

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

The Ramsey Planning Commission conducted a regular meeting on Thursday, July 22, 2021, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present:                   Chairperson Randy Bauer  
  Commissioner Bruce Anderson  
  Commissioner Andrew Dunaway  
  Commissioner Eric Peters  
  Commissioner Gary VanScoy  
  Commissioner Brian Walker

Members Absent:                   Commissioner Cheri Gengler

Also Present:                       Senior Planner Chloe McGuire Brigl  
  City Planner Chris Anderson  
  Planning Technician Brian McCann  
  City Council Liaison Matt Woestehoff

**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 VanScoy, to approve the agenda as presented.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners Peters, VanScoy, Anderson, Dunaway, and Walker. Voting No: None. Absent: Commissioner Gengler.

**5.     CONSENT AGENDA**

**5.01:  Approve the June 3, 2021 Planning Commission Meeting Minutes**

- 5.02: Review Ordinance #21-17 Amending Rental Licensing Requirements to Include Short-Term Rentals**
- 5.03: Review Future Planning Commission Meeting Dates**
- ~~**5.04: Consider Ordinance #21-15 Creating Additional Requirements for Driveways and Parking Pads**~~
- 5.05: Review Resolution #21-210 Approving Site Plan and Final Plat for Knoll Properties 2<sup>nd</sup> Addition; Case of Anderson Dahlen**
- ~~**5.06: Provide Feedback on Proposed Residential Development on Armstrong/Bunker; Case of Centra Homes**~~
- 5.07: Review Proposed Site Plan for G Will Liquors**

Commissioner Anderson requested to pull Item 5.04 from the Consent Agenda.

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

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Peters, Anderson, Dunaway, and Walker. Voting No: None. Absent: Commissioner Gengler.

## **6. PUBLIC HEARINGS/COMMISSION BUSINESS**

- 6.01: Public Hearing: Consider Request for a Conditional Use Permit to Expand an Existing Utility Substation (Project No. 21-125); Case of Connexus Energy**

### **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 the Conditional Use Permit.

Commissioner VanScoy asked who owns the lot.

City Planner Anderson replied that Connexus owns the lot.

### **Citizen Input**

Mike Felber, Connexus Energy, thanked staff for the presentation. He noted that the existing structure is old and made of wood and therefore in need of updates. He stated that they will be tearing down the existing structure and building a new substation.

Commissioner Walker asked the length of time the rebuild would take.

Mr. Felber replied about two months.

Commissioner Anderson asked if everything would be contained within the subject area.

Mr. Felber confirmed that the construction would stay within the fenced area.

Thomas Kurak, 15001 Sunfish Lake Boulevard, stated that he did not hear any mention of buffer and asked if there are existing trees that would buffer the area.

City Planner Anderson displayed an aerial photograph of the site. He stated that there will be some removal of existing trees.

Chairperson Bauer commented that this would be located between the railroad tracks, Alpine trees and the golf course.

Mr. Kurak commented that this is not an area where people expect industrial things and was happy to hear that this would not impact others.

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

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Dunaway, Anderson, Peters, and Walker. Voting No: None. Absent: Commissioner Gengler.

Chairperson Bauer closed the public hearing closed at 7:10 p.m.

### **Commission Business**

Motion by Commissioner VanScoy, seconded by Commissioner Walker, to recommend that City Council adopt Resolution #21-208 Granting a Conditional Use Permit to Expand an Existing Utility Substation.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Walker, Anderson, Dunaway, and Peters. Voting No: None. Absent: Commissioner Gengler.

### **6.02: Public Hearing: Consider Resolution #21-178 Denying a Variance for 7474 163<sup>rd</sup> Avenue NW (Project 21-118); Case of Manuel Cuevas**

### **Public Hearing**

Chairperson Bauer called the public hearing to order at 7:11 p.m.

### **Presentation**

Planning Technician McCann presented the staff report stating that staff recommends that the Planning Commission adopt Resolution #21-178 denying a Variance to side setback for a detached structure at 7474 163<sup>rd</sup> Avenue NW.

Chairperson Bauer asked for clarification as to the drainage and utility easement and side yard setback.

Planning Technician McCann identified the boundaries of the property along with setbacks.

Senior Planner McGuire Brigl commented that this would only be related to the side setback and not to the wetland encroachment as that would be handled in a different manner.

Commissioner Walker asked if there are any pictures of the detached structure, rather than just the aerial photographs.

Planning Technician McCann commented that there are some code enforcement photos but there is a hill on the property, therefore you can typically only see the top of the structure.

Senior Planner McGuire Brigl noted that it is an attractive shed.

### **Citizen Input**

Manuel Cuevas, applicant, commented that the variance notes that the structure is 120 square feet, which coincides with the allowance by City Code. He stated that his shed is actually 96 square feet and therefore was unsure if a variance was even necessary.

