

7.03: Adopt Resolution #21-248 Granting Preliminary Plat Approval for North Brook Meadows, Case of Landform and Platinum Land LLC (Project 21-131 – Hunt Property)

Senior Planner Chloe McGuire Brigl reviewed the proposed preliminary plat approval for Northbrook Meadows, which has been reviewed before by the City Council. All standards are met in the development, which is consistent with the City's Zoning Code and Comprehensive Plan.

Senior Planner McGuire Brigl stated the City is required to approve this request as it meets all requirements. A traffic study was completed by Vernon Swing, recommending a right turn lane on 173rd Avenue out of the site and a dedicated turn lane into the property at 173rd Avenue. City Staff is recommending restriping of a dedicated turn lane at 175th Avenue contingent upon County approval. No improvements are proposed in the flood plain at the northwest corner of the property. City Staff recommends a contingency that the applicant works with the gas company to ensure that the gas easement on the property is marked on site, and to create an informational flyer for residents about the easements. City Staff has confirmed that each lot has 80 feet of buildable width outside the easement.

Senior Planner McGuire Brigl stated City staff recommends adoption of Resolution 21-248 as drafted, with the following potential contingencies: restriping of intersection at 175th Avenue; and modification of plantings to buffer along 175th Avenue.

Councilmember Heineman requested clarification regarding a resident's suggestion for an acceleration lane on southbound 175th Avenue.

City Engineer Westby stated the Traffic Study did not indicate that an acceleration lane was a needed improvement. He added Anoka County is also reviewing the traffic study and will likely recommend dedicated left turn lanes northbound onto 173rd and 175th Avenues.

Councilmember Heineman asked whether the case study includes copies of the notice that was sent to nearby residents.

Senior Planner McGuire Brigl stated City Staff has a record of the original case indicating notices were sent but she does not have a copy of the notice itself.

Councilmember Riley requested clarification regarding when the traffic study was done.

Senior Planner McGuire Brigl stated the traffic study was done on a Wednesday and Thursday during rush hour traffic, which is standard for traffic studies.

Councilmember Woestehoff requested clarification regarding Option B.

Senior Planner McGuire Brigl stated a resident requested that trees be added to the back yards of the properties along 175th Avenue, which was not buffered as well as other borders. She added

City Staff is supportive of working with the applicant to move some of the trees around to provide more of a buffer along 175th Avenue.

Councilmember Howell stated residents expressed concern about the traffic study, that numbers were low due to Covid.

Vernon Swing stated Covid does impact traffic counts, but recent metro area counts have shown that daily numbers are very close to what they were pre-Covid. He added counts were taken when school was not in session.

Councilmember Musgrove stated the traffic study indicates that there was an assumption that traffic would exit the neighborhood on 173rd Avenue.

Mr. Swing confirmed this.

Councilmember Musgrove stated she would support a contingency for a recommendation from Anoka County related to traffic. She added she would like to address the acceleration lane that was mentioned by a resident.

Councilmember Musgrove stated the traffic study recommends three improvements to Nowthen Boulevard – left turn in, left turn out, and southbound turn lane in. She added she would support having all 3 improvements incorporated into the contingencies.

Councilmember Musgrove asked whether the City has received a letter regarding the natural gas easement.

Senior Planner McGuire Brigl stated that information has been requested by City Staff.

Darren Lauzon, representing Platinum Land, owner of the property, stated proposed improvements at 173rd Avenue will be substantial, and will exponentially increase the level of service at that intersection beyond the error of margin related to current conditions, such as Covid or school hours, as well as variations in traffic counts.

Mr. Swing stated there is a benefit to restriping Nowthen Boulevard to a dedicated turn lane as it increases safety by removing left turning traffic from the traffic flow.

Mr. Lauzon stated the developer has been working with Northern Natural Gas on the site and received their review of the preliminary plan, which includes no new trees in the easement and no parallel utility crossings.

Motion by Councilmember Woestehoff to adopt Resolution 21-248, Granting Preliminary Plat Approval for North Brook Meadows, with options A, B and C.

