the process if an applicant were to come back after expiration of an IUP.

Senior Planner McGuire Brigl stated that the applicant would go through the process again if they wanted to obtain another IUP.

Commissioner Woestehoff stated that he agrees with what has been said but would be comfortable with a term of three to five years for this type of IUP application.

Chairperson Bauer commented that it appears there is enough support for the applicant to submit an IUP application.

8. COMMISSION / STAFF INPUT

Chairperson Bauer congratulated Councilmember Musgrove on her reappointment to Councilmember Elect Woestehoff for his projected appointment to the Council. He encouraged them both to continue in a Planning Commission Liaison position because of their experience with the Commission.

Senior Planner McGuire Brigl commented that Planning Consultant Maass accepted another position and will no longer be working with Ramsey through WSB.

9. ADJOURNMENT

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

A roll call vote was performed:

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

Chairperson Bauer aye

Motion Carried.

The regular meeting of the Planning Commission adjourned at 9:36 p.m.

Respectfully submitted,

Chloe McGuire Brigl
Senior Planner

ATTEST:

JoAnn Shaw
Planning Division Secretary

Drafted by Amanda Staple
TimeSaver Off Site Secretarial, Inc.

Regular Planning Commission

6. 1.

Meeting Date: 12/03/2020

By: Brian McCann, Community
Development

Information

Title:

PUBLIC HEARING: Consider Resolution #20-283 Approving a Home Occupation Permit for Twin Cities Generator at 17040 Baugh St NW (Project No. 20-132); Case of Twin Cities Generator

Purpose/Background:

The purpose of this case is to review a Home Occupation Permit request from Jesse Larson (the "Applicant") for operating his business, Twin Cities Generator (the "Business"), at 17040 Baugh Street NW (the "Subject Property"). His business operations involve the repair, installation, rental, and sales of generators for residential and commercial uses. The Applicant would be purchasing the new property and building a new, detached garage on the Subject Property to entirely house the business use after outgrowing his current residential property. The City Code does not allow a detached structure to be used entirely for business purpose without a Home Occupation Permit.

Notification:

The City attempted to notify Property Owners, as reflected in the Anoka County Property Records, within 350 feet of the Subject Property of the request.

Observations/Alternatives:

Summary

Jesse Larson (the "Applicant") of Twin Cities Generator (the "Business"), is moving forward with purchasing the home at 17040 Baugh St NW and contacted the City about the possibility of extending his home-based business. Mr. Larson is seeking a recommendation to approve a Home Occupation Permit for his business which involves repair, installation, rental, and sale of generators. This began as a code enforcement issue for off-street parking regulations and exterior evidence of a home-based business without a permit at his current home of 7230 152nd Ave NW. The Applicant is now seeking to purchase a new property and build a detached structure to house all business items onsite, except one automobile.

Site Information

The Subject Property is approximately 1.6 acres in size, zoned R-1 Rural Developing Residential Zoning District. The current owner has signed off on the Applicant's application, as he is not the current owner of the property. He will be purchasing the property and home, then constructing a separate garage near the back property line where he will continue business practices. The proposed location of the second garage is near the southwest corner of the property. The Applicant has proposed a 2,400 square foot secondary garage (maximum size allowed) for his business, with a class V gravel driveway leading to the building. The garage, Home Occupation, and driveway will all require approved permits before installation. There is a large layer of vegetative screening along the south property line, separating 17040 and 17030 Baugh St NW (Birchem Sanitation). The Applicant has noted the second proposed building and all aspects of the business and property would be managed and maintained by the owner.

Current Regulations

In his questionnaire, the Applicant the Business as a generator dealer and electrical contractor, with occasional transportation of generator and generator parts for repairs. Most business is conducted in a home office. Approximately two (2) vehicle trips are made daily for business operations, and there are not any additional employees for the Business. At his current address, generator parts and equipment are stored in the garage connected to the home, but they will be moved to the accessory structure once construction is completed.

The Business does not meet the vehicle and signage regulations of the Home Occupation section of City Code that is allowed to be approved by City Staff administratively. The Applicant currently has two commercial vans dedicated to business practices, as well as three signs exceeding the allowed number and size of signage. City Staff is not supportive of both vans being stored outside, nor more than one sign exceeding two (2) square feet. Photos are attached to this case to show current business operations including storage, signage, and vehicles. This proposal requires a Home Occupation Permit approved by City Council due to the extent of business use onsite.

Staff is generally supportive of the proposal, as it is just storage onsite and the building should be large enough to store all items inside and contain the operation. Staff will include specific conditions related to outdoor storage in the permit to ensure that the use remains contained onsite and in compliance with City Code. These types of permits are able to be revoked if the Applicant was not in compliance with the conditions listed on the permit. These types of permits run with the owner, and not the land, so future homeowners would not be able to use the garage for business use without getting their own permit.

Code Sections

- R-1 Section of Code, Chapter 117-111
- Home Occupation Section of Code, Chapter 117-351
- Public Nuisances Section of Code, Chapter 30-3

Funding Source:

All costs associated with this request are the responsibility of the Applicant.

Recommendation:

Staff recommends approving Resolution #20-283 granting a Home Occupation Permit on the Subject Property.

Action:

Motion to recommend City Council adopt Resolution #20-283 approving a Home Occupation Permit on the Subject Property.

Attachments

[Resolution #20-283](#)

[Site Location Map](#)

[Site Plan](#)

[Photos from Owner](#)

Form Review

Inbox

Brian McCann (Originator)
Tim Gladhill
Form Started By: Brian McCann
Final Approval Date: 11/24/2020

Reviewed By

Brian McCann
Tim Gladhill

Date

11/23/2020 03:22 PM
11/24/2020 09:09 PM
Started On: 11/19/2020 11:46 AM

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #20-283

A RESOLUTION APPROVING THE REQUEST FOR A HOME OCCUPATION PERMIT TO OPERATE A GENERATOR BUSINESS ON THE PROPERTY LOCATED AT 17040 BAUGH STREET NW

RECITALS

1. The City of Ramsey received an application from Jesse Larson requesting a home occupation permit to operate a generator business on the property generally known as 17040 Baugh Street NW and legally described as follows:

THE S 200 FT OF N 1433 FT OF E 416 FT OF E1/2 OF NW1/4 OF SEC 07 TWP 32 RGE 25 (AS MEAS ALG E & N LINES THEREOF); EX RD; SUBJ TO EASE OF REC, Anoka County, Minnesota

(the “Subject Property”)

2. That the City of Ramsey pursued the code enforcement process for 7230 152nd Avenue NW for off-street parking violations, and exterior evidence of a home occupation permit including three (3) business signs on the home, and two (2) vans related to the business. Off-street parking violations were resolved immediately.
3. That on November 11, 2020, Jesse Larson (the “Applicant”), future owner of the Subject Property, submitted an application for a Home Occupation Permit to operate a generator business (the “Home Occupation”) on the Subject Property.
4. That the City Council reviewed the request on _____, 2020.
5. That the Subject Property is zoned R-1 Residential (Rural Developing) and the surrounding parcels are zoned R-1 Residential (Rural Developing).
6. That the Subject Property is approximately 1.6 acres and is surrounded by lots of similar size.
7. That the Subject Property is guided for Rural Developing (residential) in the City’s Future Land Use Map.
8. That the Applicant is in the process of purchasing the dwelling unit on the Subject Property, and will occupy the dwelling while conducting business on the Subject Property.
9. That the Subject Property includes an approximately 2,400 square foot dwelling unit.
10. That the Home Occupation is proposed to be based out of both the detached accessory building that has not yet been constructed.
11. That the Applicant has stated there will be approximately 400 square feet of garage space reserved for indoor residential parking and storage in an attached garage related to residential use on the Subject Property, as established in City Code Section 117-351 (Home Occupation).

12. That the Applicant has stated there are three (3) business signs on the Subject Property.
13. That the Applicant has stated there will be no more than eight (8) vehicle trips per standard eight (8) hour day.
14. That the Home Occupation does not employ any other individuals.
15. That the Applicant has proposed to store two (2) commercial vans onsite, one (1) inside the detached garage and one (1) outside on an allowed parking surface.
16. That the Home Occupation does involve operating methods that include transactions with the public (customers, clients, consultants, subcontractors, etc.) and bookkeeping on the Subject Property via phone call and email in an office inside the home. Customers rarely come to the Subject Property.
17. That the Applicant has proposed business house from 7:00 a.m. to 5:00 p.m., Monday through Friday barring any inclement weather or holidays.
18. That the City finds the Home Occupation operates beyond the parameters of general and administrative home occupation permit requirements (City Code Section 117-351) and therefore requires Planning Commission and City Council review and approval.
19. That the City of Ramsey received complaint(s) about the off-street parking and home-based business in relation to the company vans on a residential street, the volume of exterior evidence related to the home-based business, and other code violations related to off-street parking onsite.
20. The property is not in compliance with City Code requirements related to home-based businesses, but is in compliance with off-street parking violations, and nuisance violations.
21. That the Planning Commission reviewed this request on December 3, 2020 during their regularly scheduled meeting.

FINDINGS OF FACT

1. That the proposed use **will/will not** adversely impact traffic in the area.
2. That the proposed use **will/will not** be compatible with the residential neighborhood due to (in part) density, lot size and use of the surrounding lots.
3. That the proposed use **will/will not** be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use or the public welfare.
4. That the proposed use **will/will not** substantially or adversely impair the use, enjoyment, or market value of neighboring properties.
5. That the proposed use **will/will not** be hazardous or disturbing to existing or future neighboring uses.

6. That the proposed use **will/will not** be served adequately by public facilities and services such as highways and streets.
7. That the proposed use **will/will not** create excessive additional requirements at public cost for public facilities and services, and it **will** be detrimental to the economic welfare of the community.
8. That the proposed use **will/will not** involve activities and uses that would be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.
9. That the operation of a generator company with outdoor storage of multiple commercial vehicles, signage, and commercial equipment is not consistent with the intent of the R-1 Residential (Rural Developing) District (the “District”) which is to accommodate single-family dwellings.
10. That the salvage of inoperable commercial vehicles for purposes of parts for other operable commercial vehicles is not a permitted use within the District and is declared a public nuisance.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

That the request for a Home Occupation Permit for the operation of Twin Cities Generator on the Subject Property is hereby approved pursuant to Sections 117-51 and 117-351 of the Ramsey City Code with the following conditions:

1. That this agreement shall permit the operation of a generator business (the “Home Occupation”) on the Subject Property consisting in entirety of:
 - a. Two (2) commercial vans
 - b. One (1) sign, no larger than two (2) square feet
2. That customers never visit the Subject Property more than once per day.
3. Signage shall be limited to one (1) sign that is two (2) square feet in size.
4. That the Permittee agrees there will be no exterior evidence of the Home Occupation permitted on the Subject Property unless in compliance with Chapter 117-351 (Home Occupations) of City Code except:
 - a. One (1) commercial van may be parked onsite but must be in the side or rear yard on an allowed parking surface. A permit must be obtained for any new parking surface or significant alteration of an existing parking surface (e.g. driveway expansion).
 - b. One (1) sign indicating on-site generator business not to exceed two (2) square feet.
5. That the Permittee is responsible to verify and ensure that the structure(s) is compliant with all applicable state and local codes.
6. That should the Permittee die or should the Subject Property be sold, the Permit shall be automatically terminated, except that in the case of death, should a surviving spouse or child, residing at the same address, desire to continue the Home Occupation, written notice to that effect

shall be given to the Zoning Administrator and the City Council may authorize continuation of the Permit without further hearing.

7. The Permittee shall reside on the Subject Property; if the Permittee does not reside on the Subject Property, the Permit shall be automatically terminated.
8. That the Permittee agrees that if the operation expands, they will notify the City of Ramsey and reapply for a Permit.
9. That adequate water supply and on-site sewage disposal facilities shall be the responsibility of the Permittee.
10. The Permittee shall be responsible for obtaining and having in full force and effect all applicable State, County and City licenses. This includes a Business License with the City, registering with the State of Minnesota. The permit will not be issued until all required permits/licenses are received.
11. The Permittee shall be responsible for all costs incurred in the administration and enforcement of this Permit.
12. 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 to the Permittee.
13. That the Permittee agrees to take additional measures to keep the Subject Property in compliance with City Code regulations related to off-street parking and nuisance violations.
14. That the allowed hours of operation are 7:00 a.m. to 5:00 p.m., Monday through Friday barring any inclement weather or holidays. If holiday or weather changes the regular schedule, the Permittee may shift hours of operation to another weekday, but may not operate on Saturday or Sunday. The Permittee may not expand the hours of operation on any day without express consent from the City. The Permittee is limited to five (5) total workdays per week.
15. That this Permit does not authorize a future homeowner of the Subject Property from utilizing the detached accessory building for a home-based business.
16. That the City reserves the right to revoke the permit for any violation of the above conditions

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____, 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 denied and adopted by the Ramsey City Council this _____ the day of _____, 2020.