Senior Planner McGuire Brigl commented that City Code regulates buildings over 200 square feet under the State building code, and uses a zoning permit to regulate structures under 200 square feet.

Mr. Cuevas stated that this is not a permanent structure and is not set on a foundation, but prebuilt and could be moved. He stated that he did say he could move the shed, if the situation arises where it needs to be moved for access. He stated that the shed does not currently restrict any type of access to the drainage and utility easement. He noted that engineering mentioned that the shed could be a fire hazard but moving the shed closer to his fire pit would seem to be more of a hazard. He stated that engineering stated that the shed could restrict the flow of water but noted that the shed is on support and water can flow underneath. He stated that his subdivision and homes around the easement have very small backyards. He noted that 40 percent of his property is within the drainage and utility easement. He noted that only 2,400 square feet of his property is flat and therefore it would not be feasible to place the shed on an area that is not flat. He stated that most homes in Ramsey have larger lots that can support larger accessory buildings. He stated that some of his neighbors have applied for variances to construct a deck because of the constraints of the lot.

Chairperson Bauer asked if the statement related to the decks is due to the wetland setbacks.

City Planner Anderson commented that this neighborhood might have been one of the examples that prompted the City to require a buildability element into the City Code. He noted that there have been several developments over the years that resulted in very little usable backyards. He

stated that a floodplain also comes through a portion of the backyards in this area, along with the wetland setback and drainage and utility easement.

Mr. Cuevas commented that the shed is small, movable, allows water flow as it is on legs, and could be moved if access is needed for the easement. He stated that if access is needed he could move the shed with a 24 hour notice. He stated that he spoke with his neighbors and none of them expressed concern. He noted that he even purchased a few bushes for the neighbor to help buffer the shed. He stated that he would be open to compromise but does not feel that placing the shed in the center of his backyard would be a good location as it would not be aesthetically pleasing and would make the backyard unusable. He asked that the Commission consider his request for a variance.

Commissioner VanScoy asked why the applicant is reluctant to move the shed.

Mr. Cuevas replied that they have a small backyard area that has a swing set for their children and therefore there is not much usable space if the shed is added to that area. He stated that the current shed location is not harming anyone and it is in a good location. He commented that if moved he would need to move irrigation and also would not want to disrupt the mature trees that he planted. He commented that he was unaware a building permit would be needed as this structure was prebuilt.

Commissioner Walker commented that he visited the property today and did not believe the overhead views provide an accurate representation of how small the backyard is. He stated that the applicant planted some trees and from the road you only see the top of the shed.

Commissioner Peters asked if the applicant reached out to a member of City staff when he was unable to find information on the website.

Mr. Cuevas stated that he called and spoke with a staff member but did not mention the shed itself. He noted that his discussion centered on the restrictions within the wetland buffer and he was told that the wetland buffer had been retracted.

Commissioner Peters commented that perhaps it would have been more effective to mention the shed during that discussion.

Amber Cuevas, applicant, stated that they were told that the shed would affect how staff could get into the easement. She noted that there are trees directly behind the shed and therefore staff would most likely choose to go to the right of the shed to get access.

Debra Musgrove, 15427 Fluorine Street, asked for clarification is the shed is on or over the property line.

Senior Planner McGuire Brigl commented that all properties require a six foot side yard setback and this shed is located at the property line. She noted that the issue of the drainage and utility easement would not be an issue of the Commission.

Commissioner Anderson clarified that the issue is that the shed is sitting directly at the property line. He asked if the shed would be acceptable if it were moved six feet from the property line.

Senior Planner McGuire Brigl commented that the shed would still be located in the drainage and utility easement but moving the shed six feet would solve the issue of the setback. She stated that if the Commission approved the variance for the setback, the applicant would still need to receive approval of an encroachment agreement from the Council and engineering, and would also need to obtain a zoning permit.

Chairperson Bauer clarified that if the Commission approved the variance request, the Council would still need to review the encroachment agreement request.

Commissioner Walker asked if there were any negative comments from those that were provided notice.

Senior Planner McGuire Brigl replied that there were no comments received from the public.

Commissioner Anderson asked if the shed were moved 10 feet to the west, would that be acceptable to the applicant.

Mr. Cuevas replied that area has large mature plants and landscaping that would need to be removed.

Commissioner Anderson stated that the issue he would have is that the shed is sitting on an easement.

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

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Anderson, Dunaway, Peters, and Walker. Voting No: None. Absent: Commissioner Gengler.

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

### **Commission Business**

Commissioner Anderson asked when the Council would be schedule to review this item.

Senior Planner McGuire Brigl commented that this is not yet scheduled to move to the City Council as staff was awaiting the decision of the Commission.

Chairperson Bauer asked if there would be reason for the applicant to request the encroachment if the setback is denied.

Senior Planner McGuire Brigl confirmed that to be true but it was noted that the applicant could appeal the decision of the Commission.

Commissioner Anderson asked for clarification on the location of the wetland setback/buffer.

