

City of Ramsey
Agenda
Regular Planning Commission
Thursday, September 23, 2021
7:00 pm
Council Chambers, 7550 Sunwood Drive NW

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 August 26, 2021 Planning Commission Meeting Minutes.
6. **Public Hearing**
 1. PUBLIC HEARING: Consider Request for a Variance to Fence Height for 15337 Nowthen Blvd NW (Project 21-133); Case of Kristina Myhers
 2. PUBLIC HEARING: Consider Request for a Variance to Minimum Lot Size for Multiple Proposed Lots in Lynwood Subdivision, Located West and South of 15050 Armstrong Boulevard (Project No. 21-122); Case of Lennar
7. **Commission Business**
 1. Consider Ordinance #21-15 Creating Additional Requirements for Driveways and Parking Pads
 2. Consider Allowing Accessory Dwelling Units on Single-Family Residential Properties
8. **Commission/Staff Input**
9. **Adjournment**

Regular Planning Commission

5. 1.

Meeting Date: 09/23/2021

By: JoAnn Shaw, Community Development

Information

Title:

Approve the August 26, 2021 Planning Commission Meeting Minutes.

Purpose/Background:

The purpose of this case is to approve the August 26, 2021 Planning Commission Meeting Minutes.

Notification:

Observations/Alternatives:

Funding Source:

Recommendation:

Action:

Attachments

[Planning Commission Meeting Minutes](#)

Form Review

Inbox

Bruce Westby

Form Started By: JoAnn Shaw

Final Approval Date: 09/17/2021

Reviewed By

Bruce Westby

Date

09/17/2021 09:42 AM

Started On: 09/08/2021 02:58 PM

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

The Ramsey Planning Commission conducted a regular meeting on Thursday, August 26, 2021, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Chairperson Randy Bauer (virtual)
 Commissioner Bruce Anderson
 Commissioner Cheri Gengler
 Commissioner Eric Peters
 Commissioner Gary VanScoy
 Commissioner Brian Walker

Members Absent: Commissioner Andrew Dunaway

Also Present: Senior Planner Chloe McGuire Brigl
 City Planner Chris Anderson
 Zoning Code Enforcement Officer Bria Raines
 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.

A roll call vote was performed:

Commissioner Peters	aye
Commissioner Walker	aye
Commissioner Gengler	aye

Commissioner VanScoy aye
Commissioner Anderson aye
Chairperson Bauer aye

Motion Carried.

5. CONSENT AGENDA

- 5.01: Approve the July 22, 2021 Planning Commission Meeting Minutes**
- 5.02: Adopt Resolution #21-232 Approving G-Will Liquors Site Plan (Project 21-127)**
- 5.03: Consider Setback Requirements for Accessory Structures**

City Planner Anderson noted that the information provided from Commissioner VanScoy to staff prior to the meeting will be reflected in the minutes.

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

A roll call vote was performed:

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

Motion Carried.

6. PUBLIC HEARINGS/COMMISSION BUSINESS

- 6.01: Public Hearing: Consider Request for a Variance to Utilize an Alternative Tree Inventory Technique for Trott Brook North (Project No. 21-130); Case of Sotarra**

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 the Environmental Policy Board supported the request to utilize the FRP technique within the planted areas due to the unique characteristics of these stands of trees (similar ages, sizes, species).

Commissioner Walker asked if the area shaded in green is the Peterson property and whether this is part of the Christmas tree farm.

City Planner Anderson confirmed that a portion is the Peterson property, and this portion is an active part of the Christmas tree farm. He stated that some of the trees would be removed as part of the Christmas tree farm operation.

Citizen Input

Tracey Rust, representing the applicant, clarified that the turquoise-colored area is the Peterson property and that is part of their Christmas tree farm. She noted that the Petersons hope to harvest most of that area as part of that operation this Christmas season.

Jeff Uker, 17121 Variolite Street, asked how it would be known that this method is accurate for counting. He stated that he would want to ensure that the counting method is accurate. He stated that when the project comes forward, he has a concern with density. He noted that he lives on ten acres and therefore transitioning to quarter acre lots would not be preferred, even with a 40-foot buffer.

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

A roll call vote was performed:

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

Motion Carried.

Chairperson Bauer closed the public hearing closed at 7:15 p.m.

Commission Business

Commissioner VanScoy stated that the information in the packet seemed to indicate work has been done in the past to ensure the accuracy of this type of process. He asked if City staff believes this process would be fairly accurate.

City Planner Anderson confirmed that staff has reviewed this and the EPB has reviewed this, and staff is confident that this method would provide an accurate representation of what exists. He confirmed that the information would be available if a member of the public wished to view it.

Commissioner Walker commented that going back to May of 2020, when there was a public hearing on this project, the residents have not supported this project and therefore he will not support any action on this project.

Motion by Commissioner VanScoy, seconded by Commissioner Gengler, to adopt Resolution #21-247 Granting a Variance to Utilize a Fixed Ratio Plot Sampling Technique within the Planted Woodlands on the Subject Property.

A roll call vote was performed:

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

Motion Carried.

6.02: Public Hearing: Consider Resolution #21-175 Denying a Home Occupation Permit for 8351 160th Ave NW (Project 21-119); Case of Jacob Johnson

Public Hearing

Chairperson Bauer called the public hearing to order at 7:18 p.m.

Presentation

Zoning Code Enforcement Officer Raines presented the staff report stating staff recommends denying the application for a Home Occupation Permit for a landscaping business at 8351 160th Avenue NW. This use will require additional maintenance of the neighborhood roadways at the cost of the public for public facilities and services. Additionally, staff has received complaints about the use and finds that the use is outside of what one would typically find in a residential setting. Staff finds that the use is more compatible with a commercial or industrial district.

Commissioner VanScoy asked what the issues are. He noted that there are standards for number of trips and outside storage.

Zoning Code Enforcement Officer Raines replied that there were two violations for the property related to the home occupation and trash.

Senior Planner McGuire Brigl stated that there are three different levels of home occupation permits and reviewed some of the related regulations for each level. She stated that this request falls into the third category of home occupation permits because of the number of people coming to the property. She stated that staff believes that this would be better suited for an industrial area and would be willing to work with the applicant to find a suitable location in Ramsey.

Citizen Input

Jacob Johnson, 8351 160th Avenue NW, stated that this has been going on since 2019 and did not believe he ever received a letter about this issue. He stated that he also reached out to staff to request a copy of the letter. He noted that he was provided a copy of a letter sent to the previous owners of the home related to a septic system. He stated that he is down to four employees, which reduces the number of trips. He stated that the business does not function at the same level in the winter, as they operate at a smaller capacity for plowing. He noted that there are no landscaping materials kept on site at this time. He stated that his application included the hours of 7 a.m. to 5 p.m. but stated that they are typically done for the day around 3 or 4 p.m. He noted that he has also cleaned up the outdoor trash items on the property.

Chairperson Bauer stated that even with four employees, that would equate to eight trips. He asked the number of vehicles going out each day.

Mr. Johnson replied that two vehicles go out each day.

Chairperson Bauer asked if the landscaping material was planned to be stored on the left of the trees and received confirmation. He referenced a building shown on the aerial photograph and asked the purpose of that building.

Mr. Johnson replied that is a personal shed.

Commissioner Walker asked the resident's long-range plans for the business.

Mr. Johnson stated that he would like to build another shop on the very west of the property, on the other side of the trees. He stated that if that meant he detached garage needed to be removed, he would. He stated that at that time, everything would be moved to the west side of the property.

Commissioner Walker asked if there are woods to the west of the property for a bit before another home is encountered.

Mr. Johnson confirmed that to be true.

Commissioner Walker commented that if that occurred, no one would even know this business was back there unless they went back and looked.

Commissioner VanScoy asked the purpose of the building.

Mr. Johnson replied that he would store equipment inside the building.

Chairperson Bauer asked the largest structure size that would be allowed.

Senior Planner McGuire Brigl commented that staff could look into that but would need the square footage of the existing accessory buildings to provide an accurate number.

Commissioner Gengler asked the number of work-related vehicles on the property.

Mr. Johnson replied that there are four pick-up trucks.

Senior Planner McGuire Brigl asked if the trucks pull trailers and if those exist on the property.

Mr. Johnson confirmed that there are two trailers. He also confirmed that employees drive to his property and leave their personal vehicles onsite and then two of the trucks with trailers leave for the day.

John Wagner, 16030 Kangaroo Street, stated that he has the closest adjoining property with a household. He stated that this activity does not bother him, and the employees are very pleasant and drive at slow speeds. He stated that when they come and go from the property with the equipment it is quiet. He stated that there are 50,000 people that attend Game Fair and the traffic they incur during that time is more than will ever occur in one year from this business. He stated that the employees come to the property and get into trucks in groups of two to leave and do their work for the day. He noted that on garbage/recycle days, ACE Solid Waste comes through with three different trucks, along with the other haulers. He commented that traffic is heavy on 161st with people dropping animals off at the kennel. He stated that Mr. Johnson is a small business that employs a few people and does not disrupt the neighborhood. He stated that there is a park in that area that is overgrown to the point where it provides a visual and sound barrier for that neighbor. He believed that Mr. Johnson should be allowed to continue his small business as it has created no problems. He provided photographs of the Game Fair traffic, overgrown park condition, and applicant's property. He stated that Mr. Johnson has been operating for a few hours and there have been no problems. He stated that typically the employees return to the property around 2 or 3 p.m. He believed that Mr. Johnson should be able to continue to operate his business.

Elijah Quarnstrom, 16001 Kangaroo Street, echoed the comments of the last speaker noting that he and his wife have no problems with the business. He believed that the initial complaints arose a few years ago in a similar manner as the complaints he received on his property. He believed that Mr. Johnson should be able to continue operating his business. He agreed that Game Fair creates a much larger problem and has people allowing hundreds of vehicles of park on lawns. He stated that they support the business.