CITY OF RAMSEY:

By: _____
Mayor

By: _____
City Clerk

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

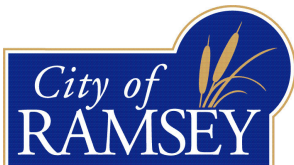
On this _____ day of _____, _____, before me, a Notary Public, personally appeared Mayor John LeTourneau and Colleen Lasher, to me personally known, who, being each by me duly sworn did say that they are respectively the Mayor and City Clerk of the City of Ramsey, the Municipal Corporation named in the foregoing instrument, and seal affixed to said instrument is the corporate seal of said Municipal corporation, and the said instrument was signed and sealed on behalf of said Municipal Corporation by authority of its City Council and said John LeTourneau and Colleen Lasher acknowledge said instrument to be the free act and deed of said Municipal Corporation.

Notary Public

The document drafted by:
The City of Ramsey
7550 Sunwood Dr NW
Ramsey, Minnesota 55303



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGIS, © OpenStreetMap contributors, and the GIS User Community, IGCIS



Site Location Map

Twin Cities Generator

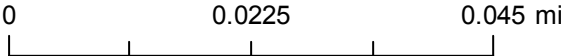
17040 Baugh St NW
07-32-25-24-0016

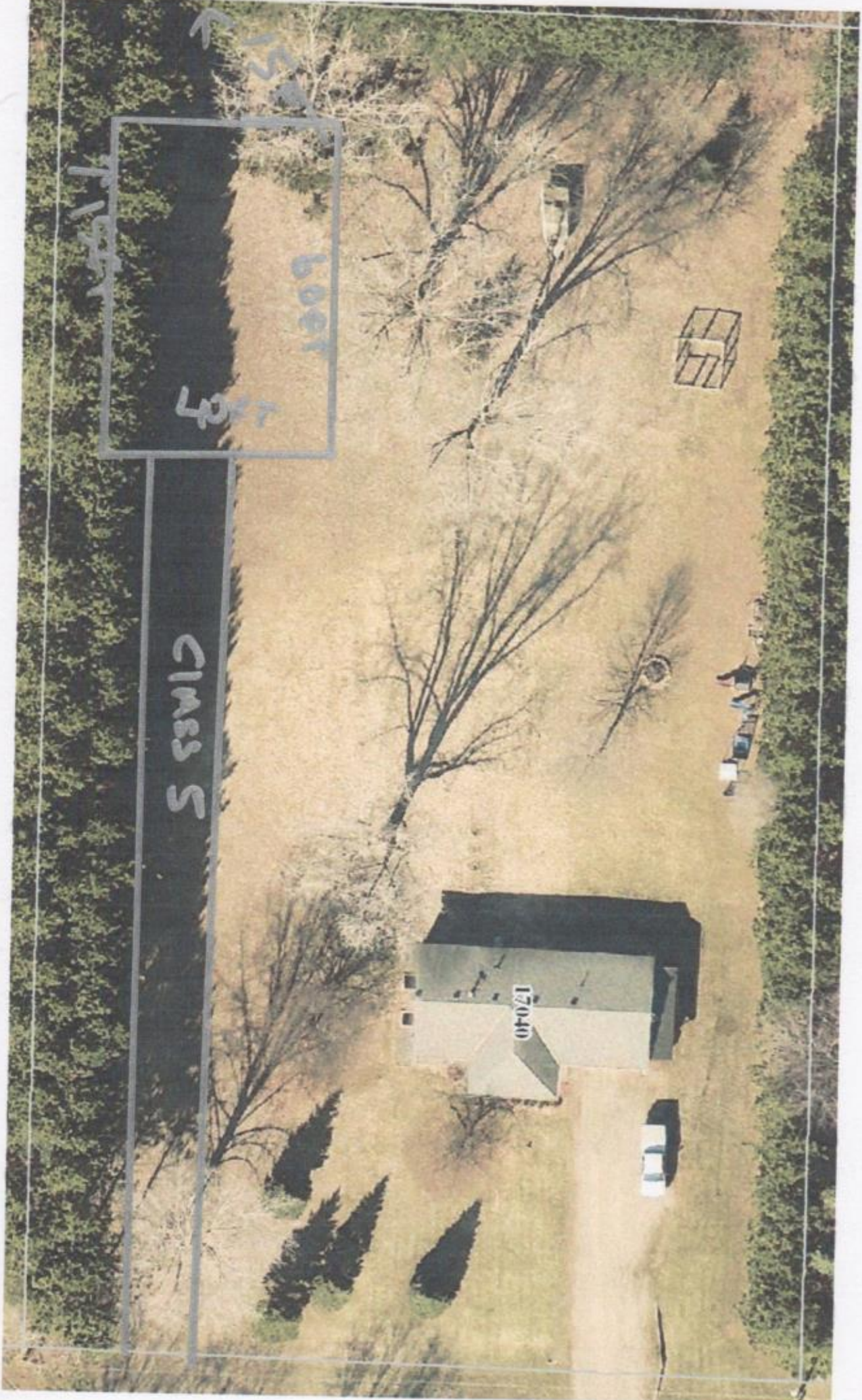
Legend

-  Site
-  Parcels



November 20th, 2020





1500

Flyer

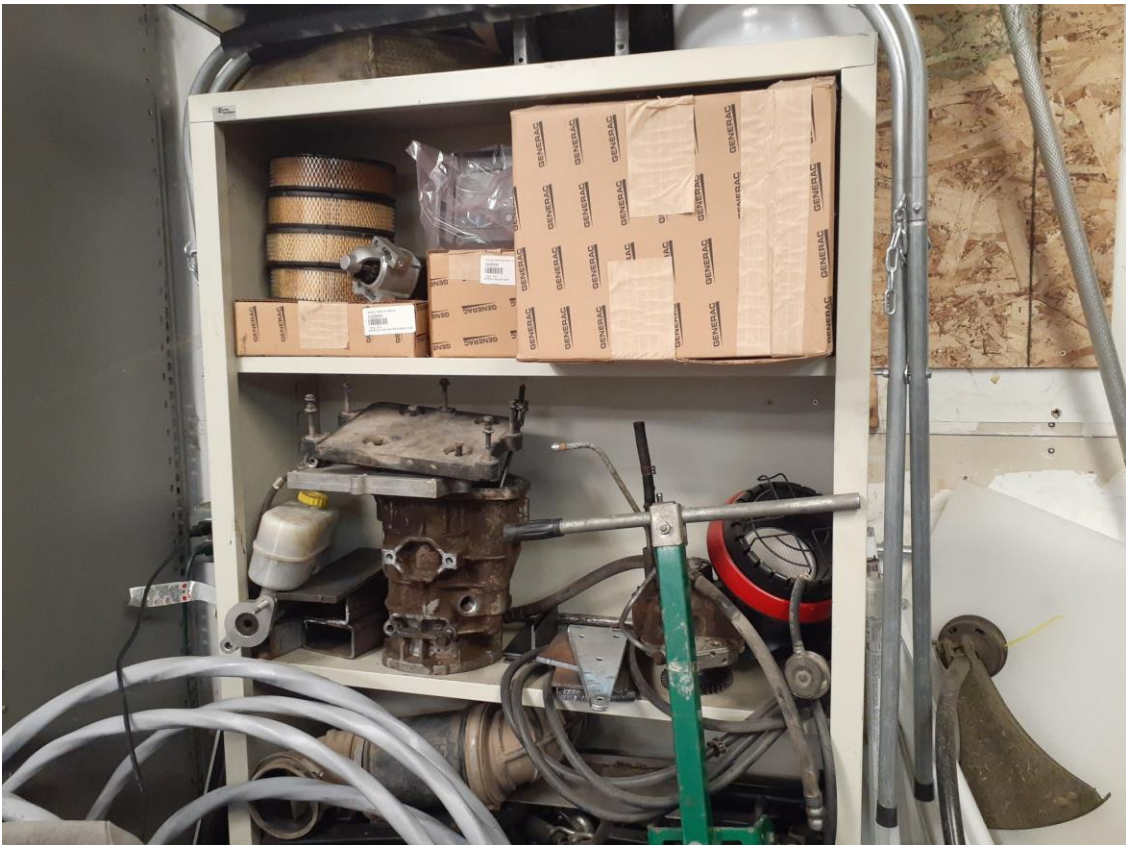
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CLASS S

17040







HOME



BUSINESS

TWIN CITIES GENERATOR LLC.
Installation-Repair-Maintenance-Rental

763-999-1680

EA708734

KOHLER®
Generators

Authorized Dealer

GENERAC®

SALES & SERVICE

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Regular Planning Commission

6. 2.

Meeting Date: 12/03/2020

By: Brian McCann, Community
Development

Information

Title:

PUBLIC HEARING: Consider Resolution #20-281 Approving an Interim Use Permit for Storage Containers for Ve-Ve Inc. (Project No. 20-136); Case of John Vevea on behalf of Ve-Ve Inc.

Purpose/Background:

This request comes from business owner John Vevea of Ve-Ve Inc. He is requesting approval of an Interim Use Permit for two storage containers on the property located at Ve-Ve Inc., 14047 Azurite St NW (the "Subject Property"). City Staff has received an inquiry about the potential of two (2) storage containers from the property owner, and this particular item was discussed at the November Planning Commission meeting.

Notification:

The City attempted to notify Property Owners, as reflected in the Anoka County Property Records, within 350 feet of the Subject Property of the request.

Observations/Alternatives:

Summary

The business, Ve-Ve Inc. (the "Business"), and property owner, John Vevea (the "Applicant") have contacted the City about the possibility of a two (2) side-opening storage containers (the "Containers") for his business. A site plan, narrative, container specifications, and a letter from neighboring properties have been submitted by the Applicant, and they are seeking a recommendation to approve the placement and use of the containers. These items are attached to this case.

The Applicant has noted that the containers would be managed and maintained by the business, and would like to utilize the containers for an extended period of time, at least five (5) years. The Applicant has started to outgrow their cold storage space inside and would like to utilize these containers for additional cold storage, to be accessed a few times a week, in order to remain in their current location.

Site Information

The Subject Property is approximately 2.1 acres, zoned E-1 Employment District, and consists of two separate parcels. The proposed location of the containers is near the southwest portion of the southern parcel, outlined on the attached site plan. There is a large layer of vegetative screening between Azurite St NW and the proposed location for the containers. The Applicant has provided a letter signed by his immediate neighbors addressing that they will not be affected by the addition of the containers. The containers are planned to be placed on Class V crushed concrete, which is currently installed in the proposed area.

Current Regulations

At this time, the City does not allow shipping containers or these large metal storage containers in lieu of an accessory building in any district. The request for these types of containers is becoming more and more common as the containers become more trendy and readily available. Staff is aware of at least one other request from an industrial-type user for these types of shipping containers, and has numerous requests from residents to allow these types of storage containers on residential properties.

Previous direction has been to improve the image of Ramsey and work with property owners throughout the City to incrementally improve properties. This property is one of the few remaining sites from Ramsey's original industrial

park that saw significant investment to redevelop from metal panel buildings to the more modern designed buildings you see today. These containers do require upkeep and the metal containers are not an ideal architectural feature. However, Staff is empathetic to the recent economic downturn and wants to help a Ramsey business remain in their current location. If approved, Staff does anticipate other, similar requests coming forward throughout the City.

Code Sections

- E-1 Section of Code, Chapter 117-117

Funding Source:

All costs associated with this request are the responsibility of the Applicant.

Recommendation:

Staff recommends approving Resolution #20-281 for an Interim Use Permit for two storage containers on the Subject Property.

Action:

Motion to recommend City Council adopt Resolution #20-281 Approving an Interim Use Permit for two storage containers on the Subject Property.

Attachments

Site Location Map

Site Plan

Narrative

Shipping Container Specifications

Neighbor Signatures and Container Pictures

Resolution #20-281

Form Review

Inbox

Tim Gladhill
Brian McCann (Originator)
Tim Gladhill
Form Started By: Brian McCann
Final Approval Date: 11/24/2020

Reviewed By

Brian McCann
Brian McCann
Tim Gladhill

Date

11/23/2020 03:17 PM
11/23/2020 03:22 PM
11/24/2020 09:10 PM
Started On: 11/19/2020 12:02 PM

Site Location Map

Veve Inc.