City Planner Anderson commented that the wetland setback/buffer is not applicable in this development.

Commissioner Anderson asked if the shed could be moved west without additional issue.

City Planner Anderson commented that in this neighborhood there is no wetland setback, the property owners just have to stay out of the drainage and utility easement.

Commissioner Anderson asked if the applicants moved the structure west and a little south to avoid the trees, would that be acceptable.

Senior Planner McGuire Brigl noted that would be acceptable for the Planning Commission but the encroachment agreement would still need to be reviewed and approved by the City Council. She noted that there are quite a few small lots in Ramsey, which can be challenging, but this is not unique as staff receives at least two complaints about this type of issue per month where sheds are placed in the wrong location. She noted that staff is always a resource property owners can use to determine where shed placement would be allowed.

Commissioner VanScoy stated that generally speaking, when reviewing variance requests, he looks at whether there is an alternative. He stated that the issue of cost is not a consideration for a variance. He stated that it is important to be consistent and fair to all residents. He appreciated the issue that the property owner has and trying to get things done, but noted that there are other places where the structure can be located to meet the requirements and therefore could not support the variance request.

Chairperson Bauer stated that he drove by the property and agreed that it is not very visible from the street, noting that there are also wetlands behind which screen the view.

Commissioner Walker stated that looking at the aerial does not provide an accurate representation of the backyard. He noted that the shed sits on beams and is not on the ground, therefore water will flow easily under the shed. He stated that the applicant also purchased trees to screen the shed for the neighbor. He noted that there has not been any public comment received in opposition of the request. He stated that it is a very good looking and well-built shed and did not have an issue granting the variance.

Senior Planner McGuire Brigl stated that while public comment was not received from the notification, staff did come upon this issue based on a complaint that was received through code enforcement.

Motion by Commissioner Walker, seconded by Commissioner Dunaway, to Adopt Resolution #21-178 Approving a Variance to Side Setback for a Detached Structure at 7474 163<sup>rd</sup> Avenue NW.

## **Further discussion**

Senior Planner McGuire Brigl noted that findings of fact would be needed supporting that the request meets the variance criteria. She stated that it could be stated that this is a unique situation because it is a small property with the backyard encumbered by wetland. Chairperson Bauer noted that the character of the property was not caused by the applicant. Senior Planner McGuire Brigl commented that it could be stated that this is not for economic reasons and instead for the applicant to enjoy their property. Commissioner Walker stated that he did not see another location where the shed could be placed that would not hinder his property and/or impact his property value if he were to sell the property. Senior Planner McGuire Brigl stated that perhaps it could be said that other properties have similar sheds. Commissioner VanScoy noted that the swing set could be moved and the shed could go to that location, therefore that would be an alternative.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners Dunaway, Walker, and Peters. Voting No: Commissioners Anderson, and VanScoy. Absent: Commissioner Gengler.

Commissioner VanScoy stated that when the Commission reviews a variance they can think something looks okay but the Commission is held to the standard. He noted that if there is an alternative space for something, a variance would not be appropriate. He stated that he does feel for the property owners because of their small property but he also has a small property and is not allowed to have a shed. He urged the Commission to think about the long-term impact of the decision and not make decisions based upon emotion or aesthetic.

Senior Planner McGuire Brigl commented that if the Planning Commission desired to remove side yard setbacks for accessory structures it could direct staff to bring something back.

Chairperson Bauer stated that perhaps staff reviews regulations of neighboring communities.

City Planner Anderson stated that even if the side yard setback is removed for an accessory structure, there would still be drainage and utility easements that would be encroached upon and would require approval.

Commissioner Anderson stated that if side setbacks are removed, people would start building on the property line and possibly encroaching. He commented that there is good reasoning to have setbacks and the Commission should stay with that.

Commissioner Peters stated that perhaps there is something on the website that makes it easier for residents to find information for the most common types of requests that the Commission sees for variances.

Senior Planner McGuire Brigl commented that there is an accessory structure handout that is easily accessible on the City website with all requirements.

Commissioner Dunaway stated that he was comfortable with this approval because there is a standalone building that is movable, if it needs to be moved.

**6.03: Public Hearing: Consider Request for Variance to Deviate from Wetland Setback Requirement on Three Lots in Williams Woods (Project No. 20-138); Case of Landform and Bill Boyum**

**Public Hearing**

Chairperson Bauer called the public hearing to order at 8:01 p.m.

**Presentation**

City Planner Anderson presented the staff report stating that staff recommends approval of the requested variance. He noted that the EPB also reviewed this case earlier this week and recommended approval as well.

Chairperson Bauer asked the location of the 40-acre parcel in relation to the development.

City Planner Anderson identified the 40-acre parcel that is subject to the handout.

Commissioner Anderson stated that he would assume that the culverts would be concrete. He asked if this has been reviewed by the fire department and whether the heavy equipment had concerns with their equipment.