Adam Stordahl, 16041 Kangaroo Street, also echoed the comments of the previous speakers. He stated that Mr. Johnson is a good guy with a light crew and does not generate much traffic from his business. He stated that he does not believe this is a nuisance and commented that the property looks much better than it did when the previous owners had the property.

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

A roll call vote was performed:

Commissioner Anderson	aye
Commissioner VanScoy	aye
Commissioner Gengler	aye
Commissioner Walker	aye
Commissioner Peters	aye

Chairperson Bauer

Motion Carried.

Chairperson Bauer closed the public hearing closed at 7:41 p.m.

Commission Business

Commissioner Walker asked the traffic counts on 161st and Kangaroo Street. He stated that it seems that in the case of the City, the traffic from the trucks and employees is a big deal. He noted that he recently drove down 161st during Game Fair and found that to be a huge mistake. He was unsure how eight trips from the business cause a large impact on the road.

Senior Planner McGuire Brigl commented that staff does not have that information available. She agreed that Game Fair has a lot of traffic and noted that there is an overlay parking standard during the two-week duration of the fair. She stated that staff could not approve the permit administratively because of the number of trips and because of employees parking on the roadway.

Chairperson Bauer commented that the case did mention parking on the street. He asked if there could be a condition that employees and business vehicles do not park on the street.

Mr. Johnson replied that currently there are no business vehicles parked on the street. He stated that the employees have been parking on the street as he has not hauled in the class five material to create a parking area. He stated that he does have approval to create the parking area but wanted to wait to see if the Home Occupation Permit is approved before making that investment.

Commissioner VanScoy asked if the parking area would be near the second driveway in the back, which was confirmed by the applicant. He also asked and received confirmation that there is not landscaping material being stored outdoors at this time. He noted that the applicant has said that his long-term vision would be to construct a building that could house the equipment as well. He asked if there is an anticipated date for the structure.

Mr. Johnson replied that he would like to have that built within the next three years.

Commissioner VanScoy asked if the nuisance items have been cleaned up.

Zoning Code Enforcement Officer Raines confirmed that she has been to the site and the nuisance items have been cleaned up.

Motion by Commissioner Walker, seconded by Commissioner VanScoy, to recommend that City Council adopt Resolution #21-175 Approving a Home Occupation Permit for a Landscaping Business at 8351 160th Avenue NW, conditional upon the addition of the second driveway and off-street parking area.

Further discussion

Commissioner Anderson stated that he is debating his decision on this request. He stated that he likes the idea that the business is growing but adding another building would seem to support moving the business to a commercial lot. He asked if the applicant has spoken with staff about available commercial spaces. Chairperson Bauer noted that whether there is a business or not, there is a maximum square footage pertaining to accessory buildings that would regulate that activity. Senior Planner McGuire Brigl confirmed that to be true. Mr. Johnson stated that the additional building would not be related to business growth, but the intention to move things to the end of the street and stored indoors. He noted that he would be willing to remove the existing detached garage in order to accomplish that goal. Commissioner Gengler stated that she is also conflicted. She asked the guarantee that the business would not continue to grow in this location. She stated that she could support this business for this location but would not want to see it continue to grow larger in this location. Mr. Johnson stated that if the business grows out of that space, he would move it to a different location. Commissioner Gengler asked if there could be limitations on the home occupation. Senior Planner McGuire Brigl confirmed that conditions could be put upon the permit. She reviewed the regulations that are placed within the Home Occupation Permit. Zoning Code Enforcement Officer Raines stated that the number of roundtrips would be included in the permit regulations, noting that the application requested 16 trips. Commissioner Walker asked if the action on the table would satisfy what the applicant needs. Mr. Johnson confirmed that 16 would be the maximum number of trips. He stated that in the winter there is no traffic in and out unless it snows.

A roll call vote was performed:

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

Motion Carried.

6.03: Public Hearing: Consider Preliminary Plat and Zoning Amendment for Lynwood Subdivision on PID #20-32-25-44-0003 (Project No. 21-122); Case of Lennar

Public Hearing

Chairperson Bauer called the public hearing to order at 7:59 p.m.

Presentation

City Planner Anderson presented the staff report stating that staff recommends approval of the Zoning Amendment to rezone the R-3 Residential (High Density) portion of the subject property to R-2 Residential (Medium Density) but does not support rezoning the R-1 Residential (MUSA) – 80 area to R-1 Residential (MUSA) – 65. Approval of the Zoning Amendment needs to be

contingent upon approval of the CPA. Staff recommends approval of the Preliminary Plat with the following contingencies (which have been incorporated into the draft resolution):

- Approval of the Zoning Amendment to rezone R-3 Residential (High Density) to R-2 Residential (Medium Density)
- Approval of the CPA
- Approval of Anoka County for second access onto Armstrong Boulevard
- Full compliance with density transitioning requirements
- Modifications to ensure compliance with all bulk standards of the applicable zoning district(s).

Chairperson Bauer asked if these should be considered as two separate actions.

City Planner Anderson confirmed that he would recommend taking two separate actions.

Chairperson Bauer referenced the comment from the Metropolitan Council related to livable community eligibility and asked for clarification.

City Planner Anderson stated that the action of the Council did not include identification of other areas to guide as high density.

Chairperson Bauer asked if the City would risk eligibility for funds if this Comprehensive Plan amendment were approved without adding additional high-density housing.

Senior Planner McGuire Brigl noted that was already decided by the City Council. She stated that this conversation is related to the rezoning and preliminary plat as the Council has already acted on the Comprehensive Plan amendment and decided not to reguide additional land.

Commissioner Peters asked if there is guidance on whether trees last longer on flat land or berms. He stated that in his neighborhood trees were planted on a slope and half of them are now dead.

City Planner Anderson commented that there is a technique that can be used to place trees on a berm. He stated that it is not unusual for there to be some mortality with plantings, noting that regular watering is a factor when being established. He stated that it is feasible and practical to plant on a berm.

Commissioner Peters stated that if there are plantings on a berm would that reduce the ability for homeowners to put features on their property.

City Planner Anderson commented that backyards would terminate at the start of the transition corridor and therefore it would not have an impact on what can be done on private property. He stated that the density transitioning corridor would need to be placed in its own lot under separate ownership to avoid that situation.

Commissioner VanScoy asked who would own the transition corridor.

City Planner Anderson stated that in this instance it sounds like the HOA would maintain ownership of that area.

Commissioner VanScoy asked how it would work if there was not an HOA.

City Planner Anderson stated that another option would be for that land to be deeded to the City once installed and established. He stated that in this scenario it would be likely that the HOA would own that parcel.

Chairperson Bauer asked if the City Council provided input on the 80 foot lots versus the 65-foot lots.

City Planner Anderson stated that the Council would prefer to see the property remain as 80 foot lots as a transition into the existing developed neighborhoods.

Councilmember Woestehoff stated that it was an overwhelming consensus that the property remains at 80-foot lots. He asked the Commission to also support the 80-foot-wide lot requirement to avoid the situation where the Commission supports 65-foot lots only to get to the Council and have that denied.

Citizen Input

Paul Tabone, Lennar, thanked the Commission to listening to the request. He noted that he has been working closely with staff to propose different layouts for the property. He stated that at this time they are down to the lot sizes, noting that the Council was clear about the desire for 80-foot-wide lots. He stated that they are working with staff on the secondary access. He stated that the density transitioning is the biggest challenge. He noted that with the desire of the Council to have 80-foot lots, the depths of those home sites would be shortened if that transition area is put into its own parcel. He hoped that there could be some flexibility on that. He stated that he understands how important berming and density transitioning is in the City of Ramsey. He stated that this site is a challenge, surrounded by business, municipal, and rural residential uses. He asked if there could be flexibility in the density transitioning plan if the intent is still met. He stated that the draft landscape plan included as many trees as recommended by the landscaper per size at full maturity, which falls short of the requirement. He stated that if a berm is added, that would take space from the backyards of the residents. He commented that there are some fairly significant existing tree lines to the north and west of the site. He stated that an adjacent property owner previously made the comment that he would even support 65-foot lots, if properly screened. He noted that property has a row of evergreens and suggested that perhaps a row of evergreens be added on this site to increase the thickness of that screen. He stated that would meet the intent of screening without reducing the backyard sizes. He stated that if home sites cannot be platted to the lot line, as shown, it would create a challenge in having 80-foot lots. He commented that staff has been great to work with throughout this process.

Chairperson Bauer asked the concern with the size of the 80-foot lots.

Mr. Tabone reviewed the depth that is needed in order to meet the 10,000 square feet lot size for an 80-foot-wide lot. He noted that if the density transitioning corridor is required, that portion of the site would be rendered undevelopable at 80 feet wide.

Chairperson Bauer asked if a variance could be issued for that section of the property related to minimum lot size.

Senior Planner McGuire Brigl confirmed that a minimum lot size variance could be provided, noting that would need to occur through separate action at a future meeting.

Kyle Swenson, 15049 Iguana Street, stated that this project seems to be a moving target as he has had different layouts mailed to him. He stated that the original layout would have had four 65-foot lots and three ponds that would come near his property but with the design change there would be several more homes along the existing residential boundary. He stated that the solution would be to include the buffer and remove a lot in order to have the minimum lot size met against that existing residential property line. He stated that the existing residents want to see a transition as it will be quite a difference to have 140 homes compared to the cornfield that exists. He stated that he likes the 80-foot-wide lot requirement and would suggest the developer remove a few lots in order to support that buffer.

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

A roll call vote was performed:

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

Motion Carried.

Chairperson Bauer closed the public hearing closed at 8:31 p.m.

Commission Business

Chairperson Bauer suggested the Commission begin with the requested rezoning.

