

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

RESOLUTION #21-247

A RESOLUTION APPROVING THE ISSUANCE OF A VARIANCE TO UTILIZE AN ALTERNATIVE TREE INVENTORYING TECHNIQUE AND DECLARING TERMS OF PERMIT

RECITALS

1. The City of Ramsey received an application from Sotarra (the “Permittee”) requesting a Variance to Section 117-327 (Private Trees in New Development Areas) of the Ramsey City Code to utilize an alternative tree inventory technique for the property generally located south of 175th Avenue, west of Nowthen Boulevard, north of Trott Brook and east of Variolite Street, and legally described as:

Parcel A:

That part of the West Half of the Northwest ¼ of Section 10, Township 32, Range 25, Anoka County, Minnesota described as follows: Commencing at the Northwest corner of Section 10, Township 32, Range 25; thence Easterly on said Section line 80 rods; thence Southerly parallel with the West line of said Section to Trott Brook; thence Westerly along the channel of said Brook to where the West line of said Section crosses the same; thence Northerly along said line to the place of beginning. EXCEPTING THEREFROM the following described parcel:

That portion of the West Half of the Northwest Quarter of Section 10, Township 32, Range 25, Anoka County, Minnesota described as follows: Commencing at the Northwest corner of said Section 10; thence North 89 degrees 23 minutes 47 seconds East along the North line of said Section 10, a distance of 481.77 feet to the point of beginning; thence continue North 89 degrees 23 minutes 47 seconds East along said North line of Section 10, a distance of 480.09 feet; thence South 00 degrees 34 minutes 09 seconds East parallel with the West line of said Section 10, a distance of 707.31 feet; thence North 83 degrees 29 minutes 51 seconds West, a distance of 483.67 feet; thence North 00 degrees 34 minutes 09 seconds West parallel with said West line, a distance of 657.59 feet to the point of beginning.

Parcel B:

That part of the Northeast Quarter of the Northwest Quarter of Section 10, Township 32, Range 25, Anoka County, Minnesota, described as follows: Commencing at the Northwest corner of the Northeast Quarter of the Northwest Quarter; thence running South 32 rods; thence running Easterly on a line which intersects the North boundary line of said Section 10 at the Quarter Section Corner; thence West on said North boundary line 80 rods to the point of commencement.

Parcel C:

The South Half of the Northeast Quarter of Section 9, Township 32, Range 25, Anoka County, Minnesota, excepting therefrom the following: The South 467 feet of the West 467 feet of the Southwest Quarter of the Northeast Quarter of said Section 9, Township 32, Range 25, Anoka County, Minnesota, as measured along the South and West lines thereof.

Parcel D:

The Northwest Quarter of the Southeast Quarter of Section 9, Township 32, Range 25, Anoka County, Minnesota, excepting therefrom the following: That part of the Northwest Quarter of the Southeast Quarter of Section 9, Township 32, Range 25, Anoka County, Minnesota, which lies South of the following described line: Commencing at the Southwest corner of said Northwest Quarter of the Southeast Quarter; thence on an assumed bearing of North 01 degrees 04 minutes 00 seconds East a distance of 218.43 feet to the point of beginning of the line to be described; thence North 71 degrees 20 minutes 50 seconds East, a distance of 809.12 feet; thence North 63 degrees 21 minutes 30 seconds East, a distance of 602.88 feet to the East line of said Northwest Quarter of the Southeast Quarter and there terminating.

Parcel E:

That portion of the West Half of the Northwest Quarter of Section 10, Township 32, Range 25, Anoka County, Minnesota described as follows: Commencing at the Northwest corner of said Section 10; thence North 89 degrees 23 minutes 47 seconds East along the North line of said Section 10, a distance of 481.77 feet to the point of beginning; thence continue North 89 degrees 23 minutes 47 seconds East along said North line of Section 10, a distance of 480.09 feet; thence South 00 degrees 34 minutes 09 seconds East parallel with the West line of said Section 10, a distance of 707.31 feet; thence North 83 degrees 29 minutes 51 seconds West, a distance of 483.67 feet; thence North 00 degrees 34 minutes 09 seconds West parallel with said West line, a distance of 657.59 feet to the point of beginning.