City Planner Anderson confirmed that public safety reviewed the request and did not have any concerns.

Commissioner VanScoy asked if there would be alternatives to the variance.

City Planner Anderson replied that lot three would not have an alternative. He noted that on lot four he would also argue that there is no alternative once the front yard and wetland setbacks are applied. He stated that for lot five, there may be a potential alternative, but staff has found that when there is limited buildable area surrounding a home there are other issues that arise related to fill in the wetland or other issues of encroachment.

Commissioner VanScoy asked what would happen if the setback were required, noting that the developer would have to use fill and then would have to mitigate for that fill. He noted that may not be considered reasonable but asked if that could be considered an alternative.

City Planner Anderson replied that the applicant provided details within their narrative. He noted that the applicant could add fill to create that setback under the de minimis exemption, but staff and the applicant agree that adding fill would be contradictory to the spirit of the Wetland Conservation Act.

Commissioner Anderson confirmed that he would not prefer that alternative but wanted to clarify the alternatives available. He agreed that this method would be preferable to adding additional fill in order to meet the setback.

## **Citizen Input**

Joe Bailey, Landform, spoke in representation of the applicant. He thanked staff for the thorough presentation. He noted that they did reduce the driveways to ten feet in width in order to reduce the impact to the wetland. He noted that they also attempted to match the topography as much as possible to reduce impacts.

Commissioner Dunaway referenced lot four and noted that the driveway seems to get close to the western property line. He asked if that driveway enters into the setback.

City Planner Anderson replied that the dots shown along the line is silt fence and not the edge of the driveway. He noted that the driveway would certainly meet the side yard setback.

Tom Kurak, 15001 Sunfish Lake Blvd, stated 20 years ago he purchase the adjoining 40 acres. He stated that there were already 200-foot-wide lots adjacent with the established park. He stated that access is generally granted to landlocked pieces of property and noted that he has been landlocked between a City created deep ditch and an adjacent plat did not provide access. He stated that he landscaped the area but otherwise does not have access. He asked for access to the 40 acres that he owns which is west of the Williams Woods plat. He stated that there is 1,200 feet of common property line in which the access could be provided to his landlocked property. He stated that the solution would be through the implied easement or right of access by destination. He stated that the raw land and lake on his 40 acres is pristine and enjoyed by others. He noted that he has owned the land for over 20 years and other people enjoy the lake and property. He believed that it would be proper and sensible for this development to provide access to his property along the quarter mile of shared property line. He stated that if this opportunity to create public access is not exercised, it will be more costly to provide that access through destination by legal means. He asked that the easement for public right-of-way be in the middle and west side of the Williams Woods subdivision. He noted that easement would provide access to the northwest quadrant of his 40 acres of property. He stated that the public right-of-way creation now may be a nuisance and inconvenience but will avoid future problems.

Chairperson Bauer asked if staff could draw in where the right-of-way would be proposed as requested.

Senior Planner McGuire Brigl commented that staff does not have that location.

Mr. Kurak replied that he described it as the middle of Weston Woods and identified the area on a map. He stated that he does not care where the access would be, he simply wants access to his landlocked parcel.

City Planner Anderson stated that statute does identify a process through formal petition and the financial cost would be borne by the petitioner, with damages paid to the other property owner (Williams Woods). He noted that the cartway only needs to be wide enough to provide access, not necessarily a 60-foot-wide public right-of-way. He stated that it is wonderful that the property owner is open to the public accessing the lake site but that is not a public park and at any point that

access could be restricted, and public access could be considered as trespassing. He stated that the concern of finding area for parking is different from if it were a dedicated park.

Chairperson Bauer stated that at some point the property owner may wish to do something else with that property.

Mr. Kurak stated that the purpose of purchasing the property was to make a park and donate it to the City. He commented that he does have raw land experience and he negotiated with the previous farm owner to purchase his farm property. He stated that he does have experience dedicating land to the City for public purpose. He stated that he would eventually like to dedicate the land to the City. He stated that he would sign an agreement to such if it meant gaining access and a parking lot.

Chairperson Bauer commented that if the land were sold in the future for development, would the easement need to be a certain size to allow other uses.

City Planner Anderson commented that the entire 40 acres is wetland and therefore is not developable short of a boardwalk type trail. He stated that short of going through costly wetland mitigation it does not appear developable. He stated that the case tonight is related to the variance, and he would be happy to continue the discussion with the property owner offline. He noted that the Preliminary Plat was already reviewed and approved by the Planning Commission and City Council and therefore the Commission is beyond that point of discussion. He noted that staff and the City Attorney could continue discussions with the property owner related to his easement request.

Commissioner Walker asked how the property owner has been accessing the property for the past 20 years if it is landlocked.

Mr. Kurak identified trails from the north that he and others have used to access the property. He noted that even though the property is landlocked, it is attractive, and people still visit the area. He stated that he is sad to hear that Preliminary Plat was approved without at least including a cartway to his property.