Motion by Commissioner Anderson, seconded by Commissioner VanScoy, to recommend that City Council adopt Ordinance #21-19 Approving a Zoning Amendment to Rezone Portions of the Subject Property from R-3 Residential (High Density) to R-2 Residential (Medium Density).

A roll call vote was performed:

Commissioner Gengler	aye
Commissioner VanScoy	aye

Commissioner Walker aye
Commissioner Anderson aye
Commissioner Peters aye
Chairperson Bauer aye

Motion Carried.

Chairperson Bauer noted that the second request is related to the preliminary plat and asked staff to display the list of contingencies that were included in the staff report.

Commissioner VanScoy stated that he is a little confused on how the transition can have common ownership and how it is configured with the lot. He stated that the applicant stated that the transition area is currently part of the lot.

City Planner Anderson stated that as the applicant proposed, the density transition corridor is part of the individual lots, but City Code states that corridor should be held common ownership, such as a separate entity like an HOA. He confirmed that changes would be needed in order to meet that requirement of the Code. He stated that each individual lot should meet the lot width and area requirements, separate from the density transition area.

Commissioner VanScoy commented that if the layout is configured in that manner, the density corridor should not impact the lot depth.

City Planner Anderson stated that if laid out in that manner from the start, there would not be an issue. He stated that originally, these lots were proposed at 65 feet and under that scenario the lots would have met the minimum lot size requirement and there was sufficient spacing for the density transitioning corridor to be held in separate parcel. He stated that the minimum lot size is larger for 80-foot-wide lots and therefore with the separate density transitioning corridor, 80 foot lots in that area could not meet the minimum lot size requirement.

Commissioner Anderson stated that this would mean yards would be smaller in that area and therefore a variance request would need to come back in the future to consider those smaller lots.

City Planner Anderson stated that the applicant could choose to revise the plan in order to show the required minimum lot size. He noted that a resident did suggest that a lot or two be removed in order to support meeting those requirements. He stated that if the applicant chose not to do that, they could come back to request a variance.

Mr. Tabone stated that he would like the ability to continue to work with staff on the density transitioning standards to determine if the intent can be met without dropping lots. He stated that this is not the first time they have dealt with a buffer, wetland, trees, or screening and therefore believed there were additional options outside of dropping home sites. He stated that they have already dropped a few townhomes and they want to ensure the project would be feasible in delivering a market need.

City Planner Anderson stated that within the density transitioning ordinance it states that alternatives can be used if agreed upon by the City and developer.

Chairperson Bauer asked if this type of issue has come before the Council during the tenure of Councilmember Woestehoff.

Councilmember Woestehoff replied that he cannot recall an instance of that nature in his time on the Council.

Commissioner Anderson asked if this should be tabled to allow the developer and staff to work this out.

City Planner Anderson stated that the Code does provide for some flexibility and that discussion as to whether the proposal would be reasonable could be discussed and decided upon by the City Council during its review.

Motion by Commissioner Gengler, seconded by Commissioner VanScoy, to recommend that City Council adopt Resolution #21-252 Approving the Preliminary Plat of Lynwood Subdivision with the contingencies outlined in the staff report.

A roll call vote was performed:

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

Motion Carried.

6.04: Public Hearing: Consider Resolution #21-248 Approving Preliminary Plat for North Brook Meadows, Case of Landform on Behalf of Platinum Land, LLC (Project 21-131 – Hunt Property)

Public Hearing

Chairperson Bauer called the public hearing to order at 8:42 p.m.

Presentation

Planning Technician McCann presented the staff report stating that staff recommends approval of the project and recommends adoption of Resolution #21-248.

Citizen Input

Darrin Lazan, representing the applicant, commented that this is a fairly straightforward proposal. He acknowledged the work that has gone into the project throughout this time and thanked staff for their cooperation. He noted that they continue to work with the City and adjacent property in terms of developing roadways and infrastructure.

Carla Beaterman, 7050 175th Avenue NW, stated that there has been a lot of discussion on this property before today. She stated that they have been neighbors to the Hunt family for the past 43 years and wish that family the best, they still have strong concerns about the density of the development. She commented on the traffic on 175th and difficulty in attempting to get onto and off of Nowthen Boulevard. She asked if there has been a traffic study completed and whether this could move forward prior to attempting to solve the traffic problem. She asked if it is the plan of the City to retain rural residential property or continue to push until that does not exist. She noted that she has received two requests to develop her property in recent years. She stated that there are areas of Ramsey, in The COR and near Highway 10, where smaller lots have been developed and she would prefer to keep the rural area of Ramsey rural. She asked if the Commission and developer would consider less homes on increased acreage for those that desire the more rural atmosphere of Ramsey.

Chairperson Bauer stated that the zoning of the property is R-1, therefore the number of homes proposed meets the zoning of the property.

Senior Planner McGuire stated that under the R-1 80 standards the minimum lot size is .25 acres and therefore the 77 lots proposed falls under that requirement. She noted that the density falls lower than the maximum allowed. She stated that the proposal meets the density, lot size, and bulk standards. She noted that a traffic study is being completed for the property to the south and staff is working to coordinate those efforts and there will most likely be an additional turn lane recommended for 173rd.

Carl Beaterman commented that he is opposed to this as it appears to pack in too many homes into an area that does not show that population. He stated that the other properties in that area range from two to 50 acres in size. He did not believe this development is what the neighborhood deserves. He asked what would be included in the density buffer. He believed there should be five to ten acre lots on this property. He stated that the surrounding properties have livestock and did not believe this type of development fits in this area.

Chairperson Bauer commented that the property is zoned for 80-foot-wide lots, not two or ten acre lots.

Mr. Lazan commented that the buffer would be provided on the entire west side as required and on the east side as recommended by staff but not required. He stated that there is a landscaping plan detailing the buffer areas.

Mr. Beaterman commented that he believes that both the Hunt and Makowsky properties had a 400-signature petition against these developments. He noted that it sounds like the City will allow this to move forward even though the residents should have a voice in what happens.

Debra Musgrove, 15247 Fluorine Street NW, asked staff for clarification on whether the 80-foot lot size is the minimum and whether larger lots would be allowed.

Senior Planner McGuire Brigl commented that the minimum lot size would be 80 feet wide and .25 acres in size. She stated that any proposal that meets those minimums would have to be approved. She stated that the developer could choose to go with larger lots, but the City could not require that as the request meets the bulk standards. She stated that the buffer yard was added to benefit the existing residents and review the additional elements staff is recommending such as trails.

Chairperson Bauer asked how long the property has been zoned R-1.

Senior Planner McGuire Brigl stated that she is unsure but believes at least ten to 15 years.

Chairperson Bauer stated that the petition mentioned was against the smaller lot sizes.

Senior Planner McGuire Brigl confirmed that previous requests from this property and the Makowsky property included lot sizes of 55, 65, and 75 feet and that rezoning request was denied with very firm direction to continue with the 80-foot lots and no deviation from the bulk standards.

Chairperson Bauer stated that the City did listen to those property owners that signed the petition as that zoning request was denied and the zoning remained the same as it had been for years.

Senior Planner McGuire Brigl commented that residents can continue to reach out to staff to determine if there is something that could make the project more palatable for them, such as trees near the property line being saved or trails.

Ms. Beaterman referenced the Comprehensive Plan and asked if the City intends to maintain the rural community or whether it intends to have all the rural properties developed into small lots.

Senior Planner McGuire Brigl stated that there is a municipal urban service area (MUSA) and the properties within that area are meant to have City sewer and water services. She noted that the properties outside of that area are not guided for City utilities. She noted that the majority of acreage is not guided for City utilities.

John Weberg, 17512 Nowthen Boulevard, stated that he has concern with traffic and the road conditions. He stated that more vehicles would only increase the maintenance problems that already exist on the road. He asked if the Council has addressed how the road will be maintained. He asked if the developer has been on the property and whether there would be issues with the smell from adjacent livestock. He stated that it would not be fair to have new residents move to the area only to complain about the animals on adjacent properties.

Senior Planner McGuire Brigl stated that if the property is in compliance with the Code standards for keeping of animals (cows, chickens, etc.) there would be no issue, even if there is a complaint. She stated that she will follow up with the resident to address any concerns about his animals.

Lonnie Gray, 17530 Nowthen Boulevard, commented that there is currently semi and other vehicle traffic traveling at high speeds. He stated that the traffic problem needs to be addressed before adding more homes in this area.

Senior Planner McGuire Brigl confirmed that there is a traffic study currently being completed.

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

A roll call vote was performed:

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

Motion Carried.

Chairperson Bauer closed the public hearing closed at 9:14 p.m.

Commission Business

Commissioner Walker stated that in preparation for the meeting, he read 29 pages of minutes from the May 7, 2020 Planning Commission meeting. He stated that there was comment after comment about residents not being happy about these urban subdivisions coming into their rural area. He stated that Ramsey either needs to start protecting its rural areas or remove the mission statement from the Comprehensive Plan. He provided a letter from a resident on Variolite to be submitted for the public record. He commented that he was not a supporter of the Hunt or Makowski proposals during the first round. He noted that he has spoken with residents that have lived here for 30 or 40 years and not one of them can remember getting a letter about the rezoning of the Hunt or Makowski properties. He stated that Ramsey continues to say it will have a rural character, but it keeps shoving urban developments into the rural areas. He stated that he has sympathy for the residents that continue to voice their concerns only to be ignored by the Commissions, staff, and City Council. He stated that there is a flow chart within the budget documents that show that the staff and Council report to the residents of the community. He stated that over 400 people were ignored last year when they opposed this type of development. He hoped that everyone could come together to develop some sort of compromise. He stated that the residents that have lived in their property since 1978 do not want to wake up and see 77 homes sitting next to them. He stated that he cannot support a plat for this type of development if it is not supported by the residents. He stated that he will continue to be a voice for residents.

