

6.01: Public Hearing: Consider Preliminary Plat and Variance for Williams Woods (Project No. 20-138); Case of Bill Boyum

Public Hearing

Chairperson Bauer called the public hearing to order at 7:03 p.m.

Presentation

City Planner Anderson presented the staff report stating that staff recommends approval of both the variance and Preliminary Plat. It was noted that the staff recommendation includes revising the proposed street name to match the Public Safety Grid for Anoka County.

Chairperson Bauer asked if conditions can be put on a variance.

Deputy City Administrator Gladhill commented that conditions could be put upon a variance if there is something the Commission is attempting to mitigate.

Chairperson Bauer stated that the largest concern came from public safety and the statement from Police Chief Katers expressed that public safety could agree with the extended cul-de-sac if there was a guarantee that these nine homes would be the only homes on the cul-de-sac and there would not be future subdivision. He asked if the condition could be placed upon the variance that only the nine homes could be built.

Senior Planner McGuire Brigl commented that she could speak with the City Attorney for input. She noted that any future subdivision would require an additional variance and therefore would need to come back before the Commission and City Council. She stated that the statement can be made that another variance would not be granted in the future for subdivision and that can be included in the file for future inquiries.

Commissioner Anderson stated that there appear to be outstanding environmental issues related to the wetlands. He stated that it did not appear this would be ready for Preliminary Plat.

City Planner Anderson commented that the approval would be contingent upon those conditions. He reviewed the statements related to drainage and utility easements. He noted that one driveway will need to be realigned in order to avoid the drainage and utility easement. He stated that staff is also working with the DNR to ensure that there would not be floodplain impacts or concerns with driveways being inundated. He stated that the applicant would continue to work on those items. He stated that he would not have any hesitation making the approval contingent upon those actions.

Senior Planner McGuire Brigl commented that there are a similar number of comments for this request as there have been for other development requests.

City Planner Anderson commented that the Environmental Policy Board has also reviewed this and provided a positive recommendation related to natural resources.

Commissioner VanScoy asked for input on the variance requested. He asked if there is a reasoning within City Code as to the maximum length of a cul-de-sac.

City Planner Anderson commented that the variance is related to the cul-de-sac length. He commented that he is not aware of the specific rationale within City Code as to the allowed length of a cul-de-sac.

Commissioner VanScoy commented that he has been under the impression that the policy is based off public safety. He stated that his concern would be that there is a standard that the City is looking to compromise to allow something to happen outside of that standard. He stated that he would be hesitant to compromise public safety. He stated that having a few extra feet of road width may seem to be an improvement but would not be if the road were blocked. He stated that he has difficulty in considering approval.

City Planner Anderson noted that there are other examples of longer cul-de-sacs that have not resulted in issues with safety. He stated that the recommendation from public safety and related comments were included in the staff report.

Chairperson Bauer asked if the Ramsey Code is in line with the adjacent community regulations for cul-de-sac length.

City Planner Anderson replied that he believed that Ramsey fell in the average as some communities had shorter maximums and some communities allowed longer.

Citizen Input

Todd Olin, Landform, spoke in representation of the applicant and stated that they went through several iterations of concepts to find a solution that would avoid requesting a variance but there were none. He stated that the property is bordered by an existing home, multiple properties, wetlands, and a City park. He noted that there were several layouts including one with more lots and the Council preferred the nine-lot layout and therefore they went forward with that concept. He stated that this concept preserves the natural resources in this area and noted that they have tried to be mindful of the wetlands, topography, and tree preservation. He noted that typically a longer road equates to more lots but in this case a longer road is minimizing the impact to the natural resources. He stated that the lots will vary in size from 3.5 acres to 22 acres and will be beautiful premium lots. He noted that they have reviewed the planning and engineering comments in detail and do not have concern in meeting those conditions. He explained that they will also need approvals from other agencies and by the time of Final Plat those comments would be addressed.

Mark Hager, 7431 175th Avenue, stated that this project is in his backyard. He stated that he favors this nine-lot layout versus the 23 lots previously proposed. He commented that his concern is that he has 10 acres while the 3.5-acre lot will abut his property. He asked if the smaller lot could be placed in a different location. He stated that they do have concerns with the water in that area and wanted to ensure that the project does not impact his home. He commented that his driveway is next to this road that will enter the development and asked if that would be an issue. He asked if

his driveway would need to be moved to make it safer, and whether that would be his expense to do so.

Chairperson Bauer recalled the issue with the driveway being raised during a prior open house meeting.

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

A roll call vote was performed:

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

Motion Carried.

Chairperson Bauer closed the public hearing closed at 7:33 p.m.

Commission Business

Chairperson Bauer suggested that the Commission first review the variance request. He noted his previous suggestion to place a condition upon the variance which would limit the extended cul-de-sac to the nine homes proposed.

Commissioner Anderson stated that there are two conditions that create an issue to connect to 178th one of which would be the existing park land. He asked if changing the dedication of that land is difficult to do or is something that cannot be done.

Deputy City Administrator Gladhill commented that un-dedicating a dedicated park plat is almost impossible. He noted that if the land is not put to the intended purpose of park, the first right to the land would be to the person that dedicated the land. He stated that there is the technical issue and then the perceived issue of changing the use of the land as neighbors are used to the park use. He confirmed that the City has attempted to change the use of unused park land in the past and it proved to be difficult and to be a process of multiple years.

Chairperson Bauer commented that in previous meetings the neighbors were strongly opposed to changing the use of the park.

Commissioner Gengler commented that she feels that all options have been reviewed and this development has gone forward with a lot of caution in order to maintain the natural resources on the site.

Motion by Commissioner Gengler, seconded by Commissioner Peters, to adopt Resolution #21-155 granting a variance to cul-de-sac length with the restriction that the cul-de-sac has a maximum of nine lots, subject to City Attorney review as to legal form.

Further discussion

Commissioner VanScoy stated that he is reluctant to approve this as he views it as a public safety issue but appreciates the work of staff and the applicant. Chairperson Bauer commented that the applicant did review multiple other options but there did not seem to be an option that would not result in a variance.

A roll call vote was performed:

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

Motion Carried.

Motion by Commissioner Peters, seconded by Commissioner Dunaway, to recommend that City Council adopt Resolution #21-156 approving the Preliminary Plat for Williams Woods.

Further discussion

Commissioner Anderson commented that he does not support the cul-de-sac length and therefore cannot support this request as well.

A roll call vote was performed:

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

Motion Carried.