14047 Azurite St NW



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community, LOGIS

mi
00.003006 0.012 0.018 0.024

October 22nd, 2020



141ST
AVE NW

AZURITE ST NW

14047

(2ea)
8'x20'
Containers

Source: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community, LOIS

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00.003006 0.012 0.018 0.024



Ve-Ve, Inc.
MARINE PRODUCTS
14047 Azurite St NW
763-427-5330
john@veveinc.com

City of Ramsey

7550 Sunwood Drive NW

Dear Council Member(s),

We are reaching out to you in advance so we are in compliance with city regulations before we purchase (2) 8'w x 20'L shipping containers which we are in dire need of.

Our business has been at our current location since 1973. We have added on three times throughout the years. These past few years our business has grown, our sales are up and the future of Ve-Ve, Inc. looks bright. We are running out of indoor space and currently it has become a work hazard having non-essential items such as pallets and gaylord boxes piling up. In the past we have stored them outside, but that has lead to theft of our items. The storage containers would provide a immediate solution for our non-essential items and packaging materials. As winter approaches this would allow for cold storage of material and a deterrent from theft.

We look forward to the City of Ramsey approval so we may continue to use our indoor facility to keep up with production of over 300 products, and to keep our workers safe.

Warm regards,

John Vevea
Owner/President



Conexwest
 800 Avenue H
 San Francisco, CA 94130
 (855) 878-5233

Quote

Quote date: Jul 28, 2020 09:02 AM
 Quote number: 2397724000097884290
 Valid until: Aug 4, 2020
 Customer PO:


Thank you for choosing Conexwest. We are pleased to provide you the following quote.

CUSTOMER:
 Veve, Inc.

DELIVER TO:
 Arlington MN

Account name: **Veve, Inc.**
 Contact name: **John Vevea**
 Phone number: **(763) 427-5330**

Sales rep: **Sharon DeChavez**
 Direct number: **(510) 925-1346**

Product details	Quantity	List price	Total	Tax
1. CHI 20ft New Standard Open-Side One-Trip ISO Container CHI20STOSNEW 20ft New Standard One-Trip ISO Container w/ Full Open Side 20ft x 8ft x 8ft6in (Height) w/ ISO Lock Box 	1	\$ 5,595.00	\$ 5,595.00	\$ 0.00
2. CHI 20ft New High-Cube Open-Side One-Trip ISO Container CHI20HCOSNEW 20ft New High-Cube One-Trip ISO Container w/ Full Open Side 20ft x 8ft x 9ft6in (Height) w/ ISO Lock Box	1	\$ 5,995.00	\$ 5,995.00	\$ 0.00
3. CHI Freight CHIFRGHT Flatbed Delivery (Must have forklift/crane on-site to offload container)	1	\$ 650.00	\$ 650.00	\$ 0.00
			Sub Total (with tax) \$ 12,240.00	
			Adjustment \$ 0.00	\$ 0.00
			Grand Total \$ 12,240.00	

Notes:

Lead time: stock.
 Estimated delivery date Aug 4, 2020.

To accept this proposal please reply to the original email.
 Thank you for your business, your trust and your confidence. It is our pleasure to work with you.
 CONEXWEST SHIPPING CONTAINERS
 (855) 878-5233 | conexwest.com



Ve-Ve, Inc.
MARINE PRODUCTS
 14047 Azurite St NW
 763-427-5330
 john@veveinc.com

Dear Business Neighbors,

We are reaching out to you in advance before our meeting with the City of Ramsey on November 5, 2020. Our company is looking at purchasing 2 shipping containers and we are looking for approval from your business so we may go ahead and make this purchase. Our business is expanding and our storage space has diminished. We are following compliance guidelines with the city before we purchase (2) 8'w x 20'L shipping containers which we are in dire need of.

Our business has been at our current location since 1973. We have added on three times throughout the years. These past few years our business has grown, our sales are up and the future of Ve-Ve, Inc. looks bright. We are running out of indoor space and currently it has become a work hazard having non-essential items such as pallets and gaylord boxes piling up. In the past we have stored them outside, but that lead to theft of our items. The storage containers would provide an immediate solution for our non-essential items and packaging materials. As winter approaches this would allow for cold storage of material and a deterrent from theft.

Thank you for your time and attention to this matter. If you wish to support our effort, please sign below.

Warm Regards,

**John Vevea
 Owner/President**

- ① TLM CABINETS TLM Todd Muehlhauser
- ② Accurate Litter Grind. Accurate Litter Grind Jim Nienaber
- ③ R&D Transportation R&D Transportation Rick Chubb

1411ST AVE NW

AZUREITE ST NW

14047

(2ea)
8' x 20'
Containers

#2 ACCURATE LETTER GRIND
#1 TLM CABINETS

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (India), NCCO, © OpenStreetMap contributors, and the GIS User Community, LOGIS

#3 RAD Transportation

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www.yangming.com
YANG MING

LWNU 018138 0
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Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #20-281

A RESOLUTION APPROVING THE ISSUANCE OF AN INTERIM USE PERMIT TO ALLOW TWO (2) OUTDOOR STORAGE CONTAINERS ON GRAVEL SURFACING ON THE PROPERTY LOCATED AT 14047 AZURITE ST NW AND DECLARING TERMS OF SAME

RECITALS

1. John Vevea, hereinafter referred to as the “**Permittee**” has properly applied for an Interim Use Permit to allow the use of two storage containers (the “**Containers**”) on gravel surfacing on the property generally known as 14047 Azurite St NW and legally described as follows:

S 200 FT OF N 250 FT OF W 220 FT OF E 880 FT OF LOT 1 AUDITORS
SUBDIVISION NO 30, Anoka County, Minnesota

and

S 212.68 FT OF N 462.68 FT OF W 220 FT OF E 880 FT OF LOT 1 AUDITORS
SUBDIVISION NO 30, Anoka County, Minnesota

(the “**Subject Property**”)

2. That John Vevea of VeVe Inc., owns the Subject Property and has signed off on the application.
3. That the **Subject Property** is zoned E-1 Employment District, and is approximately 2.08 acres in size between two parcels.
4. That the **Subject Property** abuts Azurite St NW to the west, and surrounding parcels to the east, south, and north of the Subject Property are zoned E-1 Employment District.
5. That the **Permittee** is proposing to utilize the shipping containers for storage purposes.

FINDINGS OF FACT

1. That the **Containers** will not be unduly dangerous or detrimental to persons residing or working in the vicinity of the use, or to the public welfare.
2. That the **Containers** will not substantially adversely impair the use, enjoyment or market value of any of the surrounding properties.

3. That the **Containers** will be harmonious with and in accordance with the specific objectives of the comprehensive plan.
4. That the **Containers** will be maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area.
5. That the **Containers** will not be hazardous to existing or future neighboring uses.
6. That the **Containers** will not impact essential public facilities and services, such as highways, streets, police and fire protection.
7. That the **Containers** will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
8. That the **Containers** will not involve uses, activities and equipment that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
9. That the **Containers** will be consistent with the intent and purposes of the Zoning Chapter.

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

That the Ramsey City Council hereby grants approval of an Interim Use Permit for Two Storage Containers on Gravel Surfacing on the **Subject Property** contingent upon the following conditions:

CONDITIONS

1. That this **Permit** allows for use on the **Subject Property** for five (5) years.
2. That the **Permittee** shall obtain all necessary permits on the **Subject Property**.
3. That the **Permittee** shall maintain the Subject Property in compliance with City Code Sections 117-356 (Commercial and Industrial Development Off-Street Parking) and 117-117 (E-1 Employment District); Chapter 117 (Zoning and Subdivisions) Article II (Zoning) Division 6 (Performance Standards); and Chapter 30 (Nuisances) at all times.
4. That the **Permittee** shall obtain all necessary permits to complete any required building modifications.
5. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.

6. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this Permit.
7. That the City Administrator, or his/her designee, shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request.
8. That this **Permit** approves the storage containers in the location as seen in Exhibit A. No gravel shall be expanded past this point, and there shall not be any additional outdoor storage without an amendment to this **Permit**.
9. That areas outside of the proposed location for the **Containers** may not be used for outdoor storage.
10. That the Containers must be painted and in compliance with Chapter 30 of City Code, and the International Property Maintenance Code.
11. That this **Permit** shall automatically expire if the use is not initiated by December 3rd, 2021.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____, 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 City Council this the 8th day of December, 2020.

Exhibit A: Container locations noted near southwest corner of southern parcel



Regular Planning Commission

6. 3.

Meeting Date: 12/03/2020

By: Brian McCann, Community
Development

Information

Title:

PUBLIC HEARING: Consider Resolution #20-282 Approving an Interim Use Permit for Storage Containers and Gravel Outdoor Storage Area at 8049 146th Ave NW (Project No. 20-137); Case of JBR Ramsey, LLC on behalf of Richard Lee

Purpose/Background:

This request comes from Richard Lee (the "Applicant"), owner of JBR Ramsey LLC which owns 8049 146th Avenue NW (the "Subject Property"). The Applicant is seeking recommendation of approval for an Interim Use Permit for outdoor storage on gravel surfacing for vehicles, storage containers, and various equipment for Fred Outdoor Services (the "Tenant").

Notification:

The City attempted to notify Property Owners, as reflected in the Anoka County Property Records, within 350 feet of the Subject Property of the request.

Observations/Alternatives:

Summary

The Subject Property was discovered to be in violation of City Code in regards to overgrown vegetation, outdoor storage on unapproved surfacing, and off-street parking regulations. The property owner, Richard Lee, has been working with the City for an extended period of time to resolve these violations, and receive approval for outdoor storage on approved surfacing. The only outstanding violation on the property is the outdoor storage. Fred Outdoor Services uses the area for equipment, vehicle, and material storage which includes six (6) storage containers. According to the Applicant, two (2) of the six (6) storage containers have been there for at least 15 years, but Staff does not have any records of permits for these units, nor for the gravel parking area that the property owner installed.

Mr. Lee is requesting that the Planning Commission recommend approval so that he may install an additional layer of Class V gravel, and utilize the area in the manner it has been for the last 15 years, with the inclusion of the storage containers currently on site. Staff has suggested a 20 foot buffer surrounding the property to refrain from parking vehicles and equipment in the drainage and utility easement. The Applicant has noted that the containers would be managed and maintained by the tenant, and would like to utilize the containers for an extended period of time, at least five (5) years. Staff anticipates that the storage containers will remain onsite until the property redevelops, if this permit is approved.

Site Information

The Subject Property is approximately 1.43 acres, and zoned COR Industrial District. The current location of the containers is noted in the attached site plan. Currently, the outdoor storage area consists entirely of dirt and grass. The southwest parking area of the parcel is made entirely of asphalt and concrete surfacing, but the storage area does not have any Class V left after consistent use over the years. The containers are currently placed on grass or dirt, but the City requests that they be placed on Class V crushed concrete, which will be installed at a later date.

Current Regulations

At this time, the City does not allow shipping containers or these large metal storage containers in lieu of an accessory building in any district. The request for these types of containers is becoming more and more common as the containers become more trendy and readily available. Staff is aware of at least one other request from an

industrial-type user for these types of shipping containers, and has numerous requests from residents to allow these types of storage containers on residential properties.

Previous direction has been to improve the image of Ramsey and work with property owners throughout the City to incrementally improve properties. These containers do require upkeep and the metal containers are not an ideal architectural feature. However, Staff is empathetic to the recent economic downturn and wants to help a Ramsey business remain in their current location.

The outdoor storage has been debated internally since the only documentation consists of aerial photographs added to this case, as well as the signed copy of the site plan presented from the former tenant from 1986 through 2018, Chalich Trucking. It is also noted that Class V was installed without City approval in 2016, based on the proposed site plan. Recent inspections indicate that an additional layer of Class V will need to be approved by the City and installed if the Interim Use Permit is approved.

Code Sections

- COR Section of Code, Chapter 117-118
- Public Nuisances Section of Code, Chapter 30-3

Funding Source:

All costs associated with this request are the responsibility of the Applicant.

Recommendation:

Staff recommends approving Resolution #20-282 for an Interim Use Permit for parking on gravel surfacing and the use of storage containers currently on the Subject Property.

Action:

Motion to recommend City Council adopt Resolution #20-282 Approving an Interim Use Permit for gravel parking and use of storage containers currently on the Subject Property.