Chairperson Bauer stated that the petition that came forward before was in opposition for the smaller lots, which was not approved, therefore they have listened to the residents.

Commissioner Walker stated that all of the residents stated that they did not want smaller lots, but the Commission voted to allow the smaller lots to remain when it made its recommendation to the Council. He stated that the City Council was the voice that did not allow that change.

Chairperson Bauer acknowledged that the Commission supported allowing smaller lots on the interior of the plat with 80 foot lots on the exterior. He noted that the current proposal meets the zoning and bulk zoning regulations.

Commissioner VanScoy asked the consequences of denying a request that meets bulk standards and fall into the existing zoning.

Senior Planner McGuire Brigl stated that she is not an attorney, but if an application meets all the bulk standards, the Commission would be obligated to approve the request. She stated that if the request is not approved, the City would open itself up to liability.

Commissioner VanScoy stated that the preliminary plat is based on the existing standards for this zoning area, which has been in place for well over ten years. He commented that he understands the concern about development next door to an area where residents have lived for many years. He stated that the statement within the Comprehensive Plan is an attempt to balance the rural character of the community with urban growth. He did not believe the Commission has an option to deny the request at this time.

Senior Planner McGuire Brigl commented that conditions of approval could be added, if desired.

Commissioner Walker stated that if Ramsey keeps having urban growth in the rural part of Ramsey, there will no longer be a rural part of Ramsey. He stated that the City continues to shove urban developments into existing rural areas.

Commissioner VanScoy commented that when he was young, he lived on a farm in Coon Rapids. He stated that the urban sprawl continues to expand, and the City can attempt to control that the best it can.

Commissioner Walker stated that before he moved to Ramsey two years ago, he selected his home because of the statement in the Comprehensive Plan. He stated that if this development continues to happen in the rural areas, that statement is pointless.

Commissioner VanScoy commented that this decision on the zoning happened over a decade ago. He stated that if Commissioner Walker wishes to make those types of decisions, he should become a part of the development of the Comprehensive Plan.

Commissioner Walker noted that the Beatermans have lived in Ramsey since 1978 and asked if they were invited to be a part of the Comprehensive Plan and rezoning of the property.

Chairperson Bauer commented that the Comprehensive Plan identifies properties as urban and rural. He stated that this area is identified as R-1, while other areas are proposed to remain rural.

Motion by Commissioner Anderson, seconded by Commissioner Gengler, to recommend that City Council adopt Resolution #21-248 Approving Preliminary Plat for North Brook Meadows.

Further discussion

Commissioner Peters commented that a lot of the debate that happened tonight is reserved for the City Council. He stated that the job of the Planning Commission is to review the criteria and if those criteria are met, the application must be approved. He explained that there is more leeway for this type of debate with the City Council.

A roll call vote was performed:

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

Motion Carried.

7. COMMISSION BUSINESS

7.01: Consider Allowing Accessory Dwelling Units on Single-Family Residential Properties

Presentation

Planning Technician McCann presented the Staff Report stating that staff recommends that the Commission direct City staff to draft an ordinance to be presented at the regular September 23, 2021 meeting with edits as discussed during the meeting.

Commission Business

Commissioner VanScoy commented that this would be a potential ordinance and noted that he believed this discussion was meant to determine if the Commission would like to consider an ordinance. He believed that a step was skipped.

Planning Technician McCann stated that there is not official ordinance drafting at this time.

Senior Planner McGuire Brigl commented that this was meant to be a discussion and determine if the Commission would like to move forward. She noted that the City Council is interested in looking at an ordinance. She stated that staff continues to receive at least one request per month of this nature. She noted that the cost of senior housing is high, and the housing market also has high pricing, which is making more people think about living with a family member, or on the same property. She welcomed input from the Commission on whether they are interested in exploring this further and any other input they may have.

Commissioner Gengler asked why a basement conversion would not be allowed.

Planning Technician McCann stated that if someone wanted to convert a basement there would not be a way for the City to monitor that.

Senior Planner McGuire Brigl stated that some people are doing that already. She noted that if there is access to that basement area from the front door, a kitchenette could be added and a secondary living space for a family member could be created.

Commissioner VanScoy stated that he called some other communities to gather information. He stated that he spoke with Andover city staff and that city stated that they receive inquiries while they do not see many of those requests move forward. He noted that Nowthen and Anoka do not allow this type of activity and asked how many other communities actually allow this activity.

Senior Planner McGuire Brigl provided information on the cities that were selected, noting that most were chosen because there was a connection to the city staff and the ordinances were known to work well.

Commissioner VanScoy asked if there is a minimum lot size specified for other communities, noting that Andover requires 2.5 acres.

Commissioner Peters stated that if his neighbor were putting up a yurt or tiny home on his property, which is an 80-foot-wide lot, he would be opposed to that as he would believe the lot is too small. He stated that if the property is larger and meets the criteria, he would not be opposed.

Commissioner VanScoy asked what would be considered a reasonable sized lot.

Commissioner Gengler stated that she does not believe a lot would need to be huge to have an accessory building. She stated that sheds are already allowed and therefore she does not believe it would need to be a huge property. She stated that she would be comfortable allowing it on an 80-foot-wide lot in the R-1 zone.

Commissioner Walker stated that he would support a one-acre size, but also does not like excluding people from an opportunity to telling them to do on their own property.

Chairperson Bauer stated that perhaps more information could be gained on what is allowed by other communities, such as minimum lot size and any issues they have experienced.

Commissioner Walker commented that parking would be an issue on an 80-foot lot if there is an accessory dwelling structure. He stated that at least a half-acre or full acre lot would be needed in order to accommodate an accessory dwelling unit and parking.

Senior Planner McGuire Brigl commented that in order to maintain the character of a rural community, you would not want additional parking structures or driveways. She stated that staff believes that the property should still look like a single-family home. She noted that if there are

problems with a parking, the parking standards would be able to regulate that activity. She stated that if a family member were at your home, they would park in the driveway. She noted that the intent would be to have the property remain looking like one home or single-family home property.

Chairperson Bauer asked if the Commission would like to continue to study this issue and what additional information, they would like staff to gather.

Commissioner Peters stated that he would be open to additional discussion. He noted that if people have sufficient space, he does not see a problem allowing this activity. He stated that he would be concerned with allowing a camper in the backyard of an 80-foot lot. He stated that residents should be provided direction.

Commissioner Gengler stated that she supports this and agree it bears further discussion. She stated that the majority of requests are not going to be for an Airbnb activity but to allow an older family member to live on the property and spend time with their loved ones. She stated that some people will view it as a way to make money, but noted that could be included in the regulations, specifying that rental could not be done. She stated that additional regulation could also be added that would prevent a camper on wheels from being used.

Commissioner Anderson stated that he is not strongly in favor of this, noting that he would want a lot more information on the maximum square footage, minimum lot size, whether there would be inspection of the structures, and the type of neighborhoods where this would be allowed. He stated that if someone has 20 acres of land and wants to build a tiny house next to their home, that would be different than that same structure on a one-acre lot.

Commissioner VanScoy stated that he did not think he would support this but as discussion continues, he is more interested in continuing the discussion. He stated that this could have value for the community, especially related to care for aging parents. He stated that he would like to see more information on surrounding communities and their requirements along with any issues they may have experienced. He believed this would be worth the time necessary to complete additional study.

Senior Planner McGuire Brigl commented that people are already doing this to some extent and therefore having a way to permit the activity and make it safe would be great. She stated that they are attempting to streamline the ordinances and make the process more efficient and easier to use.

7.02: Review Ordinance Amending Digital Display Billboard Regulations

Presentation

Senior Planner McGuire Brigl presented the Staff Report stating that the Planning Commission should provide feedback on the draft ordinance and direct staff to bring the ordinance forward to City Council for final approval.

Commission Business

Commissioner Walker asked if this is City owned property that would be leased to a sign company. He asked if this ordinance would be intended to allow the City to do something that no other property could do.

Senior Planner McGuire Brigl commented that three signs would be allowed with spacing two miles between signs, therefore other properties would be allowed if they met that distance.

Commissioner Walker stated that his issue is that the Commission would be recommending an ordinance that only the City would benefit from financially.

Commissioner Anderson asked the size of the sign that the City currently has on Highway 10.

Senior Planner McGuire Brigl estimated the digital display section to be about 150 square feet.

Commissioner Anderson noted that the digital display section of the City sign is clearly too small while he believes the Champlin billboard is much too big. He stated that perhaps half of that size be allowed. He stated that it would be nice to generate revenue from the sign, but he was unsure that he wanted it to be owned by the City. He stated that perhaps the land is rented, which would generate income. He stated that sign height will also be an issue because the new interchanges may impact views.

Commissioner Gengler stated that she believes that the current proposal would have a sign company leasing the space from the City and the City would only have the one sign, which would leave two additional spots open for others that are interested.

Senior Planner McGuire Brigl confirmed that the City does have a vendor it has been working with and the City is working on lease negotiations with that vendor. She stated that the EDA and City Council have chosen the vendor and made the decision to allow this, therefore an ordinance is needed.

Chairperson Bauer noted that two other private parties could come forward with proposals if they met the requirements of the ordinance and spacing.

Senior Planner McGuire Brigl stated that the draft ordinance includes a stipulation that there would need to be some benefit to Ramsey, such as a welcome to Ramsey statement, or advertising space for the City.

Commissioner Gengler stated that she is concerned with the two privately owned lots. She stated that parts of the overlay are close to residential areas and asked if there could be stipulations on where the sign could shine to avoid impact to the adjacent residential areas.

Senior Planner McGuire Brigl commented that the residential zoned and mixed-use zoned properties were not allowed and noted that an additional stipulation could be added requiring a certain distance from residential property.

Commissioner Peters referenced the sign for Suite Living, noting that the sign is very bright.