The City Council requested additional discussion.

Councilmember Woestehoff withdrew the motion

Councilmember Musgrove requested clarification regarding Block 3, Lot 1, and whether the crossing area will affect that lot. She asked where the City easements are located.

Mr. Lauzon stated the side yard setback easements have been corrected. He showed a site plan depicting pads with typical 2,100 square foot home footprints with setbacks. He added there is a fair amount of room on the lot.

Councilmember Howell expressed concern that there is no physical evidence that residents were informed of the rezoning. She referred to page 73, Ordinance #11-3.

Senior Planner McGuire Brigl stated a copy of the notice that was sent to all property owners in 2011 regarding the rezoning is included on the first page of the informational packet. She added the rezoning was properly noticed and was posted on the City website. She noted notice of public hearing was published April 15, 2011.

Mr. Lauzon stated there is no HOA for the development and putting the buffer into common ownership presents a number of problems which are counterintuitive to the goals of the Ordinance. He added, under an HOA, every homeowner would pay for something that only benefits 13 homes, and creates a hardship for a single-family residential development on the edge of the MUSA zoning district. He noted an easement could be granted to the City and enforced by City Staff.

Councilmember Musgrove stated there are many considerations with this case. She asked whether the request could be postponed to the City Council's next meeting to review the three potential options.

Senior Planner McGuire Brigl stated, based on the 60-day rule and extension letter, it would be necessary for the City Council to do a contingent approval tonight for additional discussion regarding the outlot issue at a future meeting.

Councilmember Heineman stated an easement makes the most sense if the purpose of the buffer is to maintain the characteristics of the surrounding area.

Councilmember Musgrove expressed concern that residents may not follow the intent of the buffer.

Councilmember Riley stated an easement would be appropriate with education and information for residents so they understand the purpose and maintenance of the easement.

Motion by Councilmember Woestehoff, seconded by Councilmember Heineman, to adopt Resolution 21-248, Granting Preliminary Plat Approval for North Brook Meadows, with options A, B, C and D to include the change of shared ownership to an easement on the property.

Further discussion:

Councilmember Howell stated she will not be supporting the project as she has significant concerns about the increased traffic that this development will bring to the community.

Councilmember Heineman stated he supports the project, but the City needs to do a better job of protecting the rural characteristics of Ramsey. He added he does not support expanding that far north, although this is private property.

Councilmember Musgrove stated she has difficulty supporting this because of the issue of enforcing the easement.

Mayor Kuzma stated he has concerns about traffic.

Motion failed. Voting Yes: Councilmembers Woestehoff, Heineman, and Riley. Voting No: Mayor Kuzma, Councilmembers Howell, Musgrove and Specht.

Motion by Councilmember Woestehoff to Adopt Resolution #21-248 as Drafted, Including Contingencies to Require that 175th Avenue is Restriped as per the Traffic Study; Modify Planting Plan to Creatively Distribute Plantings to Buffer 175th Avenue; Contingent upon Traffic Review with Anoka County; and Contingent upon Buffer Area Under Easement or Outlot of Shared Ownership.

Further discussion:

Councilmember Musgrove stated this is the first opportunity that the City Council has had to discuss the easement vs. outlot issue. She added she would like to have more information on the buffer zone to be able to support this project.

Councilmember Woestehoff stated he is concerned about legal ramifications for the City if this request is not approved, as it meets every requirement that the City has posted.

City Administrator Ulrich stated a second to the motion is needed. He reviewed proposed conditions added to the motion:

- Contingent upon buffer area under shared ownership as outlot or easement
- Discussion at future City Council meeting to ensure education

Councilmember Heineman seconded the motion with the additional conditions.

Councilmember Heineman stated he understands the frustration of the residents of this neighborhood. He added the rules are established, and it is the job of the governing body to ensure the rights of the individuals over a majority.

Motion carried. Voting Yes: Mayor Kuzma, Councilmembers Woestehoff, Heineman, Musgrove, and Riley. Voting No: Councilmembers Howell and Specht.