Attachments

[Resolution #20-282](#)

[Proposed Site Plan](#)

[Site Location Map](#)

[Aerial Photographs](#)

Form Review

Inbox

Brian McCann (Originator)
Tim Gladhill
Form Started By: Brian McCann
Final Approval Date: 11/24/2020

Reviewed By

Brian McCann
Tim Gladhill

Date

11/23/2020 03:22 PM
11/24/2020 09:12 PM
Started On: 11/19/2020 01:30 PM

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #20-282

A RESOLUTION APPROVING THE ISSUANCE OF AN INTERIM USE PERMIT TO ALLOW OUTDOOR STORAGE ON GRAVEL PARKING AND THE USE OF STORAGE CONTAINERS ON THE PROPERTY LOCATED AT 8049 146TH AVE NW AND DECLARING TERMS OF SAME

RECITALS

1. Richard Lee, hereinafter referred to as the “**Permittee**” has properly applied for an Interim Use Permit to allow the use of six (6) storage containers and gravel parking on the property generally known as 8049 146th Ave NW and legally described as follows:

LOT 4 BLK 2 HY-10 RAMSEY SUBJ TO EASE OF REC, Anoka County, Minnesota

(the “**Subject Property**”)

2. That Richard Lee of JBR Ramsey, LLC, owns the Subject Property and has signed off on the application.
3. That the **Subject Property** is zoned COR Industrial District and is approximately 1.43 acres in size.
4. That the **Subject Property** abuts 146th Ave NW to the south and Ferret St NW to the west, and parcels to the east and north of the Subject Property are zoned COR Industrial District.
5. That there are existing Zoning Code violations on the **Subject Property** regarding outdoor storage.
6. That the **Permittee** is proposing to utilize the parking and outdoor storage areas as they currently stand on the property.
7. That the **Subject Property** has some lawful, nonconforming rights associated with outdoor storage and gravel parking.

FINDINGS OF FACT

1. That the **Containers and Gravel Parking** will not be unduly dangerous or detrimental to persons residing or working in the vicinity of the use, or to the public welfare.
2. That the **Containers and Gravel Parking** will not substantially adversely impair the use, enjoyment or market value of any of the surrounding properties.

3. That the **Containers and Gravel Parking** will be harmonious with and in accordance with the specific objectives of the comprehensive plan.
4. That the **Containers and Gravel Parking** will be maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area.
5. That the **Containers and Gravel Parking** will not be hazardous to existing or future neighboring uses.
6. That the **Containers and Gravel Parking** will not impact essential public facilities and services, such as highways, streets, police and fire protection.
7. That the **Containers and Gravel Parking** will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
8. That the **Containers and Gravel Parking** will not involve uses, activities and equipment that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
9. That the **Containers and Gravel Parking** will be consistent with the intent and purposes of the Zoning Chapter.

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

That the Ramsey City Council hereby grants approval of an Interim Use Permit for Gravel Parking and Use of Storage Containers on the **Subject Property** contingent upon the following conditions:

CONDITIONS

1. That this **Permit** allows for use on the **Subject Property** for five (5) years.
2. That the **Permittee** shall obtain all necessary permits on the **Subject Property**.
3. That the **Permittee** shall maintain the Subject Property in compliance with City Code Sections 117-356 (Commercial and Industrial Development Off-Street Parking) and 117-118 (The COR District), Chapter 117 (Zoning and Subdivisions) Article II (Zoning) Division 6 (Performance Standards); and Chapter 30 (Nuisances) at all times.
4. That the **Permittee** shall obtain all necessary permits to complete any required building modifications.

5. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.
6. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this Permit.
7. That the City Administrator, or his/her designee, shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request.
8. That this **Permit** approves the gravel parking lot and six (6) storage containers as seen in Exhibit A. No gravel shall be expanded past this point, and there shall not be any additional outdoor storage without an amendment to this **Permit**.
9. That this **Permit** shall automatically expire if the use is not initiated by December 3rd, 2021.

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

and the following voted against the same:

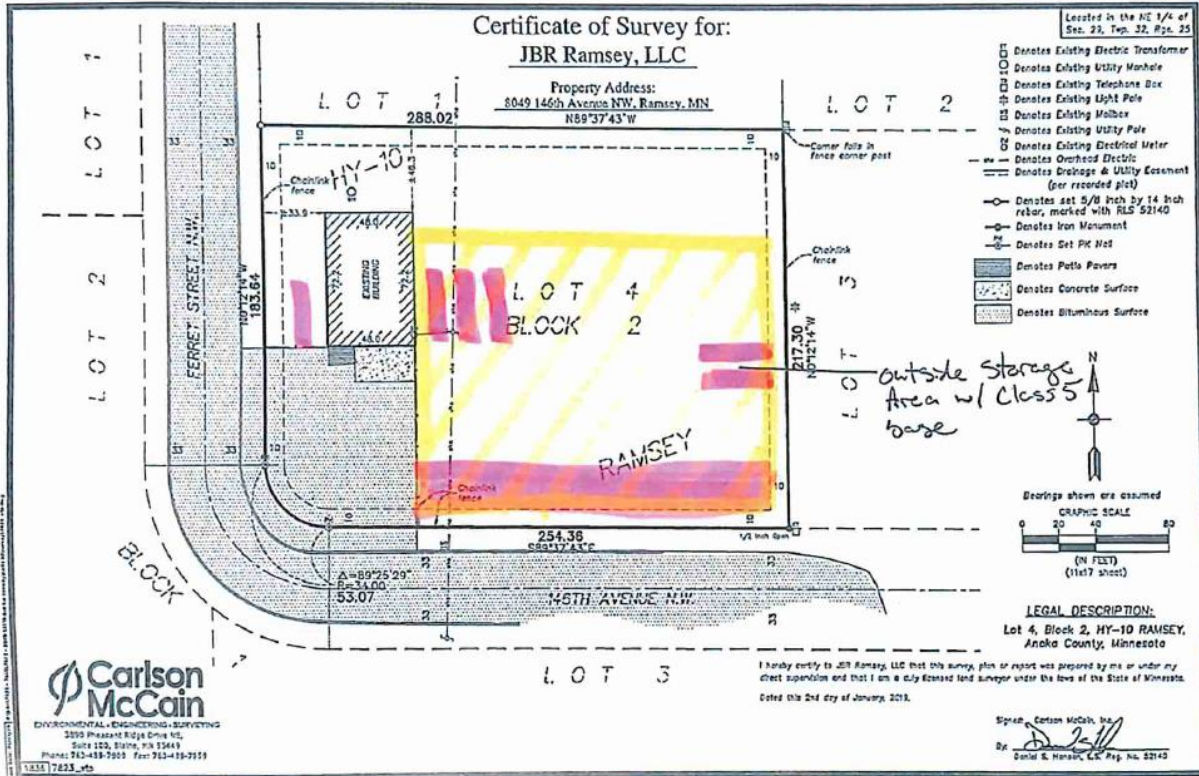
and the following abstained:

and the following were absent:

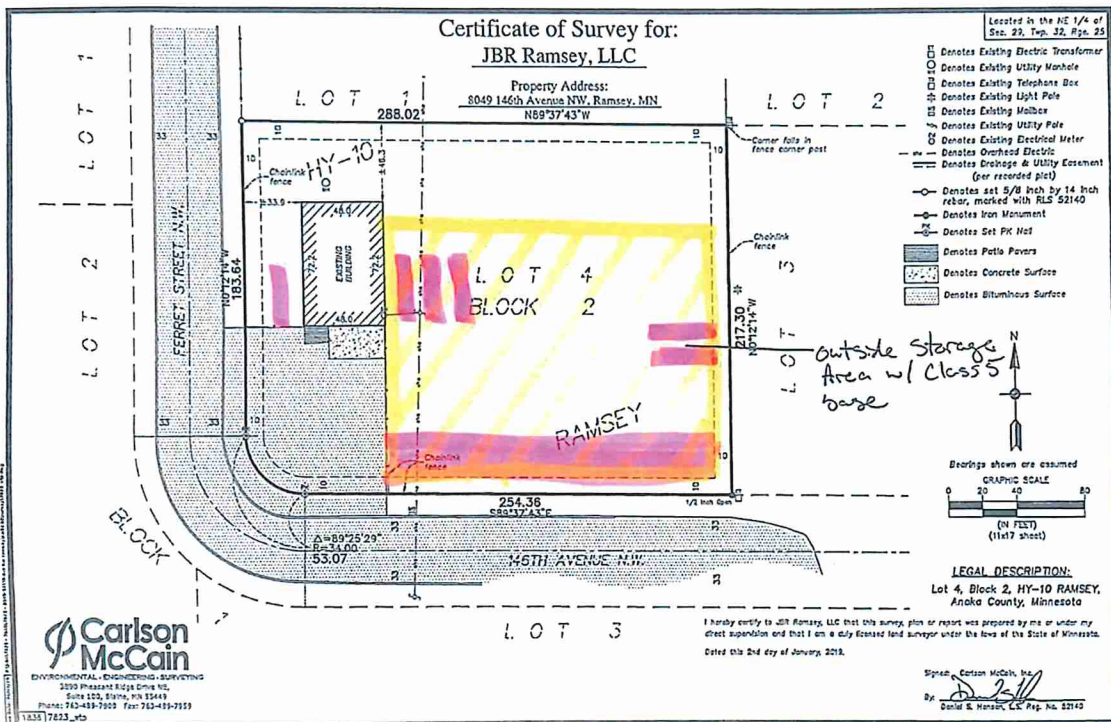
whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 8th day of December, 2020.

Exhibit A:

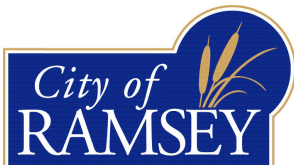
Legend	
Yellow and Pink Area	Gravel parking area
Pink Lines	Locations of six (6) shipping containers



Chalich Trucking used the yellow shaded area for outside storage for an approximate time frame 1986-2018. In 2012 Chalich Trucking put recycled concrete in outside storage area. Chalich had semi van trailers parked up to the east chain fence. Chui Cook - President 09-17-2020



Chalich Trucking used the yellow shaded area for outside storage for an approximate time frame 1986-2018. In 2012 Chalich Trucking put recycled concrete in outside storage area. Chalich had semi van trailers parked up to the east chain fence.
Chris Cook - President 09-17-2020



Site Location Map

JBR Ramsey LLC

8049 146th Ave NW

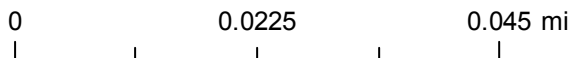
29-32-25-14-0011

Legend

-  Site
-  Parcels



November 20th, 2020



2020



2014



2011



2008



2005



Regular Planning Commission

7. 1.

Meeting Date: 12/03/2020

By: Chloe McGuire Brigl, Community Development

Information

Title:

Review Concept Plan for Rivenwick 4th Addition; Case of Lennar for Rivenwick 4th Concept Plan (Project 20-134)

Purpose/Background:

The purpose of this case is to review a request from Lennar (the "Developer") to amend the Planned Unit Development (PUD) of Rivenwick on the south side of Highway 10 to include additional residential units abutting Highway 10 where it was previously planned for retail/commercial space. The Planning Commission may remember a similar request that came forward in 2019 with the Suite Living Project and another request from Lennar at their November 2020 meeting. Previous direction from the Planning Commission and City Council was to not amend the existing PUD and continue to guide the land adjacent to Highway 10 for retail/commercial. Planned areas for retail is important feedback from our community, in addition to concerns about compatibility of residential land use abutting a major Highway (noise mitigation). The Developer has slightly revised the request to see if it solves the concerns of the Planning Commission.

Notification:

No notification required. If this moves forward to a formal application, notice will be sent to those within 350 feet of the site as well as all that are currently within the Rivenwick PUD.

Observations/Alternatives:

Project Information

The proposed project is located within the Mixed Use Planned Unit Development District. It is guided the same in the Comprehensive Plan. The Development is proposed to be made up of three (3) main components. The MU/PUD is the guiding, or umbrella district. Within that guidance, Staff is applying the appropriate traditional districts for review based on the land use and density types. A map is included to visualize this breakdown.

1. Two (2) Acre Commercial Parcel (using the B-2 Business District for review)
2. Two (2) Acre Assisted Living Parcel (using the R-3 High Density Residential District for review)
3. Detached Townhome Neighborhood (using the R-2 Medium Density Residential District for review)

This is a unique district that is only applied in a couple areas of the community. The Rivenwick Neighborhood is the only existing neighborhood/development where the District actually applies. The main intent of this district was to provide flexibility in final layout versus strict district boundaries. This should not be interpreted to require urban mixed-use buildings. The current version of the MU/PUD District states that any one use may not comprise of more than 75% of the project area. According to Staff Review for the original subdivision, this remaining parcel was to develop as a retail/commercial use. However, the maximum coverage per land use type at the time was 70%, which was amended to 75% and then for the Suite Living Project, amended again to 80% residential (and 20% commercial/retail). The entire PUD is approximately 30 acres, with the Subject Property of this case (proposed amendment area) being just over 9 acres.