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

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners Peters, VanScoy, Anderson, Dunaway, and Walker. Voting No: None. Absent: Commissioner Gengler.

Chairperson Bauer closed the public hearing closed at 8:33 p.m.

### **Commission Business**

Commissioner VanScoy commented that this is a good alternative to adding fill to the wetland.

Motion by Commissioner VanScoy, seconded by Commissioner Dunaway, to Adopt Resolution #21-203 Granting a Variance to Deviate from the Wetland Setback Requirement on Lots 3-5, Block 1, Williams Woods.

### **Further discussion**

Commissioner Anderson stated that he opposes this development as a whole and therefore would not be supporting this request. Commissioner VanScoy stated that while he agrees that there is a potential safety issue for the development, he believed that this was a good method to address the remaining issues and would be supporting the request.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Dunaway, Peters, and Walker. Voting No: Commissioner Anderson. Absent: Commissioner Gengler.

### **6.04: Public Hearing: Consider Sketch Plan and Comprehensive Plan Amendment for the Property West and South of Fire Station #1 (Project No. 21-122); Case of U.S. Home Corporation dba Lennar**

### **Public Hearing**

Chairperson Bauer called the public hearing to order at 8:35 p.m.

### **Presentation**

City Planner Anderson presented the staff report stating that staff is generally supportive of the Comprehensive Plan Amendment. However, significant revisions to the Sketch Plan seem necessary. Most notably, there is a need to modify the layout to incorporate at least one additional point of access and reducing any proposed cul-de-sac to no more than 600 feet. He stated that a neighboring property owner has indicated having interest in speaking with the applicant and staff provided that connection to facilitate discussions. He noted that could open the opportunity for another access that would eliminate the need for such a long cul-de-sac.

Chairperson Bauer stated that even without that connection perhaps there could be a loop back to avoid the cul-de-sac. He recognized that would require a redesign.

City Planner Anderson stated that if there is not a need for all the greenspace south of the fire station parking lot, the City could look at that option.

Chairperson Bauer noted that there are definitely some options but the proposed layout with the cul-de-sac would be a waste of time.

Commissioner Anderson noted that the properties to the north and west appear to be at least one acre in size.

City Planner Anderson stated that those lots are within the rural developing zoning district but likely existed prior to the 2.5-acre requirement. He confirmed that they are acreage lots on private well and septic.

Senior Planner McGuire Brigl confirmed that the lots to the north are about one acre in size and the lots to the west are about 2.5 acres in size.

Chairperson Bauer noted that there is industrial property to the south and east.

### **Citizen Input**

Joe Jablonski, Lennar, appreciated the opportunity to come before the Commission tonight and obtain feedback. He noted that they have worked a little with staff and wanted to get input and start discussions with the change in the zoning districts. He stated that their question is whether it would be appropriate to change the use to a lower density with townhomes rather than an apartment or higher density use. He stated that if the Commission is not comfortable with that aspect, the remainder of the discussion would be unnecessary. He stated that they did resubmit a plan around July 16<sup>th</sup> that shows a looped road connection. He noted that the looped road maintained the same number of lots and single-family area to maintain the transition. He stated that one of the challenges related to access is that unless you go to the west to get on Armstrong, the roads on the other side of Armstrong do not match up. He stated that there would be opportunity to link some of the private driveways to the fire station area or main road in order to provide additional emergency access.

Chairperson Bauer noted that the 2040 Comprehensive Plan was recently completed and showed this property as high density. He stated that it seems logical to change the property to medium density.

Commissioner VanScoy commented that he agrees that it would make more sense and provide a better transition.

Chairperson Bauer confirmed the consensus of the Commission to support the change in density.

Commissioner Anderson commented that buffering would be mandatory along the north and west because of the size of the adjacent existing lots.

Mr. Jablonski asked for clarification on the required buffering.

City Planner Anderson stated that staff has not initiated review of the updated drawing with the looped road. He stated that there are multiple options that could be applied for density transitioning, but landscaping is usually the chosen option and provided additional details.

Chairperson Bauer asked for input on the lot width.

Commissioner Walker stated that he would reserve his opinion until he hears input from the residents that live adjacent to the subject property.

Commissioner Anderson stated that the Commission has received input on this type of transition in the past. He noted that in the other instance the residents were acceptable to the 65-foot lot width adjacent to the existing lots with the appropriate density transition which included a berm corridor and landscaping.

Chairperson Bauer stated that in that case there were sketches provided with an open house worksession where neighbors could come in to review the plans and provide comments. He stated that through those discussions there was a compromise reached between the developer and neighbors. He suggested that the developer follow a similar path in order to gain input and support from the neighboring property owners.

Commissioner Anderson stated that he is still against even the looped plan. He stated that the City has problems with developers presenting a nice plat that only has one way in. He stated that although the fire department would have access, he would be concerned with how residents could get out of the development if there is an incident. He noted that he would be more in favor of the plan if there is a second access. He stated that he does not mind the mix of density as long as transitioning is provided but is against the long cul-de-sac.