(the "Subject Property")

2. That the Permittee appeared before the Planning Commission for a public hearing pursuant to Section 117-53 (Variances) of the Ramsey City Code on August 26, 2021, and that said public hearing was properly advertised and that the minutes of said public hearing are available.
3. That the Subject Property is approximately 200 acres in size, with approximately 124 acres of developable area, and is zoned R-1 Residential (MUSA) - 80.
4. That the surrounding residential parcels are mostly zoned R-1 Residential (MUSA) – 80, with a few lots being zoned R-1 Residential (Rural Developing), and range in size from about 0.25 acres up to 40 or so acres.
5. That the Subject Property is guided as Low Density Residential on the City’s Future Land Use Map; most of the surrounding parcels are also guided as Low Density Residential, with a small number of lots guided as Rural Developing.
6. That City Code Section 117-327 (Private Trees in New Development Areas) requires an inventory of all significant trees (defined as any oak or evergreen with a Diameter at Breast Height [DBH] of four [4] inches or greater and all other trees with a DBH of eight [8] inches or greater) within the developable portions of a project site.
7. That there are approximately twenty-eight (28) acres of woodland within the developable portions of the Subject Property, with about seventeen (17) of those acres consisting of planted evergreen trees.

8. That the Permittee has proposed utilizing a Fixed Radius Plot (FRP) technique within the planted woodland, where the tree characteristics (size, age, species, growing conditions) are generally homogenous.
9. That the Permittee would conduct a standard tree inventory within the eleven acres of naturally occurring woodlands on the Subject Property.
10. That the Environmental Policy Board reviewed the request for a variance to utilize an alternative tree inventory technique at their June 28 and July 19, 2021 meetings.

FINDINGS OF FACT

1. That the alternative tree inventory technique will not impair an adequate supply of light and air to adjacent property.
2. That the alternative tree inventory technique will not unreasonably increase the congestion on the public street.
3. That the alternative tree inventory technique will not have the effect of allowing any use prohibited in the R-1 Residential (MUSA) – 80 District.
4. That the alternative tree inventory technique will not permit a lesser degree of public health, safety, and general welfare protection than established by Chapter 117 of the Ramsey City Code, or permit standards which are lower than those required by state law.
5. That the alternative tree inventory technique will not increase the danger of fire or endanger the public safety.
6. That the alternative tree inventory technique will not unreasonably diminish or impair established property values within the neighborhood, or in any way be contrary to the intent of Chapter 117 of the Ramsey City Code.
7. That the alternative tree inventory technique will be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and such use will not change the essential character of the area.
8. That the alternative tree inventory technique will not violate the intent and purpose of the Comprehensive Plan.
9. That the alternative tree inventory technique will be in accordance with the objectives of the intent of Section 117-53 (Variances) of the Ramsey City Code.
10. That the alternative tree inventory technique is the minimum necessary to accomplish the Permittee's intended purpose.

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

That the Ramsey Planning Commission hereby grants approval of a variance (the “Variance”) to utilize an alternative tree inventory technique (FRP) within the planted woodlands on the **Subject Property**, subject to review and approval as to legal form and contingent upon the following conditions:

CONDITIONS

1. That this **Variance** shall allow the use of the FRP sampling technique within the planted woodlands on the **Subject Property** as outlined in Exhibit 1.
2. That this **Variance** shall be perpetual in duration as long as the terms are herein complied with.
3. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this **Variance**.
4. That the **Permittee** shall comply with all other standards within City Code Section 117-327 (Private Trees in New Development Areas) on the **Subject Property**.
5. 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.
6. That adequate water supply and on-site sewage disposal facilities shall be the responsibility of the **Permittee**.
7. That this **Variance** shall automatically expire if the use is not initiated by August 26, 2022, and initiation shall be considered Preliminary Plat application and plan submittal, including the tree data for the **Subject Property**.

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____, 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 Planning Commission this the 26th day of August, 2021.

Chairperson

ATTEST:

City Clerk

Exhibit 1