Current Request

	Original	First Amendment	Second Amendment (Suite Living)	Nov 2020 Proposal	Dec 2020 Proposal
Residential	70%	75%	80%	~93%	~87%

Commercial/ Retail	30%	25%	20%	~7%	~13%
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Staff Review

The largest change on the proposed layout is the removal of residential units along Highway 10 based on the City's concerns related to removing commercial and having residential close to Highway 10 for noise issues. It does appear that the concerns related to noise impacts have been remedied with this proposal.

Other points

- **Desire for Retail:** Residents continue to request additional retail and commercial in the City. This proposal allows for an approximately 3.8 acre commercial pad along Highway 10. The proposal is still slightly less land than previously guided for commercial, from about 20% to about 13%. Staff recommends keeping the breakdown at 80/20% but is open to a new layout.
- **Economic Development Perspective:** Staff has heard from retailers that visibility along Highway 10 is key to a successful retail pro-forma. This land is directly adjacent to Highway 10 and has great visibility. This proposal keeps the land along Highway 10 guided for commercial. The Economic Development Department is open to the new proposal if the breakdown stays at 80/20.
- **Site Layout:** The Public Works, Engineering, and Public Safety team preferred the previously directed option which included a through-road, room for ponding, and division of uses. The currently proposed plan has housing directly adjacent to retail/commercial with no room for buffering, and a public road ending in a T intersection with private roads. If this were to move forward as presented, there would need to be additional modifications to the proposal, regardless.

Funding Source:

Staff is handling this request as part of normal duties. Once a formal application is submitted, the Applicant is responsible for costs associated with review.

Recommendation:

Staff is open to this compromise request if the land uses within the PUD contain the same amount of commercial as previously directed. Public Works and Public Safety had a few concerns about the public road ending at a private road, and do prefer the layout with the previous proposal, but can make this layout work with proper signage.

Action:

Based on discussion. Provide high-level policy direction to assist in continued discussions with current Property Owner (Seller) and Developer (Buyer).

Attachments

Site Location

Previous Proposal 2018 (Denied)

Previous Direction (Current Guidance)

Previous Proposal 2020 (Denied)

Economic Development Memo

New Proposal November 2020

Form Review

Inbox

Tim Gladhill

Form Started By: Chloe McGuire Brigl

Final Approval Date: 11/24/2020

Reviewed By

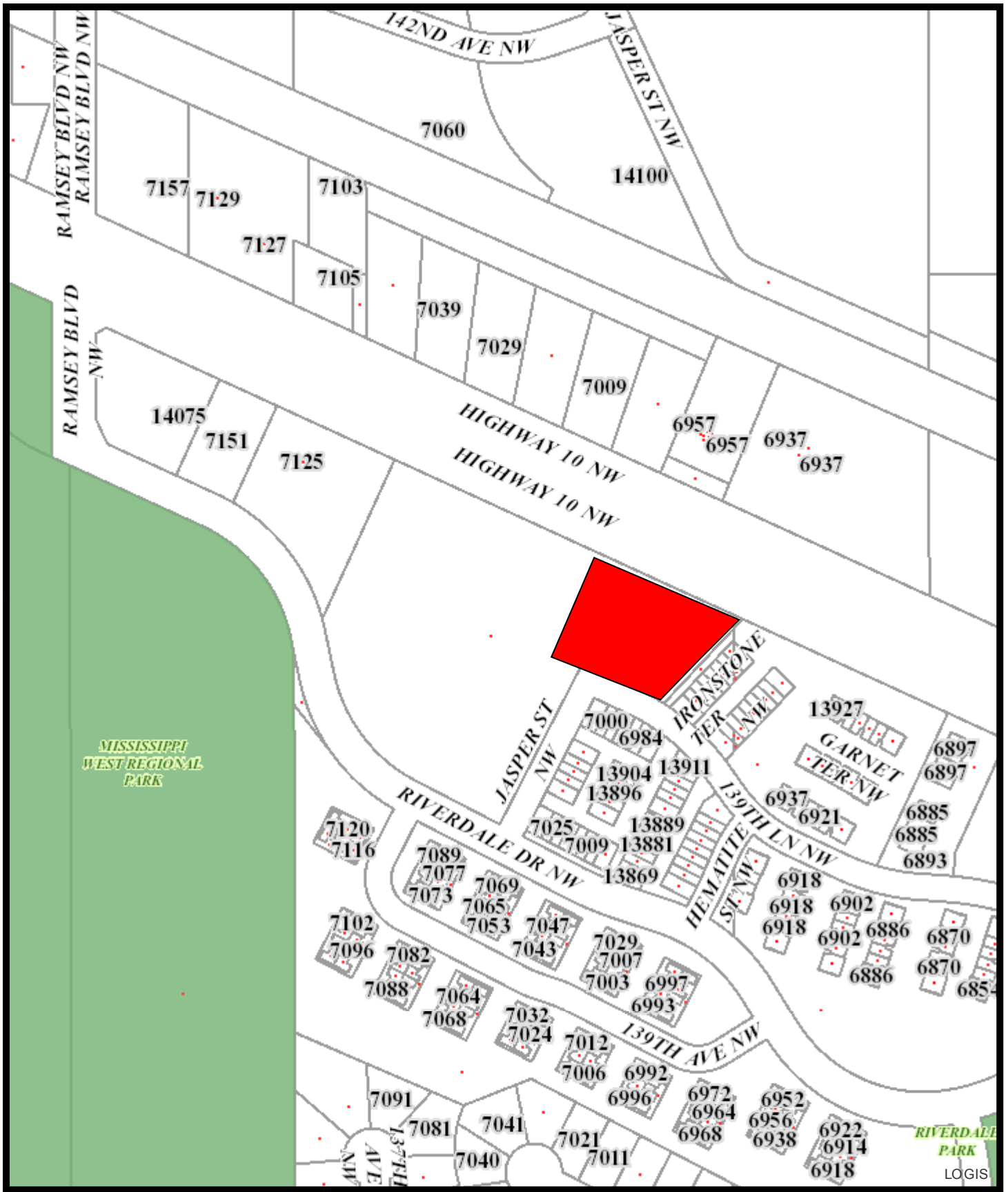
Tim Gladhill

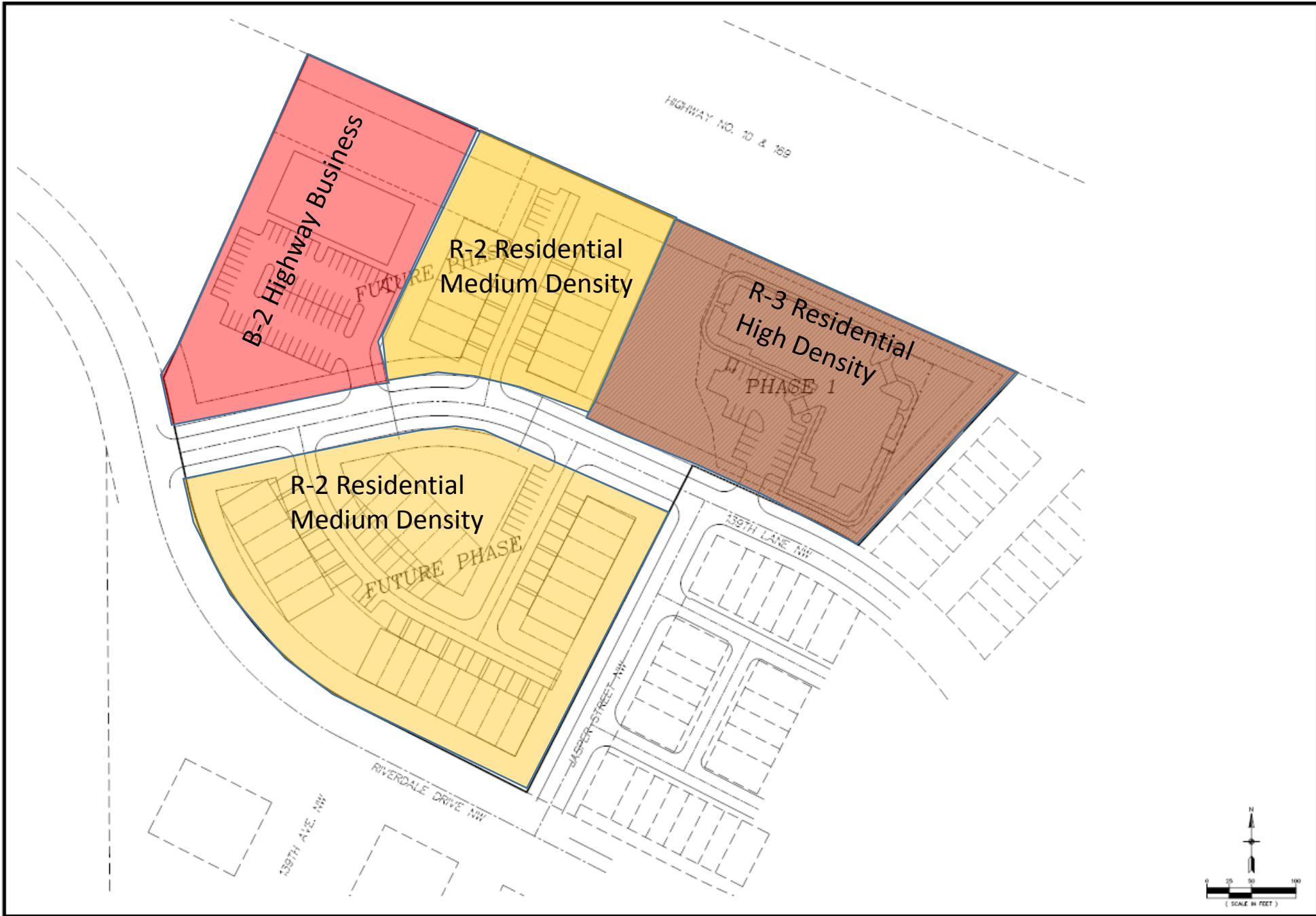
Date

11/24/2020 09:07 PM

Started On: 11/23/2020 09:44 AM

Site Location Map

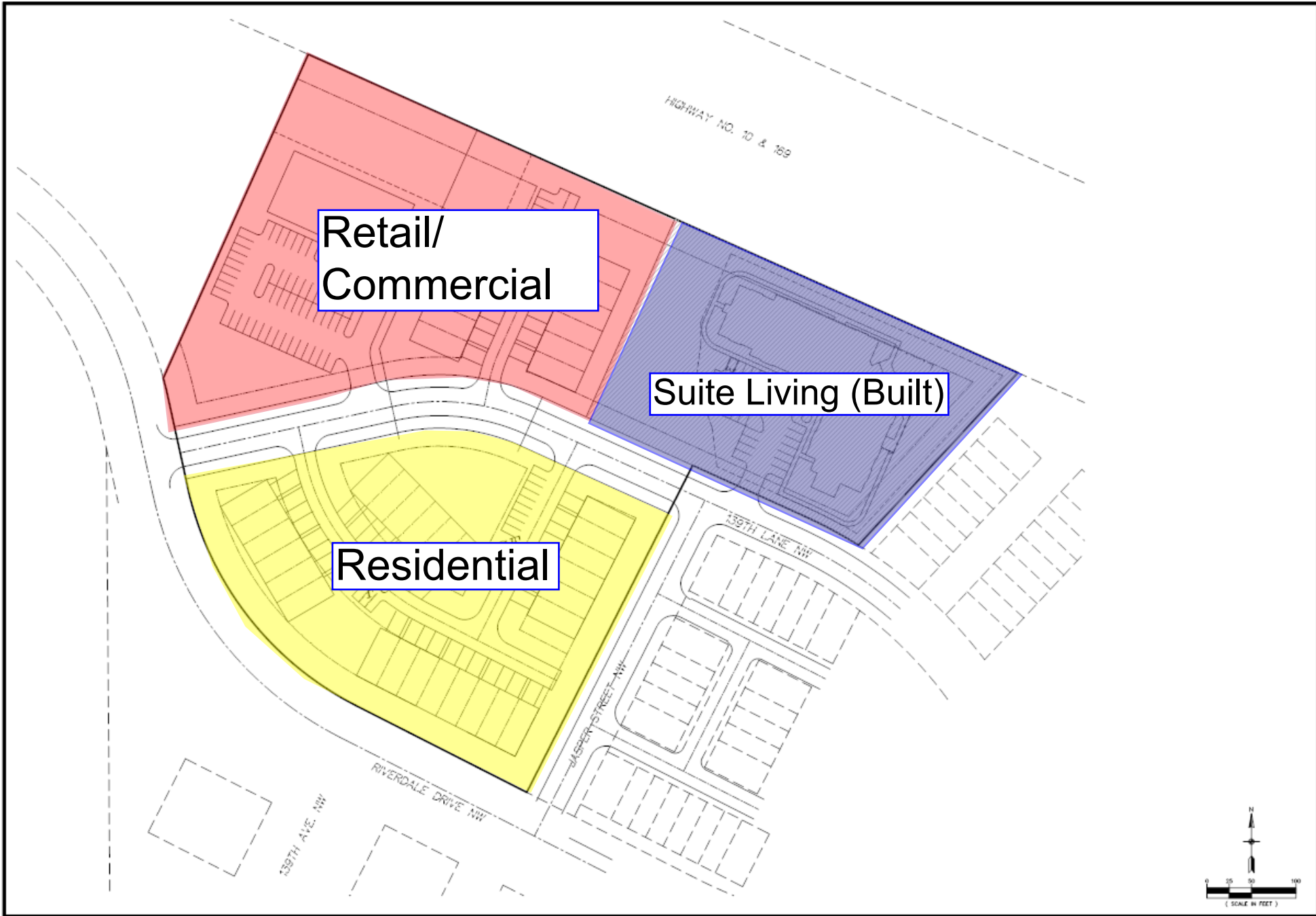




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DESIGNED BY: CR
 SCALE DATE: 04/2014
 PLOT NO: 001