Commissioner VanScoy commented that he likes the idea of consolidating the signage into certain areas. He stated that the City currently has a master sign plan for The COR, which states that there will be three monuments. He asked how this would interact with the signage for The COR.

Senior Planner McGuire Brigl commented that this would be a privately owned sign and would not be counted as a monument sign for the City.

Commissioner VanScoy asked if the concept of having three monuments for the businesses in The COR would be maintained. He believed that this should be reviewed as separate signage has been allowed within The COR and noted that there would be benefit to reviewing that signage plan.

Chairperson Bauer agreed that the sign ordinance should be reviewed because of the continued exceptions and variances that have been granted.

Councilmember Woestehoff commented that the Council discussed this when it made the selection for the vendor. He stated that the Council was not unanimously supportive, as he opposed this. He noted that this would however generate about \$60,000 a year in revenue for the City from the land lease and the portion of the advertising sales the City would receive. He noted that the City would also be allowed to advertise its own messaging. He stated that there are currently three billboards between Armstrong traveling toward Anoka, noting that they are not always full with messaging. He noted that the other signage is related to business signage and would not be consolidated. He stated that he would believe that the regular billboards would be replaced with digital billboards if this is adopted. He stated that the EDA was unanimously supportive of this action.

Chairperson Bauer asked why Councilmember Woestehoff opposed this item.

Councilmember Woestehoff stated that he had several hesitations, one of which was that there were 80 signs between Armstrong and Anoka, on one side of the road. He stated that he is also concerned with the timing as the final plans for Highway 10 have not yet been finalized and could impact visibility. He stated that he also feels that digital billboard detracts from the rural character of Ramsey. He stated that he would also be concerned that businesses akin to advertising on digital billboards would be mainstream fast food type businesses. He stated that he does not want to see Ramsey overwhelmed with fast food restaurants and believes that Ramsey should aspire to be more of a Main Street community rather than a Coon Rapids.

Commissioner Anderson stated that his strongest objection is the size of 700 square feet. He stated that he would like to see that number much smaller. He stated that the nighttime illumination section may address the brightness concerns. He stated that his biggest concern is the size of the sign and whether the visibility would be impacted following the Highway 10 project.

Chairperson Bauer asked for input from the Commission on the maximum sign size.

Commissioner Anderson stated that he would suggest perhaps 400 square feet. He stated that he does not want to see a 600 square foot sign in Ramsey.

Commissioner Walker stated that if the sign is going to be leased out, businesses in surrounding communities can advertise in Ramsey versus the actual Ramsey businesses.

Councilmember Woestehoff commented that the vendor did provide preferential pricing to Ramsey businesses, it would allow businesses from other communities to advertise as well. He stated that the lease period was proposed at 30 or 35 years and the company committed to maintaining the sign during that period.

Chairperson Bauer commented that he did not believe the City could restrict businesses from other communities from advertising on the sign.

Councilmember Woestehoff noted that he found the proposed language in the previous vendor proposal which stated that 50 percent of advertising would be reserved for City messages and Ramsey businesses.

Commissioner Peters asked if there is language related to election messaging.

Councilmember Woestehoff confirmed there are stipulations that would prevent certain content, such as adult and political. He stated that although he agrees with Commissioner Walker, noting that he does not like the City being the only beneficiary, this City land might be the opportunity to test this out.

Chairperson Bauer asked if the language related to regulated content would be part of the lease or ordinance language.

Councilmember Woestehoff commented that he believed that language was within the lease but noted that the ordinance could also have language related to content.

Commissioner VanScoy stated that he is also concerned with the number of signs and is disappointed that this will not result in consolidation. He stated that he does not support this type of sign, but if this moves forward he would like to see a restriction related to the size of the sign.

Senior Planner McGuire Brigl commented that the pending lease would have a sign slightly smaller than 700 square feet. She recommended the discussion focus on location, distance between signs, number of signs, and architectural standards. She noted that the size of the sign has already been set.

Commissioner Anderson did not believe enough information has been provided. He stated that he would like information on placement, size, brightness, etc.

Senior Planner McGuire Brigl stated that the discussion from the Commission could be forwarded to the Council, but he would not recommend that this goes forward to ordinance.

Senior Planner McGuire Brigl stated that distance, location, brightness, and size of the sign is included in the draft ordinance.

Commissioner Anderson commented that he is not comfortable with the size of the sign.

Chairperson Bauer asked and received confirmation from staff that the City owned site has already been selected for one sign.

Senior Planner McGuire Brigl stated that the proposed size of the sign is 672 square feet.

Commissioner Gengler stated that perhaps an overall square footage is allowed for all three signs in total, so that the 672 square feet is subtracted, and the other two signs would have to split the remaining size allowed.

Commissioner Walker stated that he does not support this type of sign in Ramsey.

Senior Planner McGuire Brigl commented that the Commission can recommend denial.

Commissioner Walker stated that if the motion is for denial, it will most likely be overridden by the City Council and therefore the Commission would miss its opportunity to provide input.

Chairperson Bauer agreed that if the Commission has recommendations, it should include those for the Council.

Motion by Commissioner Anderson, seconded by Commissioner Walker, to recommend that City Council deny the ordinance.

Further discussion

Commissioner Anderson stated that he feels he does not have enough information. Senior Planner McGuire Brigl commented that the issue could be tabled. Councilmember Woestehoff advised of the upcoming joint meeting between the Planning Commission, City Council, and EDA and perhaps that would be a good time to discuss this item. Chairperson Bauer stated that the motion and second could be withdrawn and the issue could be tabled.

Commissioner Anderson withdrew his motion.

Commissioner Walker withdrew his second.

Motion by Commissioner Anderson, seconded by Commissioner Walker, to table this item until the time the joint meeting occurs with the City Council and EDA.

A roll call vote was performed:

Commissioner Anderson	aye
Commissioner Walker	aye
Commissioner Peters	aye
Commissioner Gengler	aye

Commissioner VanScoy aye
Chairperson Bauer aye

Motion Carried.

8. COMMISSION / STAFF INPUT

Senior Planner McGuire Brigl advised of the City’s Happy Days Festival which will take place on September 11th. She provided a brief update on construction activity within The COR area along with other residential development in Ramsey.

Chairperson Bauer stated that at the last meeting he was appointed to represent the Planning Commission on the interview screening panel for the new Assistant City Administrator/Community Development Director. He provided a brief update on that process, noting that seven candidates were recommended to continue in the process. He stated that one candidate withdrew, which leaves six candidates moving forward. He stated that there were two additional interview panels between the City Council and City staff department heads.

Councilmember Woestehoff stated that yesterday and today they held the second round of interviews which included five candidates. He noted that all were extremely qualified and noted that the Council hopes to have a decision to bring a candidate onboard by mid-October.

Commissioner Walker read into the record the written letter he brought from a resident on Variolite related to the request from the Hunt property.

Chairperson Bauer asked if staff could research when the Hunt property was rezoned and the notifications that would have been provided at that time.

9. ADJOURNMENT

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

A roll call vote was performed:

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

Motion Carried.

The regular meeting of the Planning Commission adjourned at 10:34 p.m.

Respectfully submitted,

Chloe McGuire Brigl
Senior Planner

ATTEST:

JoAnn Shaw
Community Development Assistant

Drafted by Amanda Staple
TimeSaver Off Site Secretarial, Inc.

Regular Planning Commission

6. 1.

Meeting Date: 09/23/2021

By: Brian McCann, Community
Development

Information

Title:

PUBLIC HEARING: Consider Request for a Variance to Fence Height for 15337 Nowthen Blvd NW (Project 21-133); Case of Kristina Myhers

Purpose/Background:

The City received an application for a variance from Kristina Myhers (the "Applicant") to exceed fence height standards in the front yard of her residential property. The subject property is generally located northeast of the intersection of Nowthen Boulevard and Alpine Drive (the "Subject Property").

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

Kristina Myhers (the "Applicant") has properly applied for a variance to the fence height standard for front yards in the R-1 (Rural Developing) Residential District at 15337 Nowthen Blvd NW (the "Subject Property"). The request is to exceed fence height near the front entrance of their property from the allowed four (4) feet standard, to a height of six (6) feet.

Project History

The Applicant previously contacted the City and applied for a zoning permit for the fence - permit RA048649. After an initial review was conducted by Staff, it was noted that the proposed height was six (6) feet, and the fence would be placed at the front property line. Staff reached out to the Applicant and discussed alternatives including lowering the fence height, different placement of the fence, or the variance option. The Applicant is an active fence contractor, and has been involved with numerous fence projects throughout the City. The Applicant has been cooperative and understanding with City Staff, but the Applicant and City Staff feel that the best course of action is an approved variance compared to other alternatives, to limit disturbances to their property.

Variance

When contemplating a variance, a three (3) factor test must be applied to determine practical difficulties:

1. Reasonableness - This request seems reasonable due to a number of factors. The applicant stated they are consistently bothered by wandering wildlife, and traffic near the intersection of Nowthen Blvd and Alpine Dr. The applicant has also stated that several cars have entered their property under the assumption that they were continuing on Nowthen Blvd; a larger fence will help mitigate potential intrusions onto the subject property.
2. Uniqueness - The property is unique due to the proximity to Nowthen Blvd and Alpine Dr. There are only a few residential properties located near that intersection, and the intersection sees many vehicles passing daily. The applicant has also stated that travelers often confuse their driveway as a continuation of Nowthen Blvd NW, and are prone to enter the property without permission.
3. Essential Character - Staff does not feel that the request will alter the essential character of the neighborhood. The request will actually conform to the neighborhood, since the neighbor to the south has a six (6) foot fence installed with a granted variance from 2014.

City Code Sections

Section 117-53. - Variances

Section 117-111. - R-1 Residential District

Funding Source:

The Applicant is responsible for all costs associated with this request.