Mr. Jablonski stated that this property is challenging because of its shape. He stated that they have communicated with the neighbor but first attempted to work with just the subject property and are not aware of what may or may not come from discussions with other property owners. He noted that they also want to be cautious about forcing additional traffic through a rural area. He stated that there are no roads that align on the other side of Armstrong because of the fire station and therefore it would be a challenge to provide an in and out access without acquiring more property.

Commissioner VanScoy stated that ideally it would be nice if the City could work with the applicant on this as the ideal situation would be to have access through the City property. He asked if there has been conversation about that concept.

City Planner Anderson stated that staff will be meeting to determine whether that would be viable. He believed that the existing septic drain field may be in that location, but perhaps the City could connect to municipal services which would eliminate the need for a drain field.

Commissioner VanScoy stated that he fully supports that concept. He stated that if the City could support this development, it would be a nice solution.

Chairperson Bauer stated that based upon input received in previous discussions, people are generally opposed to bringing additional traffic through existing residential neighborhoods.

Councilmember Woestehoff stated that the Public Works Committee recently reviewed a request to repave the fire station parking lot and confirmed that the drain field is located in that area being discussed.

Senior Planner McGuire Brigl commented that there was a public workshop on a similar case with attached townhome products in 2018 and the feedback was shared with Lennar prior to developing their design. She highlighted the comment themes received in 2018.

Commissioner Dunaway asked the challenges to having a second access on Armstrong.

Senior Planner McGuire Brigl commented that Anoka County has to permit additional access points and would likely only permit one access for the property.

Commissioner Dunaway commented that a lot of time and energy was spent discussing a nine-lot subdivision with a long cul-de-sac and the property had one access. He stated that he would not be comfortable with this many homes in a development with only one access, as there would be over 100 homes in this development.

City Planner Anderson replied that formal response has not yet been received from Anoka County. He stated that staff would attempt to work with the County to say that a viable second point of access is needed because of the concerns of staff and the Commission. He recognized that it would be difficult to match the roads on the other side of Armstrong.

Commissioner Walker referenced the looped road concept and stated that he understands the concern with a long cul-de-sac and one entrance into the development. He asked if there would be a way to come down next to outlot B and make it longer to have two lanes going in and out from Armstrong.

Commissioner Anderson stated that perhaps a service road goes in front of the fire station that connects to the development street to provide that additional connection for safety.

Chairperson Bauer provided a scenario in which a truck is coming south on Armstrong and someone coming out of the development hits the truck and that blocks the roadway to the development.

Commissioner Anderson stated that perhaps there is a possibility to connect to 151<sup>st</sup>. He recognized that would connect a higher density area with an existing lower density area and that those existing residents probably would not like that. He stated that there are other possibilities that could be considered.

Mr. Jablonski thanked the Commission for its input.

Kyle Swenson, 15049 Iguana, stated that he attended the public meetings in 2018. He stated he realizes that if he wanted control over the property, he would need to purchase it. He appreciated the input of the Commission related to density transitioning. He stated that he has appreciated the wooded area and private feel of his property. He stated that his family and the area have enjoyed the property in its current state and the wildlife that uses the area. He stated that he appreciates this plan much more than the proposal from 2018. He stated that he likes the idea of a berm for transitioning. He noted that his property is 2.5 acres, and they ride four wheelers and use their yard and do not want to cause issues with the residents that will move into the new homes. He

stated that he is always concerned with a brand-new development making the existing homes that were constructed in 1987. He believed that the berm would help to provide a separation between the new and older homes. He stated that he would prefer to have single family homes on the exterior of the development. He again stressed that he would like to see a transition berm as that would help to buffer noise and sight between the developments. He stated that perhaps there can be a maintenance agreement to ensure the ponds are continually maintained as well.

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

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners Anderson, Dunaway, Peters, VanScoy, and Walker. Voting No: None. Absent: Commissioner Gengler.

Chairperson Bauer closed the public hearing closed at 9:16 p.m.

### **Commission Business**

Chairperson Bauer noted that there has been input to the developer on their proposal. He noted that the first action that would be necessary would be related to the Comprehensive Plan amendment.

Motion by Commissioner VanScoy, seconded by Commissioner Peters, to recommend that City Council approval of the Comprehensive Plan Amendment and forward the request to the Metropolitan Council for consideration.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Peters, Anderson, Dunaway, and Walker. Voting No: None. Absent: Commissioner Gengler.

## **7. COMMISSION BUSINESS**

### **7.01: Interpretation of Regulations Pertaining to Detached Garages and Accessory Apartments**

#### **Presentation**

City Planner Anderson presented the Staff Report and asked for feedback on this specific building proposal relating to accessory apartment criteria and clarification on the four criteria that City Code outlines in terms of what is considered an accessory apartment.