Retail/
Commercial

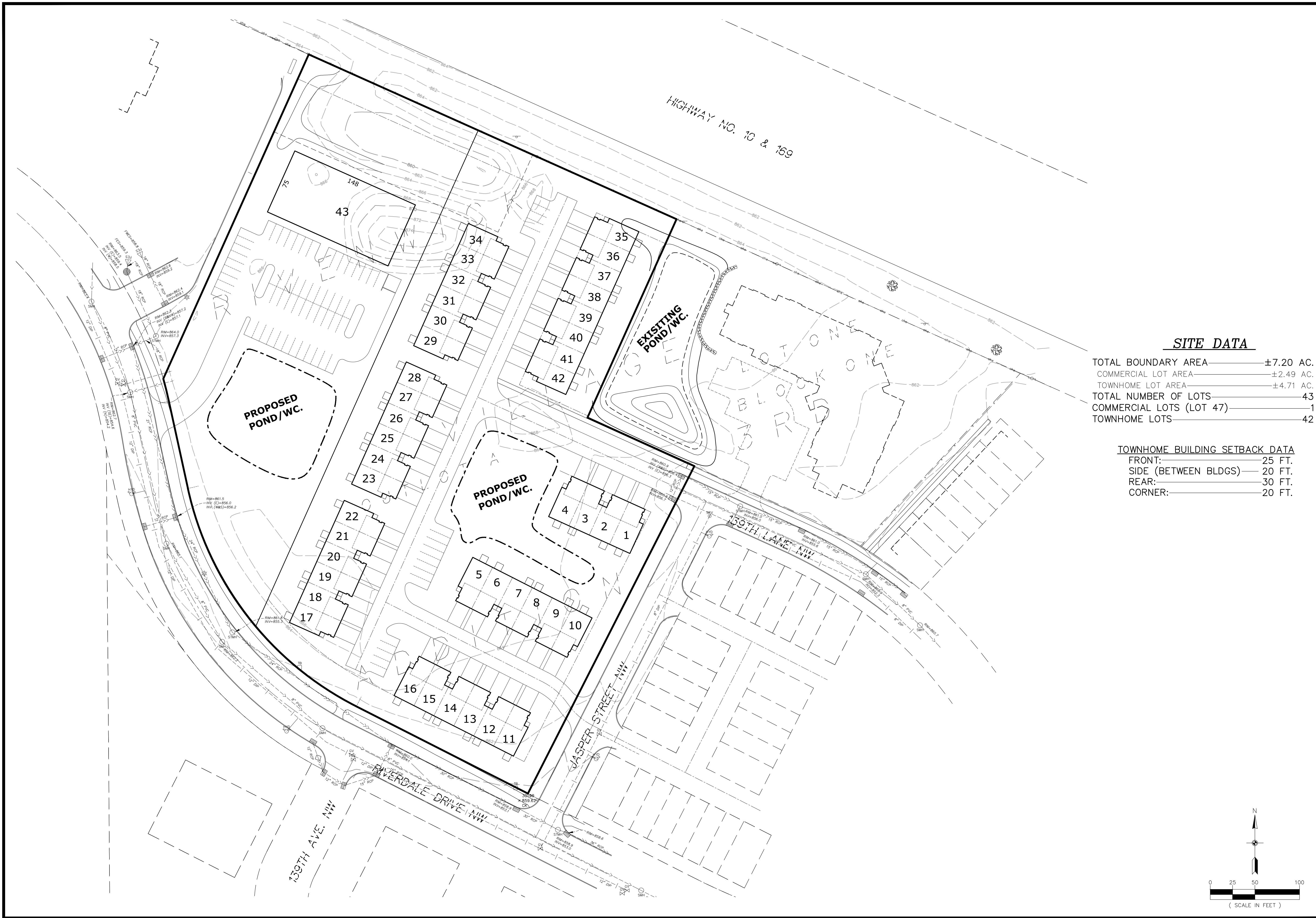
Suite Living (Built)

Residential

REVISIONS

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DESIGNED BY: CR
SCALE DATE: 04/2014
PLOT NO: 001

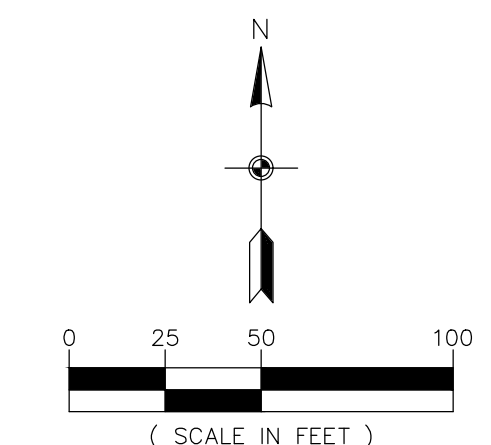


SITE DATA

TOTAL BOUNDARY AREA	±7.20 AC.
COMMERCIAL LOT AREA	±2.49 AC.
TOWNHOME LOT AREA	±4.71 AC.
TOTAL NUMBER OF LOTS	43
COMMERCIAL LOTS (LOT 47)	1
TOWNHOME LOTS	42

TOWNHOME BUILDING SETBACK DATA

FRONT:	25 FT.
SIDE (BETWEEN BLDGS)	20 FT.
REAR:	30 FT.
CORNER:	20 FT.

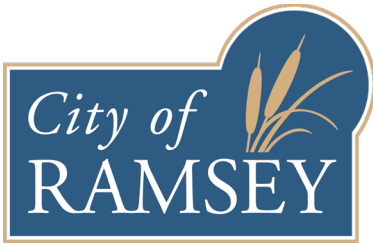


REVISIONS

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DRAWN BY: C#
ISSUE DATE: 10/09/2020
FILE NO: XXX

Site.DWG: 10/09/20 11:05:51.01 - 3020/9106 - rivenwick 4th add c31/survey/9106_b.your.zwg



Memo

7550 Sunwood Drive NW • Ramsey, MN 55303

City Hall: 763.427.1410 • Fax: 763.427.5543

www.cityoframsey.com

To: Chloe McGuire, Senior Planner

From: Sean Sullivan, Economic Development Manager

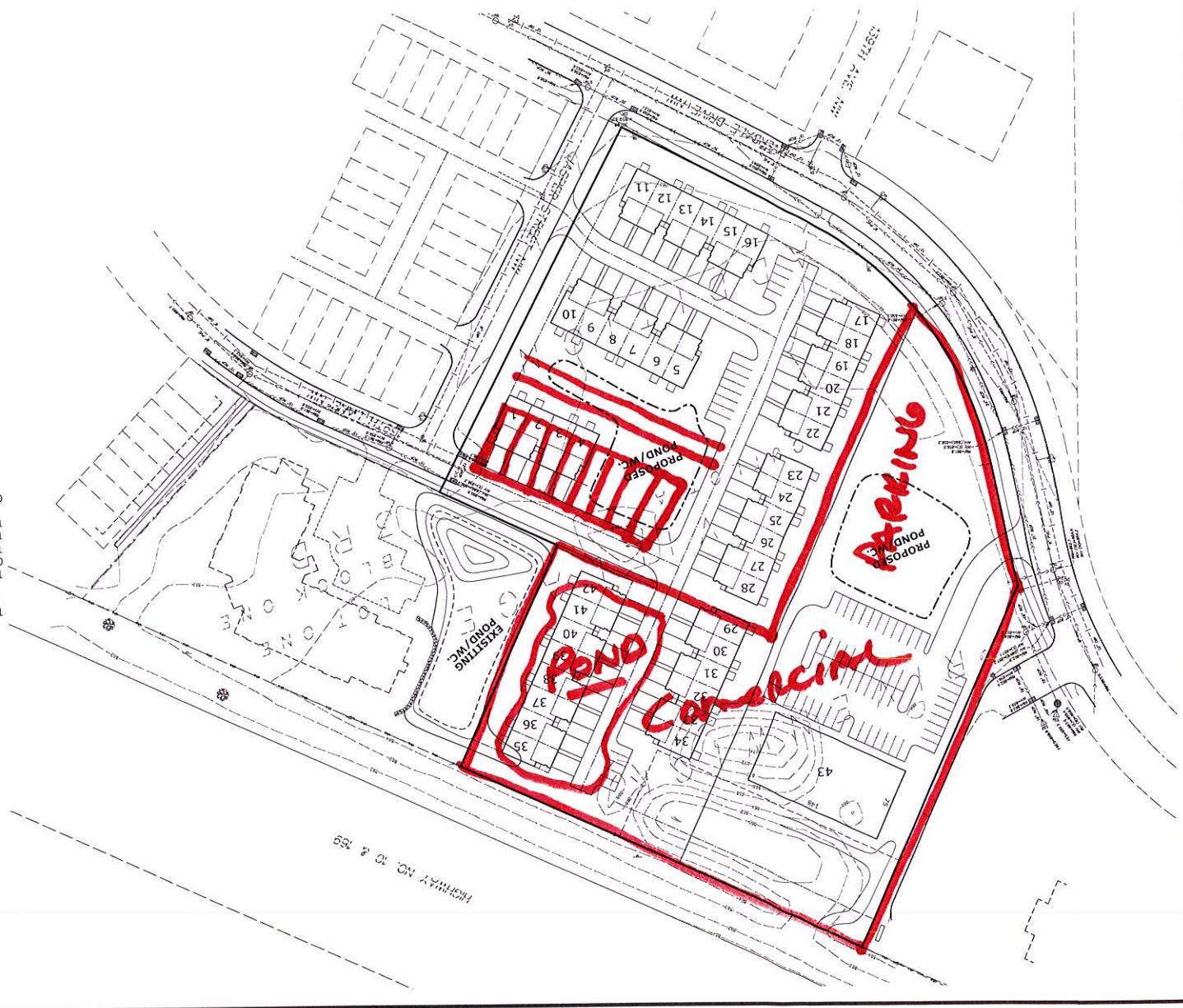
Date: 10/27/20

RE: Rivenwick Village 4th Addition – Land Use

The City of Ramsey has been working hard to provide commercial/retail opportunities for Ramsey residents. The City and private developers have had difficulty recruiting commercial/retail projects to Ramsey due to area demographics and site issues. In the COR, the City continues to hear developers and end users indicate that the lack of visibility from Highway 10. Traffic Counts range from 30,000 vehicle trips per day to 60,000 vehicle trips per day on the corridor. Unfortunately, the vehicles (and subsequently potential retail shoppers) and not directly accessed from Highway 10 and not easily visible. This diminishes their market potential. We have worked with developers and end users to provide additional wayfinding signage, but it is no substitute for having direct Highway 10 visibility. Other factors, such as Ramsey's 1 to 10 mile trade area populations, provide challenges for certain restaurant, service and retail businesses. Although our numbers are improving every year, we are not at the point where restaurants, service, and retail businesses are prioritizing Ramsey as a retail ready site. We have to work hard for every commercial/industrial user we get to choose Ramsey.

Staff has reviewed the proposed development by Lennar at Rivenwick from an economic development perspective. The development proposal is requesting that a portion of planned land use along Highway 10 west of Suite Living be changed from a commercial to a residential use. Although Staff is excited about the potential for additional "roof-tops" to help our community demographics from a retail perspective as well as filling certain housing needs, the proposed used is not maximizing the development potential of this site. There are not many undeveloped retail zoned sites along Highway 10 in Ramsey with development potential. Based on the limited number of these viable commercial sites in the community, Staff would recommend that land along Highway 10 remain guided for commercial development.