Recommendation:

Staff recommends adopting Resolution #21-253 granting a variance to fence height requirements for the front yard on the Subject Property.

Action:

Motion to adopt Resolution #21-253 granting a variance to fence height requirements for the front yard on the Subject Property.

Attachments

Site Location Map

Exhibits from Applicant

Narrative

Property on City Map

ACTION - Resolution #21-253

Form Review

Inbox

Bruce Westby

Form Started By: Brian McCann

Final Approval Date: 09/17/2021

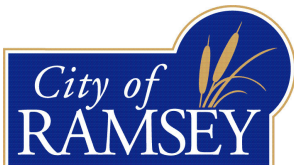
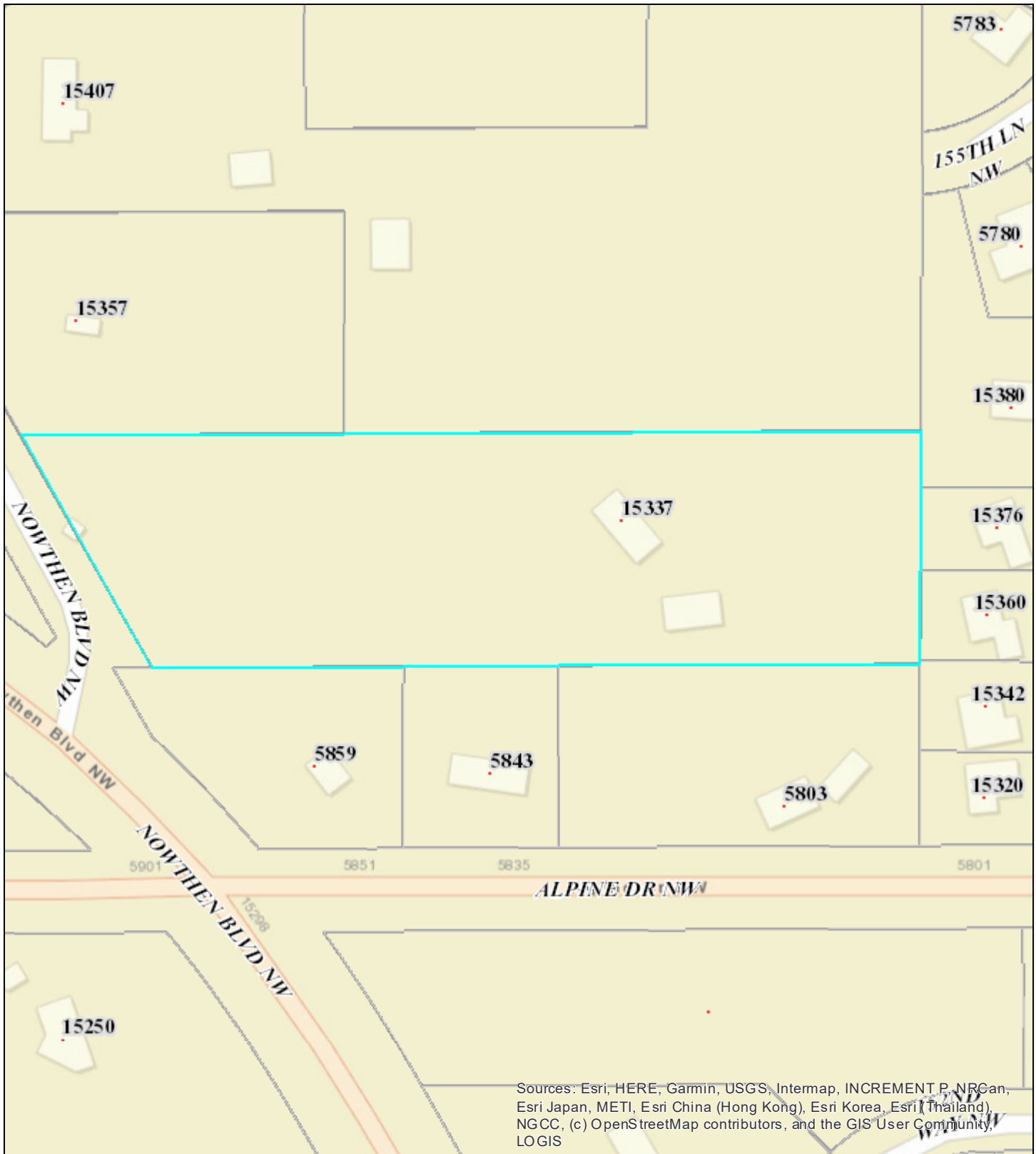
Reviewed By

Bruce Westby

Date

09/17/2021 09:41 AM

Started On: 08/26/2021 11:35 AM



Site Location Map

15337 Nowthen Blvd NW

23-32-25-13-0003

Legend

-  Site
-  Parcels



8/25/2021, 4:03:35 PM

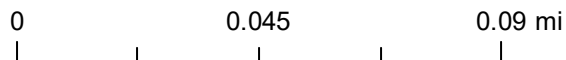


exhibit ①

Permit RA 048649

15337 Nowthen Blvd NW – Ramsey, MN 55303

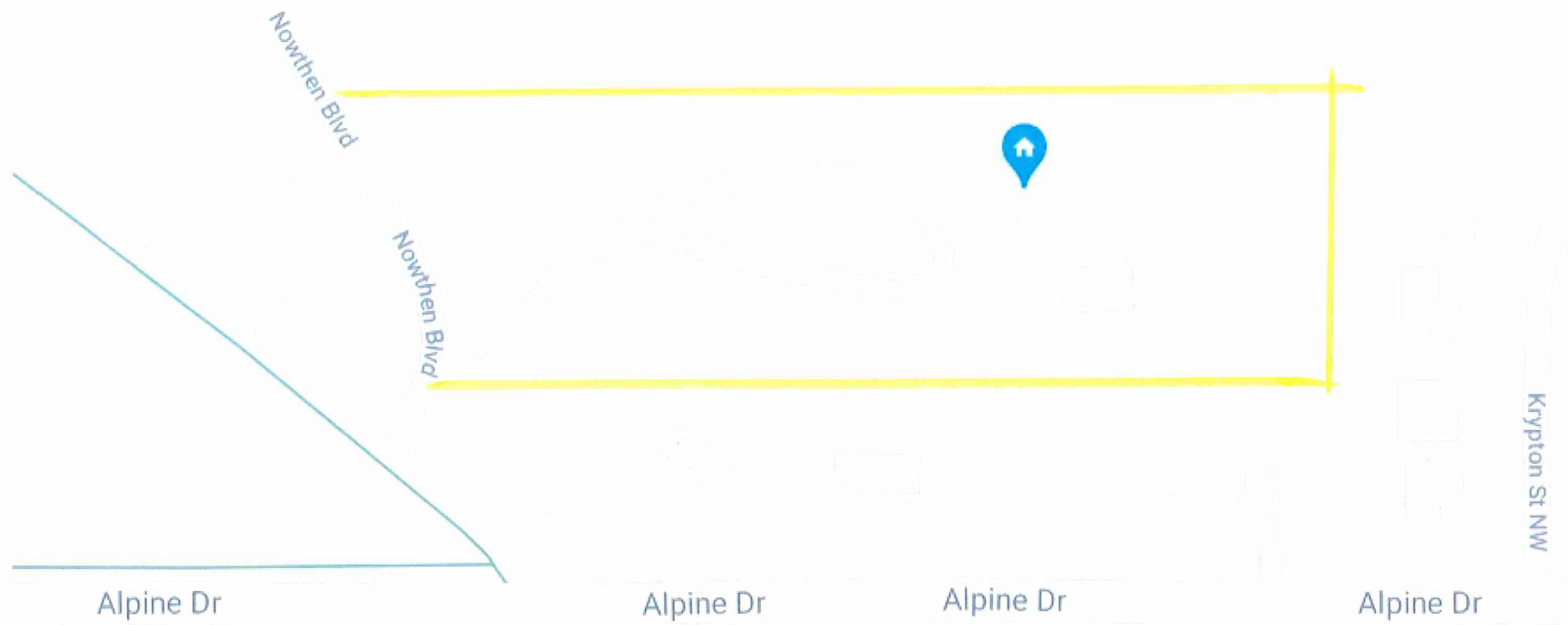
Fence will go from South to North connecting to the existing fence on the north and south sides of the property line.

New fence

Dead vegetation, plants & trees removed



exhibit (2)



Alpine Dr

Alpine Dr

Alpine Dr

Alpine Dr

Krypton St NW

Kevin and Kristina Myhers
15337 Nowthen Blvd NW
Ramsey, MN 55303
763-238-2294 – kristinamyhers@gmail.com

August 25, 2021

City of Ramsey
Planning Commission
7550 Sunwood Drive NW
Ramsey, MN 55303

Re: Variance for a fence at 15337 Nowthen Blvd NW – Ramsey, MN 55303

To Whom it May Concern,

We are using the Land Use Application to apply for a Variance for a fence to be installed on our property which is located at 15337 Nowthen Blvd NW. – Ramsey, MN 55303.

We would like to place a 6' tall fence on the front of our property on the Southeast and Norwest sides of our driveway. The fence will connect to the existing fence on the north and south sides of the property. This fence would be set back approximately 10' from the front property line and approximately 25' from the street. (See Exhibit 1)

The fence will be framed with treated framing material to withstand the elements of the Minnesota seasons. The fence will then be finished with 6" x 6" maintenance free post covers over the treated framing posts with maintenance free post caps. The fence panels will be constructed of 1" x 4" cement boards spaced for expansion and contraction.