#### **Commission Business**

Chairperson Bauer stated that in the past he recalled issues with the backyard cottage or mother in-law apartment, which is currently not permitted.

City Planner Anderson confirmed that those types of dwelling units are not currently allowed but there are several existing units previously approved under Conditional Use Permit.

Chairperson Bauer stated that from a practical standpoint, his mother in-law has moved in with he and his wife. He noted that his brother in-law has college children that have moved back home as well. He stated that perhaps accessory dwelling units are brought back to the Commission for additional discussion. He noted that the proposed application would have the potential to use as a dwelling unit.

City Planner Anderson stated that often times the intentions of the original applicant are very straightforward and they do not have intention as using it as living space but when the property changes hands or circumstances change, that opportunity arises without the understanding that the area was not intended to be used in that fashion.

Commissioner Walker commented that in terms of sanitation he would consider a half bathroom which does not have a shower or bathroom as acceptable. He noted that living space would require a way to bathe or shower. He asked for clarification on why this ordinance prohibition exists.

City Planner Anderson commented that the concern in the past has been in creating a multi-family setting in a single-family residential area.

Chairperson Bauer noted that as proposed the application would include a full bathroom.

Commissioner Anderson stated that as described it would appear that would be considered a home. He stated that it is not currently allowed as it would create a multi-family home in a single-family area. He noted that the Commission previously considered an application for an art studio that would include a shower that would allow them to clean-up before going into the house. He noted that previous request missed some of the other elements that define a dwelling unit or living space. He noted that as described this could be used as a house and he does not support multiple family living on a single property.

Commissioner VanScoy stated that this appears to be a house with a tuck under garage. He stated that he looks at living space as a finished area that is insulated with lighting and heat which makes it livable. He stated that when he moved into his home, he had an office which was then converted to a bedroom for grandkids. He stated that this would be living space and noted that how someone uses it does not define the character. He stated that while he would love to have this garage himself, he does not believe it would be appropriate because of the number of proposed uses. He stated that regardless of whether the Commission wants to discuss whether the ordinance should be changed, he believes the interpretation of staff to be correct in that this would be defined as living space and would not be allowed.

City Planner Anderson referenced the comment made related to sanitation and a half bath or three quarters bath and asked if the Commission has consensus on that interpretation. He noted that two of the four things could be included, and the space would not be defined as living space. He stated that most likely the applicant will want to modify their request to eliminate at least one of the criteria that defines an accessory dwelling.

Chairperson Bauer commented that if there is a home occupation someone is likely to have an office which would make sense to have a half bath. He stated that this request would include almost a full kitchen on the second floor and asked what would occur in that space.

City Planner Anderson commented that if a full kitchen is installed that would be creating habitable space, per the input of the City Attorney.

Chairperson Bauer commented that inclusion of a half bath would make sense dependent on the use. He stated that in the case of the art studio, it made sense to include the shower. He stated that perhaps a half bath would be allowed but a three quarters bath could be considered as a conditional use.

Commissioner VanScoy stated that he would equate sanitation to a restroom, even though that could be expanded to include a shower.

Commissioner Walker commented that he would find a half bath acceptable. He stated that having a microwave and refrigerator would also be okay if this were used for a business. He believed that it would be better to limit the size of said spaces rather than muddling through definitions.

Commissioner Anderson commented that a 40 by 60 square feet building would not be considered a typical office.

Commissioner Walker stated that he does not mind the size of the building as long as the usable office space is limited.

City Planner Anderson commented that this would be a 40 by 60 building but the bulk of that would be garage space with the office area 16 by 40. He asked if there is consensus of the Commission for staff to research accessory dwelling units and bring that back for future discussion.

The Commission agreed they would like to review the topic in the future.

Senior Planner McGuire Brigl commented that staff has the necessary feedback to proceed.

Commissioner Walker provided comments on his experience with Airbnb and noted that creates the situation where two families may be using the same living space.

Commissioner Peters stated that sometimes large pole barns have campers inside that people can rent for a week.

## **7.02: Select Planning Representative to Participate on the Interview Panel for the Deputy City Administrator/Community Development Director Position**

### **Presentation**

Chairperson Bauer stated that the purpose of the case is to select a planning representative to participate on the interview panel in hopes of filling the vacant Deputy City Administrator/Community Development Director position.

Senior Planner McGuire Brigl provided additional details on the dates of the interviews.

Commissioner Anderson stated that he would personally feel that Chairperson Bauer should represent the Commission as he has the most experience with the Commission and is aware of the history of the group.

Chairperson Bauer commented that Commissioner VanScoy would have more experience.

Commissioner VanScoy noted that he would have a conflict with the dates.

Chairperson Bauer confirmed that he would be interested in participating noting that his undergraduate degree is in personnel management.

It was the consensus of the Commission to select Chairperson Bauer to participate on the interview panel for the Deputy City Administrator/Community Development Director position in representation of the Planning Commission.