32 units
pond or commercial



SITE DATA

TOTAL BOUNDARY AREA	± 7.20 AC.
COMMERCIAL LOT AREA	± 2.49 AC.
TOWNHOME LOT AREA	± 4.71 AC.
TOTAL NUMBER OF LOTS	43
COMMERCIAL LOTS (LOT 47)	1
TOWNHOME LOTS	42
TOTAL COMMERCIAL PONDING AREA	± 0.30 AC.
TOTAL TOWNHOME PONDING AREA	± 0.30 AC.
CENTERLINE LENGTH	1,100 LF.

TOWNHOME BUILDING SETBACK DATA

FRONT	25 FT.
SIDE (BETWEEN BLDGS)	20 FT.
REAR	30 FT.
CORNER	20 FT.

<p>REVISIONS</p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td>1</td> <td></td> <td></td> </tr> <tr> <td>2</td> <td></td> <td></td> </tr> </table>		NO.	DATE	DESCRIPTION	1			2		
NO.	DATE	DESCRIPTION								
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<p>LENMAR 163050 - 36th Avenue North Plymouth, Minnesota 55446</p>										
<p>CONCEPT PLAN</p> <p>RIVENWICK 4TH ADDITION Ramsey, Minnesota</p>										
<p>CARLSON MCCAIN ENGINEERING SURVEYING ENVIRONMENTAL</p> <p>3400 PLYMOUTH ROAD DRIVE THE SOUTH TOWNSHIP, MINN. 55426 TEL: 763.242.7000 FAX: 763.242.7001 WWW.CARLSONMCCAIN.COM</p>										

Regular Planning Commission

7. 2.

Meeting Date: 12/03/2020

By: Chloe McGuire Brigl, Community
Development

Information

Title:

Review Sketch Plan for Bacon Property; Case of Bill Boyum

Purpose/Background:

The purpose of this case is to review a request from Bill Boyum (the "Applicant") for feedback from the Planning Commission before moving forward to a formal Sketch Plan application. The Applicant has provided a preferred concept, with 9 lots, and an associated narrative, and a secondary concept with 19 lots. Staff has reviewed both concepts. The Subject Property is approximately 94 acres and is being referred to as the Bacon Property, as Bruce Bacon used to reside on and organically farm the property.

Notification:

No notification required for this step. The Applicant wanted to get high level feedback from the Planning Commission prior to submitting for formal Sketch Plan. If the project moves forward, next steps include sketch plan (with mailing to neighbors), preliminary plat (with formal public hearing, newspaper and mailed notice), and final plat (no notice).

Observations/Alternatives:

Concept 1 - 9 Lots

Concept 1 is the preferred concept from the Applicant. It includes 9 large lots all off a new public street constructed at the existing 175th Avenue. The proposal has an approximately 1,500 foot cul-de-sac, which is more than double the allowed 600 foot long cul-de-sac. A variance would be required for cul-de-sac length. The Applicant is requesting feedback from the Planning Commission on the potential variance. Staff does feel there is merit to the variance request, it is a very unique property and the 9 lot proposal does protect the natural character of the property. The Applicant has included a narrative on why the variance is a reasonable request, which is attached, and also includes a couple examples of long cul-de-sacs within the City. This proposal includes two larger executive lots on the north end of the site which are both over 20 acres. This would allow for significant protection of the environment.

Concept 2 - 19 Lots

The Applicant also included a concept plan with 19 lots that includes a road ending in a loop road with houses at the end. This proposal allows for road connection through the park to the west, and a potential road stub to the east. This proposal is not preferred by the Applicant but is preferred by the City's public safety team. The City's public safety team does prefer to see additional road connections when possible. This proposal includes additional lots, which allows for lesser environmental protections, but does allow for road connections.

The Applicant is looking for feedback from the Planning Commission on the concepts, as well as the potential for a variance to cul-de-sac length associated with Concept 1 (9 lots).

Staff has reviewed both concepts and staff comments are attached to this document. There is a path to approval for either option.

Funding Source:

Staff is handling this portion of review as part of normal duties to provide the Applicant feedback prior to moving forward with a concept for Sketch Plan.

Recommendation:

Provide the Applicant feedback on which concept plan to move forward with, and develop a formal sketch plan application.

Action:

Direct the Applicant to move forward with developing formal sketch plan based on one of the attached options.

Attachments

9 Lot Concept Plan

Narrative

19 Lot Concept Plan

Planning Review

Staff Comments (ProjectDox)

Staff Review Status

Form Review

Inbox

Tim Gladhill

Form Started By: Chloe McGuire Brigl

Final Approval Date: 11/24/2020

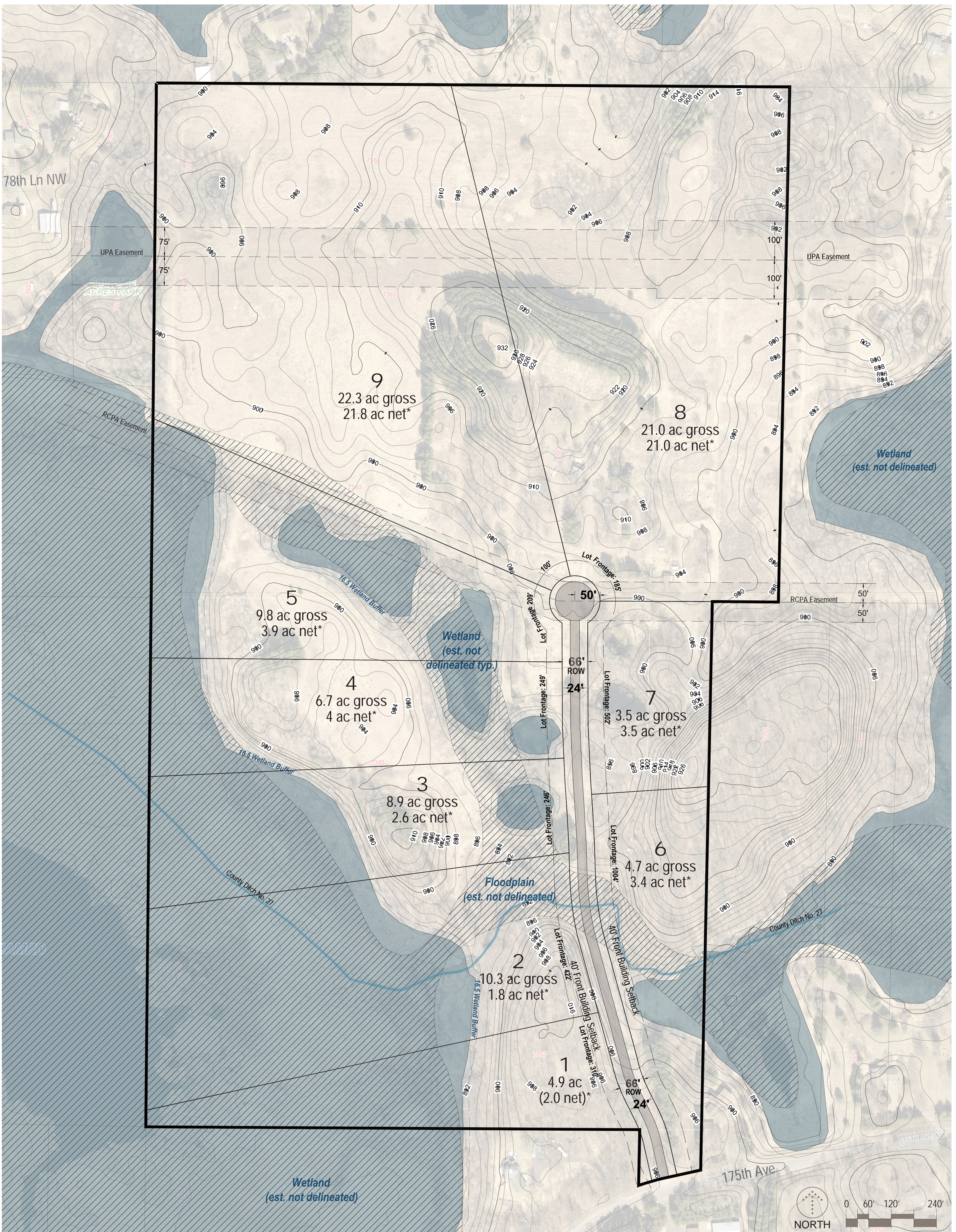
Reviewed By

Tim Gladhill

Date

11/24/2020 09:06 PM

Started On: 11/23/2020 02:20 PM



Boyum Subdivision Development Data

Project Area	4,112,661 Sq. Ft. / 94.4 Acres
Wetlands and Floodplain Area	27.2 Acres
ROW Area	2.5 Acres
Net Developable Area (less wetlands, floodplain, ROW)	64.7 Acres
Number of Lots	9
Density	1 unit / 7 acres

Design Metrics

Minimum Lot Size	2.5 Acres
Front Setbacks	40'
Rear Setback	40'
Side Setback Interior / Street	10' / 40'
Minimum Lot Width	200' or 100' on cul-de-sac
Minimum Lot Depth	100'
ROW	66'

Legend

- Wetland
- Wetland Buffer
- Floodplain
- * Net acres = less wetland, floodplain, utility easements



From Site to Finish

Sketch Plan for Boyum Subdivision

Prepared for:
Bill Boyum

October 30, 2020



PREPARED FOR
City of Ramsey
7550 Sunwood Drive NW
Ramsey, MN 55303



PREPARED BY
Landform Professional Services, LLC
105 5th Ave S, Suite 513
Minneapolis, MN 55401

TABLE OF CONTENTS

Introduction	1
Sketch Plan.....	1
Summary	2
Contact Information.....	2

Introduction

On behalf of Bill Boyum, Landform is pleased to submit this application for informal sketch plan review for consideration of a nine lot subdivision on 94.4 acres located at 7363 175th Avenue NW (PIN #04-32-25-13-0001, 04-32-25-14-0005, 04-32-25-41-0002, 04-32-25-42-0002, 04-32-25-42-0003 and 04-32-25-44-0003). We look forward to City input on our plans, so that we can continue refining the subdivision for a formal application.

Sketch Plan

The sketch plan shows nine lots accessing off a new public street that would be constructed at the existing 175th Avenue curb cut. A private drive provides access to all six existing parcels today and the new street would follow a similar alignment.

All parcels comply with the minimum dimensional requirements for single family homes in the Rural Developing (outside MUSA) zoning district. This zoning district has a minimum density range of one unit per 2.5 acres, which requires 37 lots to be created on this parcel. While the Code could allow up to 37 lots on this parcel, the concept plan is for only nine lots. The developer wishes to develop only seven lots on the south half of the property and leave the northern portion as two large estate lots. The proposed lots range in size of 3.5 to 22.3 gross acres.

The new public street would comply with City design standards as a 28-foot wide street in a 66-foot right-of-way; however, we are requesting flexibility on the cul de sac length. The ordinance limits cul de sacs to a maximum of 600 feet. We are requesting City approval to allow an approximately 1,500 foot long cul de sac. We understand that a variance is required to exceed the 600 foot cul de sac length.

The variance for cul de sac length is needed to put the property to reasonable use. The location of the wetlands on the southern half of the property creates a hardship that makes it impossible for the developer to create a shorter cul de sac(s) to serve the nine lots and meet the minimum lot size and width requirements. The physical characteristics of the site requires the cul de sac to be extended beyond the wetland areas.

The longer cul de sac allows the developer to limit the number of lots to nine lots only. If the development were required to build a public street to connect 178th Lane, the developer would need to increase the number of lots to offset the additional construction costs, which would result in additional significant impacts to the natural resources on the site (tree removal, grading, etc.) to extend the street and create the additional lots.

While we understand the desire to limit cul de sac length where possible, there are a number of cul de sacs in the rural part of the City that exceed the 600 foot cul de sac length and many of those serve significantly more homes than proposed on our concept. For example:

- The Xenolith Street connection from 181st Street to 178th Lane to the northwest of our site is also 1,500 feet long before extending an additional 300 feet on the 178th cul de sac, for a total cul de sac length of 1,800 feet serving 12 homes and providing access to a public park.
- 185th Avenue extends east of Burns Parkway as an approximately 4,000 foot long cul de sac serving 26 lots.

Our plans also include a concept for how the two estate lots could be further subdivided to create 10 lots and provide a future street connection to the east and west. It is not the landowner's intent to do so, but is provided simply to

show how the development could be maximized on the site and future street connections could be extended in the future. The creation of one or two estate lots on the north half of the site allows the landowner to preserve the natural features of the site as previously requested by adjacent property owners.