We would like to install this fence for several reasons. First, to enhance the privacy and decrease the noise. When we move in in January of 2020 there was an enormous amount of brush, trees, and dead vegetation on our lot. After removing the debris and dead vegetation (trees, weeds, plants) from the first approximate 1/3 of our lot, there has been an increased amount traffic noise heard from Nowthen Blvd. The removal of the vegetation has also decreased our privacy on our lot. The fence will add much needed privacy. Second, by adding this fence it will create a more residential look and eliminate the number of cars that enter our property, thinking it is a driveway. If you look at exhibit 2, you will see that our driveway is mapped as a road without a name on Google Maps. We have several cars per week that enter our driveway and drive through the circle. Adding a fence will give the front of the property a more residential look and decrease unneeded and unwanted traffic. Additionally, this fence would be replacing the fence that was taken down a few years ago. After speaking to others that have lived

around our property, we have found out that there was a fence in the front part of the lot in the past. The fence was believed to have been removed sometime prior to us moving in. Lastly, we would like to add the fence for the safety of wildlife in the area. We currently have several different animals entering our lot from the front. Since our lot is currently fenced in on 3 sides the animals enter and have a hard time finding their way out. When they can not find their way out or get caught in our fence, we help them find their way off our lot and out of the fenced in area or attempt to help them out of the fence.

We would like to move forward with the install of this fence as soon as possible, after variance approval and after approval of permit RA048649. We look forward to working with the City of Ramsey regarding the build of a new fence section on our property.

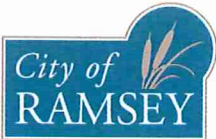
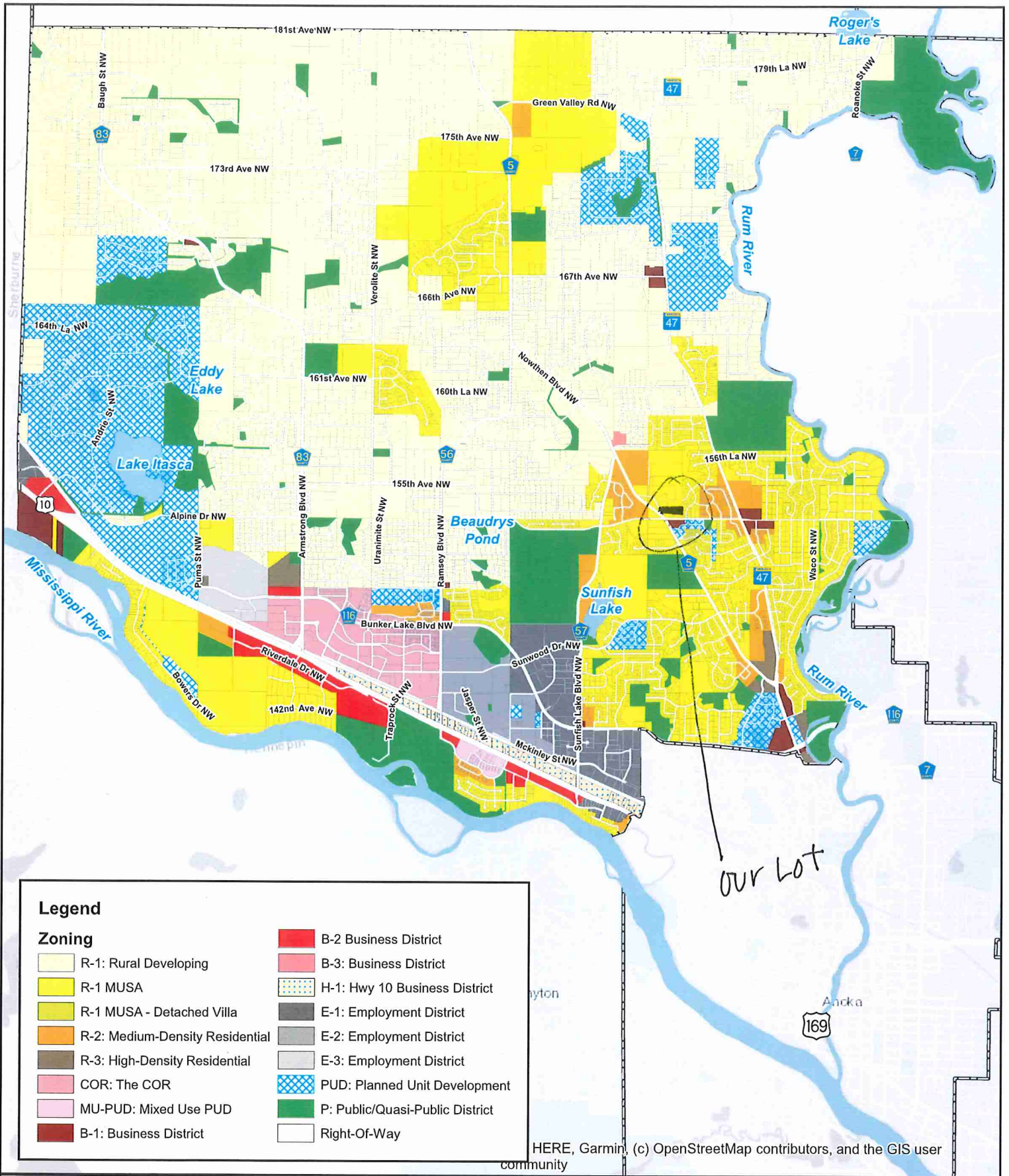
Regards,



Kevin Myhers



Kristina Myhers



Official Zoning Map

January 2020
Ramsey, MN

0 2,500 5,000
Feet



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

RESOLUTION #21-253

A RESOLUTION GRANTING THE ISSUANCE OF A VARIANCE TO FENCE HEIGHT AT THE PROPERTY AT 15337 NOWTHEN BLVD NW

RECITALS

1. Kristina Myhers, hereinafter referred to as the “Applicant”, has properly applied for a Variance to exceed the height restriction in the front yard for a fence (the “Fence”) on the property located at 15337 Nowthen Blvd NW and legally described in Exhibit A.
2. That the Subject Property is zoned R-1 Residential (MUSA) District; the surrounding parcels are also zoned R-1 Residential (MUSA).
3. That the Subject Property is approximately 4.17 acres in size.
4. That the proposed Fence would be six (6) feet tall consisting of treated framing materials with 6” x 6” maintenance free posts and 1’ x 4’ cement boards.
5. A Variance is required to exceed the height restriction for fences placed in the front yard of residential properties.
6. That City Staff noted the proposed fence height in the front yard for permit RA048649 and contacted the Applicant about a Variance.
7. That the Planning Commission met and held a duly noticed public hearing on September 23, 2021.

FINDINGS OF FACT

1. That the proposed use will not adversely impact traffic in the area.
2. That the proposed use will not substantially or adversely impair the use, enjoyment or market value of surrounding properties.
3. That the proposed use will be constructed so as to 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.
4. That the proposed use will not create additional requirements at public cost for public facilities and services.

5. That the proposed use will not be detrimental to the economic welfare of the community.
6. That the proposed use will not be disturbing or hazardous to existing or future neighboring uses.
7. That the proposed use will not involve uses, activities, processes, materials and equipment and conditions of operation that may be detrimental to any persons, property or the general welfare, by reason of excessive production of traffic, noise, smoke or glare.

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 denies approval of a variance (the “Variance”) to fence height in the front yard on 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 23rd day of September, 2021.

Exhibit A

Legal Description

UNPLATTED RAMSEY TWSP TH PT OF SW1/4 OF NE1/4 OF SEC 23-32N-25W DESC AS FOL-BEG AT THEE QUARTER COR OF SD SEC 23-TH W ALONG THE E & W QUARTER LINE OF SD SEC 23 A DIST OF 1954.3 FT TO THE CEN LINE OF C O RD NO 5-TH NWLY DEFLECTING TO THE RIGHT AT AN ANGLE OF 60 DEG 35 MIN 30 SECALONG SD CEN LINE A DIST OF 292.97 FT TO THE ACT PT OF BEG OF THE TRACT OF LAND TO BE HEREIN DESC-TH E ON A LINE PARA WIT H THEE & W QUARTER LINE A DIST OF 780.89 FT MORE OR LESS TO THE E LINE OF THE SW1/4 OF NE1/4 OF SD SEC 23-TH N ALONG THE AFOREMEN-TIONED LINE A DIST OF 225 FT-TH W ON A LINE PARA WITH THE E & W 1/4 LI NE A DIST OF 909.88 FT MORE OR LESS TO THE CEN LINE OF CO ROAD NO 5-TH SELY ALONG SD CEN LINE A DIST OF 258.28 FT TO THE ACT PT OF BEG-SUBJ TO PUBLI C EASE IN CO RD NO 5-

Regular Planning Commission

6. 2.

Meeting Date: 09/23/2021

By: Chris Anderson, Community
Development

Information

Title:

PUBLIC HEARING: Consider Request for a Variance to Minimum Lot Size for Multiple Proposed Lots in Lynwood Subdivision, Located West and South of 15050 Armstrong Boulevard (Project No. 21-122); Case of Lennar

Purpose/Background:

Lennar (the "Applicant") is attempting to address Density Transitioning for their proposed Preliminary Plat of Lynwood Subdivision. The project is on PID # 20-32-25-44-0003 (the "Subject Property"), which is located south and west of Fire Station #1 (15050 Armstrong Boulevard). The Applicant has modified their Preliminary Plat to provide 80-foot wide lots, per City Council direction. As proposed though, the lots would extend to the western and northern boundaries of the Subject Property. Staff has directed the Applicant to provide an outlot for the density transitioning corridor (which would be owned by the HOA), which reduces the size of all twelve (12) of the proposed single family residential lots. The reduced lot size drops six (6) of the lots below the minimum lot area requirement of 0.25 acres.

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. The Public Hearing notice was also posted in the City's Official Newspaper, the Anoka County UnionHerald.