### **7.03: Provide Feedback on Proposed Residential Development on Armstrong/Bunker; Case of Centra Homes**

#### **Presentation**

Chairperson Bauer provided background information on the request which would propose residential on an area previously proposed for a mix of residential and commercial. He stated that the Commission discussed a need to have a meeting with the City Council and EDA in order to review the plan for The COR and this would be another reason to support that request. He stated that it would be proposed to have a joint meeting before the regular September meeting date or on the 5<sup>th</sup> Thursday of September. He asked if the Commission would be open to a 5:30 p.m. meeting prior to the regular September meeting. He noted that the joint meeting would be contingent upon the availability of the EDA and Council.

Commissioner Anderson commented that this corner has been talked about multiple times and has been included in discussions for both The COR plan and Comprehensive Plan. He stated that the City has heard that Armstrong and Bunker Lake Boulevard are desirable for businesses. He stated that in 2008 the Commission identified the preferred use for this space, and he continues to support using the space in that manner. He believed that this type of layout would cause uproar from residents who already believe there is too much housing within The COR.

Senior Planner McGuire Brigl commented that although the proposal is all residential, staff has stated that the corner area would need to be set aside for retail. She noted that the item was included on the Consent Agenda to ensure support from the Commission to keep that area retail. She noted that the EDA also supported keeping that corner commercial.

Commissioner Anderson confirmed that he would envision that corner to be retail as shown in the sketch provided by staff.

Commissioner Dunaway commented that the sketch shows the entire western portion as retail and asked for clarification if the retail would only be kept to the southern corner.

Senior Planner McGuire Brigl confirmed that the previous direction from the Council and Commission would only be to have the southwest corner as retail because of limited access to the northwest area.

Commissioner Anderson stated that he could not support the plan proposed for entirely residential.

Chairperson Bauer noted that the staff report did not support that use either. He confirmed the consensus of the Commission to support the comments from staff.

#### **7.04: Consider Ordinance #21-15 Creating Additional Requirements for Driveways and Parking Pads**

##### **Presentation**

Senior Planner McGuire Brigl presented the Staff Report stated that this was developed as a high-level draft in order to receive input from the Commission and noting that this would be intended to come back to the Commission for a second review.

Commissioner Anderson commented that he believes the width of the driveway should be regulated or there should be a stipulation that it not protrude into the front yard of the home.

Commissioner VanScoy commented that if an extra lane is allowed for parking, would it be defined as to which side that should be on.

Senior Planner McGuire Brigl confirmed that additional language could be added stipulating that additional lane could be added to the side yard and a graphic could be included.

Commissioner Anderson stated that he would like to see consistent driveway standard within The COR. He stated that if someone has ten- or 20-acres people are not going to care where someone parks because they do not see it. He commented that many vehicles parked in a front yard within The COR is not the image he would want Ramsey to project.

Commissioner Dunaway commented that in certain areas of the city there are high traffic areas with people having to back onto a high-speed roadway. He noted that some people install a backup area in the front yard to allow that turning maneuver and therefore there would be rationale to support that movement.

Commissioner Anderson noted that typically homes on those roads have larger lot widths and more space.

Commissioner Dunaway stated that he would not want to take that option away from property owners.

Commissioner Walker stated that he likes the idea of not having a drive or turnaround in the front yard and would prefer that be provided on the side. He stated that there is a point in time the City will hit a slippery slope of telling people what they can or cannot do on their property.

Senior Planner McGuire Brigl commented that she has sufficient input to bring this back to the Commission in the future.

## **8. COMMISSION / STAFF INPUT**

### **8.01: Receive Staff Update**

Chairperson Bauer commented that the economy is ramping back up with help wanted signs all over. He stated that there is retailer interest and activity within The COR which is encouraging to see.

Commissioner Walker commented that a business reached out to him that received a letter regarding a commercial and industrial development off-street parking violation. He stated that he visited the business and noted other businesses in that area that have similar gravel parking of materials. He asked if staff is treating everyone fairly.

Chairperson Bauer stated that code enforcement is complaint driven and noted that staff does not proactively drive around and look for violations.

Senior Planner McGuire Brigl stated that she would be happy to provide background information to Commissioner Walker as the property has had code violations for over ten years. She noted that violations have been mailed to four or five businesses along Highway 10 in the last few weeks. She stated that staff would be open to a full Highway 10 corridor sweep for code enforcement but noted that would require City Council direction.

## **9. ADJOURNMENT**

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

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Anderson, Dunaway, Peters, and Walker. Voting No: None. Absent: Commissioner Gengler.

The regular meeting of the Planning Commission adjourned at 10:11 p.m.

Respectfully submitted,

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Chloe McGuire Brigl  
Senior Planner

ATTEST:

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JoAnn Shaw  
Community Development Assistant

Drafted by Amanda Staple  
*TimeSaver Off Site Secretarial, Inc.*