Summary

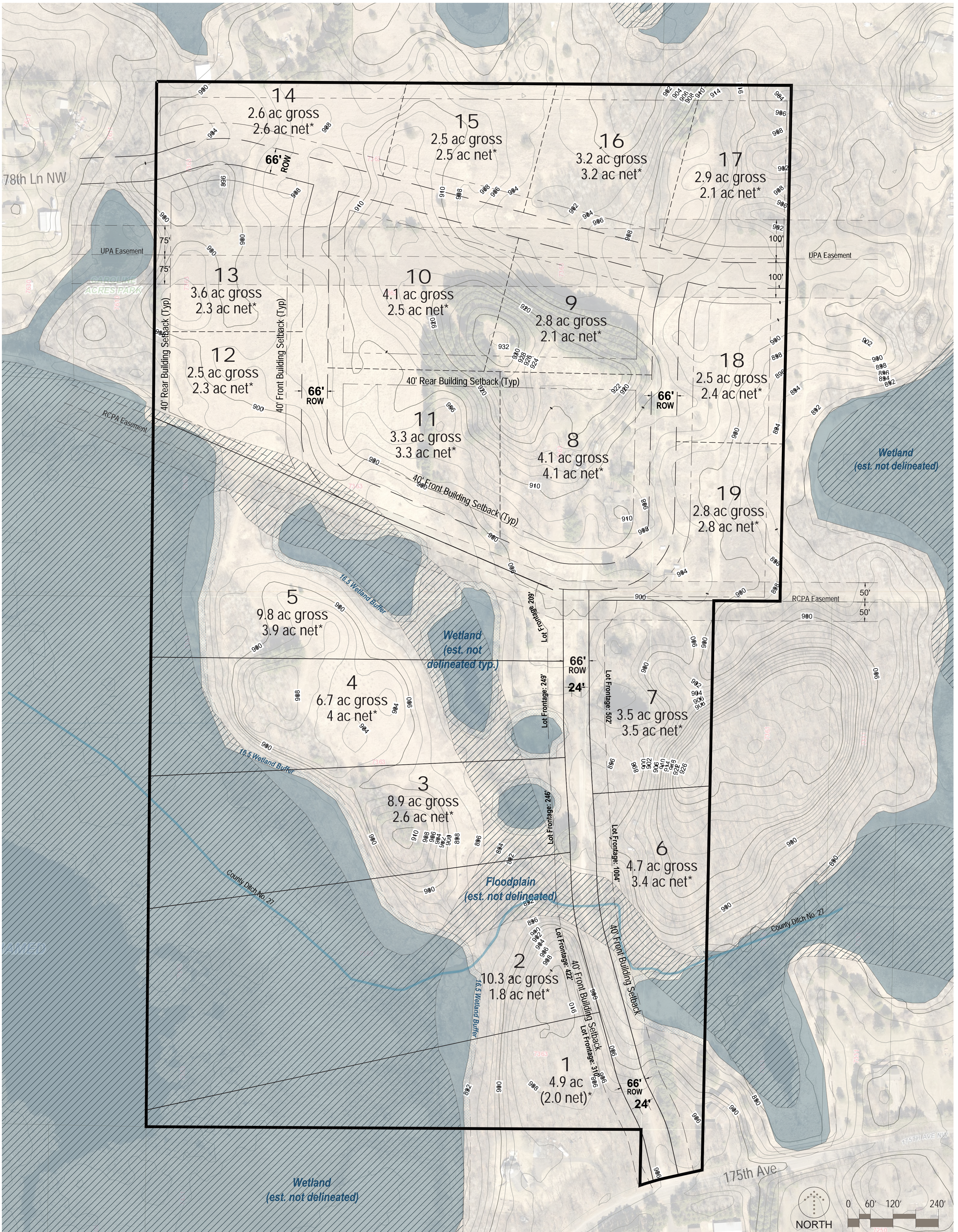
We request City feedback on the sketch plan to create nine lots on this 94-acre site and the required variance for the cul de sac length. We understand that the next steps would be 1) submittal of a formal sketch plan application, 2) submittal of a preliminary plat and variance application and 3) submittal of a final plat application. We look forward to working with the City on this development.

Contact Information

This document was prepared by:

Kendra Lindahl, AICP
Landform
105 South Fifth Avenue, Suite 513
Minneapolis, MN 55401

Any additional questions regarding this application can be directed to Kendra Lindahl at klindahl@landform.net or 612.638.0225.



Boyum Subdivision Development Data

Project Area	4,112,661 Sq. Ft. / 94.4 Acres
Wetlands and Floodplain Area	27.2 Acres
ROW Area	8.5 Acres
Net Developable Area (less wetlands, floodplain, ROW)	58.7 Acres
Number of Lots	19
Density	1 unit / 3 acres

Design Metrics

Minimum Lot Size	2.5 Acres
Front Setbacks	40'
Rear Setback	40'
Side Setback Interior / Street	10' / 40'
Minimum Lot Width	200' or 100' on cul-de-sac
Minimum Lot Depth	100'
ROW	66'

Legend

- Wetland
- Wetland Buffer
- Floodplain
- * Net acres = less wetland, floodplain, utility easements

**CITY OF RAMSEY LAND USE APPLICATION
TECHNICAL REVIEW FILE**

Date	11/20/2020	Project Site	PID: Bacon Property
Project Title	20-138 Bacon Subdivision		
Escrow #			
Department:	Community Development: Planning Division		
Technical Reviewer:	Name: Chloe McGuire Phone: 763-433-9821 Email: cmcguire@cityoframsey.com		

Required Steps

1. Free Pass (We're here)
2. Sketch Plan – Planning Commission
3. Site Plan – Planning Commission + City Council
4. Final Plat – City Council

Site Plan Review

Notes:

- Please see ProjectDox (electronic plan review) comments from Staff.
- Seems to generally meet R-1 Rural Developing

Comprehensive Plan: The property is currently guided as Rural Developing in the 2040 Comprehensive Plan. This designation would allow for larger lots on private well and septic.

Zoning: The site is currently zoned as R-1 Rural Residential. This allows for 2.5 acre lots on well and septic.

Number of Lots: The Applicant has provided two concept plans, a preferred concept plan with 9 lots, and a secondary concept plan with 19 lots. Staff reviewed both proposals.

R-1 Residential (MUSA) Single Family Detached Standards		
<i>Standard</i>	<i>Required</i>	<i>Proposed (on both concepts)</i>
Minimum Lot Size	2.5 acres	2.5 acres +
Minimum Lot Width	200 feet	200 feet/100 feet on cul-de-sac
Minimum Buildable Acreage (net)	1 acre	All >1 acre
Density Transitioning	Required when abutting less dense developments.	N/A

Maximum Lot Coverage (All Buildings, Excludes Paving)	35%	N/A. Appears it will meet requirement.
Maximum Driveway Width at Street	30 feet 24 on cul-de-sac	Not noted but should meet requirement.
Driveway Surface	Bituminous or Concrete	Bituminous or Concrete
Minimum Driveway Length	25 feet	25 feet
Wetland Setback	16.5 feet	Not noted but should meet requirement.

Wetlands/Floodplain: There are significant wetlands onsite, which will require a wetland delineation with 16.5 foot buffer on any edge of a wetland encumbered by drainage and utility easement.

Streets and Access:

- Concept 1 (9 Lots) – this proposal includes a long cul-de-sac that would require a variance
- Concept 2 (19 Lots) – this proposal also includes a long cul-de-sac technically, but has a loop at the end of the road instead of ending in a typical cul-de-sac. Public safety prefers this option to allow for easier turnaround at the end. This proposal also provides the opportunity to connect the road to the properties to the west and east, which is preferred by public safety.

Well and Septic: With the preliminary plat, the developer should show the proposed house pads and a primary and secondary location for the septic to ensure the lots are adequately sized.

Changemarks Report

Project Name: Bacon Property Subdivision, Boyum

Workflow Started: 11/03/2020 10:55 AM

Report Generated: 11/24/2020 09:17 AM

Grouping	Cycle	Ref #	Complete?	Status	Department	Snapshot	File	Markup Name	Changemark Subject	Changemark Details	Markup Date	Updated By	Applicant Response
Main Workflow	1	9	False	Unresolved	Civil Engineer IV		2020-10-30 Boyum Narrative.pdf	LL	Not Ramsey	This street is in the City of Nowthen.	11/04/2020 1:37 PM	Len Linton	
		7	False	Unresolved	Civil Engineer IV		2020-10-26 Bacon Concepts.pdf	LL	Lots 3 - 5	Constructing driveways for these lots will require wetland mitigation. Wetland mitigation is generally outside of the scope of individual home builders. The next submittal must include a plan for a common shared driveway for lots 3 -5, including a potential wetland mitagation area.	11/04/2020 1:33 PM	Len Linton	
		8	False	Unresolved	Civil Engineer IV		2020-10-26 Bacon Concepts.pdf	LL	Connection to East	This connection does not appear to be feasible. All of the land to the east is private property, most with wetland areas and single family homes on the upland areas where a connection to a public street could be made. Reconfigure the Layout to remove this stub.	11/04/2020 1:33 PM	Len Linton	

Changemarks Report

Grouping	Cycle	Ref #	Complete?	Status	Department	Snapshot	File	Markup Name	Changemark Subject	Changemark Details	Markup Date	Updated By	Applicant Response
Main Workflow	1	1	False	Unresolved	Civil Engineer II		2020-10-26 Bacon Concepts.pdf	JJF	ACCESS LOTS 3-5	NOT MUCH BUILDABLE AREA ACCESSABLE LOTS 3-5. THIS WILL REQUIRE GRADING AND WETLAND DELINEATION.	11/03/2020 2:53 PM	Joe Feriancek	
		2	False	Unresolved	Civil Engineer II		2020-10-26 Bacon Concepts.pdf	JJF	CDS DIMENSION	DIMENSION ARROW IS AT THE ROW, WHEN IT SHOULD BE AT THE EDGE OF PAVEMENT.	11/03/2020 2:53 PM	Joe Feriancek	
		3	False	Unresolved	Civil Engineer II		2020-10-26 Bacon Concepts.pdf	JJF	CDS LENGTH	CDS IS NEARLY 3 TIMES THE MAX 600' CDS LENGTH.	11/03/2020 2:53 PM	Joe Feriancek	
		4	False	Unresolved	Civil Engineer II		2020-10-26 Bacon Concepts.pdf	JJF	CAROL-ROSE SUBDIVISION CONNECTION	WOULD WE REQUIRE THIS CONNECTION TO BE MADE AT THE TIME OF DEVELOPMENT? EASIEST ROUTE TO A 2ND EXIT FOR THESE HOMES.	11/03/2020 2:53 PM	Joe Feriancek	
		5	False	Unresolved	Civil Engineer II		2020-10-26 Bacon Concepts.pdf	JJF	LOT 13	HOW MUCH BUILDABLE IS AVAILABLE WITH POWER LINE EASEMENT THROUGH MIDDLE OF LOT? THIS WILL HAVE AN IMPACT ON FUTURE USAGE FOR SECONDARY BUILDING, ETC.	11/03/2020 2:53 PM	Joe Feriancek	
		6	False	Unresolved	Civil Engineer II		2020-10-26 Bacon Concepts.pdf	JJF	STUB TO EAST	HOW LIKELY IS THE CONNECTION TO THE EAST? COULD SPACE FOR A CDS BE MADE TO KEEP ACCESS FOR LOT 17?	11/03/2020 2:53 PM	Joe Feriancek	

Department Review Status Report

Project Name: Bacon Property Subdivision, Boyum

Workflow Started: 11/03/2020 10:55 AM

Report Generated: 11/24/2020 09:18 AM

Cycle	Department	Reviewer	Email	Status	Reviewer Comments	Applicant Comments
1	Civil Engineer IV	Len Linton	llinton@cityoframsey.com	Corrections Required	Please address the comments in the next submittal.	
	Engineering Tech	Logan Czech	lczech@cityoframsey.com	No Review Required		
	Fire	Carey Schiferli	cschiferli@cityoframsey.com	Corrections Required	9 lot subdivision doesn't work, only like 19 lot for safety	
	Police	Brad Bluml	bbluml@cityoframsey.com	Approved		
	Public Works - Street	Grant Riemer	griemer@cityoframsey.com	Corrections Required	The narrative states a 28' road in a 66' ROW, but the drawing shows a 24' road.	
	City Planner	Chloe McGuire Brigl	cmcguire@cityoframsey.com	Approved	Need to hear from Planning Commission - both options generally OK	
	Community Development Director	Tim Gladhill	tgladhill@cityoframsey.com	No Review Required	Waiting for public comment before responding.	
	Civil Engineer II	Joe Feriancek	jferiancek@cityoframsey.com	Approved	PREFER THE 2ND LAYOUT. BUT THINK THE CONNECTION TO THE WEST THROUGH CAROL-ROSE SUBDIVISION WILL NEED TO BE MADE, OTHERWISE TOO MANY HOUSES WITH ONE ACCESS AND TOO FAR OF A CDS.	