Observations/Alternatives:

The Applicant has submitted a Preliminary Plat for a residential subdivision that includes twelve (12) single family residential lots in the northwest corner and 125 attached townhome units across the remainder of the Subject Property. The Subject Property has a split zoning designation of R-1 Residential (MUSA) - 80 (northwestern corner) and R-3 Residential (High Density). The City Council has introduced an ordinance to rezone the R-3 Residential (High Density) portion to R-2 Residential (Medium Density).

North and west of the Subject Property are existing single family residential lots that are zoned R-1 Residential (Rural Developing). As proposed, the project transitions from R-2 Residential (Medium Density) to R-1 Residential (MUSA) - 80 to R-1 Residential (Rural Developing). However, density transitioning is required with the proposed project due to the existing neighborhood to the north and west of the Subject Property. Landscaping is proposed to satisfy this requirement. City Code requires either a 45 foot wide corridor with 8 overstory trees, 8 understory trees, and 8 evergreen trees per 100 feet of property boundary adjacent to an impacted use or a 35 foot wide corridor with a berm and 4 overstory trees, 4 understory trees, and 4 evergreen trees per 100 feet of property boundary adjacent to an impact use.

The Preliminary Plat includes a forty-five (45) foot wide corridor, with berming throughout much of it, as well as landscaping (trees). Presently, this corridor is included in the rear yards of each of the single family lots. But, City Code states that the density transitioning area is supposed to be held in common ownership. Staff has suggested that the density transitioning area be separated from the lots and platted as an outlot. Since there are townhomes as part of this project, the Applicant has confirmed that there will be a Home Owners Association (HOA) and that the HOA could own the outlot.

By creating a separate outlot for the density transitioning, the lot sizes are impacted (size reduction). Lots 3, 4, and

8-11 all would end up being deficient of the minimum required lot size of 0.25 acres. Lot sizes for these lots would range from 0.20 acres to 0.22 acres. It is worth noting that the proposed density transitioning corridor includes berming throughout much of it, which means that the corridor *could* be reduced to 35 feet (proposed as 45 feet). However, that would result in lot sizes of approximately 0.23-0.24 acres, which is just below the minimum threshold and thus, would still need a variance. As proposed, it appears that this provides more transitioning for the adjacent neighborhood, with negligible differences in lot sizes.

When contemplating a variance, a three (3) factor test must be applied to determine practical difficulties:

1. Reasonableness - The project requires density transitioning and what is being proposed exceeds the minimum standard but results in multiple lots falling just shy of the minimum lot size. A slightly wider transitioning area seems like a reasonable trade-off for lot sizes that fall 0.05 to 0.03 acres short of the minimum required lot size of 0.25 acres.
2. Uniqueness - There is a large, linear wetland cutting across the southern portion of the Subject Property. As proposed, there are no impacts to this wetland. If the project is required to shift south and east to accommodate the minimum required width of the density transitioning corridor and meet the minimum lot size requirement, it would likely result in impacts to the wetland.
3. Essential Character - While the project itself will impact the essential character of the locale (converting agricultural land to housing), the reduced lot sizes should not for two primary reasons. First, there will be a 45 foot wide corridor with berming and landscaping throughout much of it, owned by the HOA (separate from the individual lot owners). Secondly, the proposed lots will still be 0.20 to 0.23 acres in size, which would not be noticeable to the general eye.

Alternatives

Alternative 1: Approve the requested variance to lot size. The proposal provides a slightly wider than required density transition corridor, which provides more separation for the existing, adjacent residential properties. The slightly deficient lots are not likely to be noticeable to the general eye. Staff is supportive of this alternative.

Alternative 2: Do not approve the variance to lot size. This would require the reconfiguration of the preliminary plat to ensure that all lots meet the 0.25 acre threshold while still also meeting the minimum density transitioning standards along the north and west boundaries of the Subject Property.

Funding Source:

The Applicant is responsible for all costs associated with this request.

Recommendation:

Staff supports the request as it helps avoid potential impacts to a wetland complex on the Subject Property, creates a wider density transitioning corridor, and the resulting reduces lot sizes are just slightly below the minimum area requirement.

Action:

Motion to adopt Resolution #21-273 granting a variance to minimum lot size for Lots 3-4 and 8-11, Block 1 of the proposed Lynwood Subdivision.

Attachments

[Site Location Map](#)

[Site Plan](#)

[Lot Size Exhibit](#)

[Resolution #21-273: Variance](#)

Form Review

Inbox

Bruce Westby

Form Started By: Chris Anderson

Final Approval Date: 09/17/2021

Reviewed By

Bruce Westby

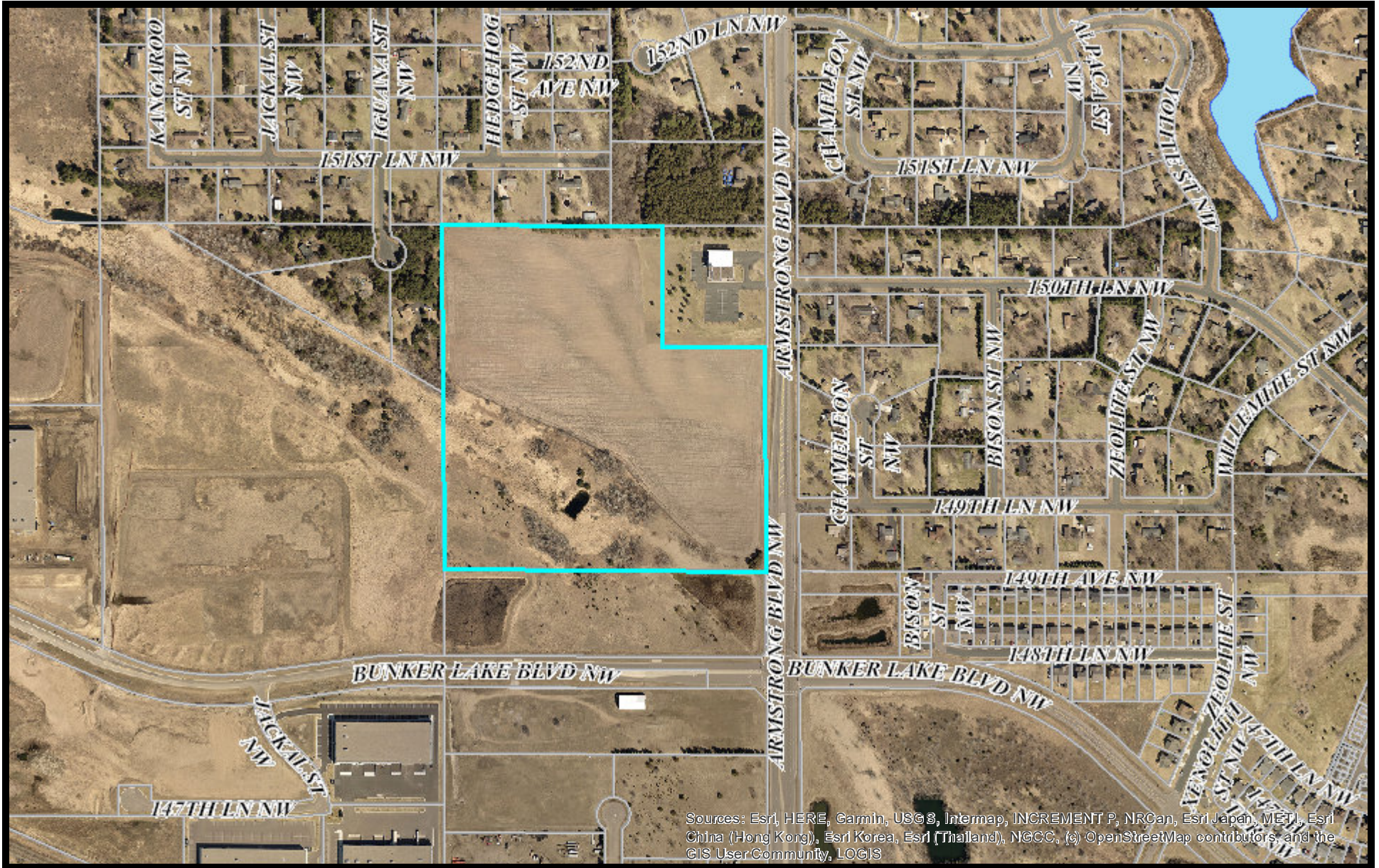
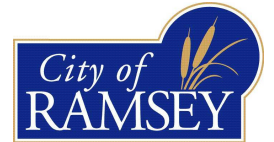
Date

09/17/2021 09:54 AM

Started On: 09/15/2021 10:31 AM

Variance

Site Location Map: PID #20-32-25-44-0003



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NCCO, (c) OpenStreetMap contributors, and the GIS UserCommunity, LOGIS

9/2/2021, 11:48:54 AM

00.0375 0.075 0.15 0.225 0.3 mi



Lot #	Proposed Lot Size	Lot Size After Outlot
Lot 3	0.33 acres	0.22 acres
Lot 4	0.32 acres	0.21 acres
Lot 8	0.29 acres	0.21 acres
Lot 9	0.29 acres	0.21 acres
Lot 10	0.29 acres	0.21 acres
Lot 11	0.29 acres	0.20 acres

┆┆┆ Lots as Proposed by Applicant

┆┆┆ Lots if outlot is created

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

RESOLUTION #21-273

A RESOLUTION APPROVING THE ISSUANCE OF A VARIANCE TO MINIMUM LOT SIZE IN THE R-1 RESIDENTIAL (MUSA) – 80 DISTRICT AND DECLARING TERMS OF PERMIT

RECITALS

1. The City of Ramsey received an application from US Home Corporation dba Lennar (the "Permittee") requesting a Variance to Section 117-111 (R-1 Residential District) of the Ramsey City Code regarding the minimum lot size requirement on multiple proposed lots on the property generally known as PID # 20-32-25-44-0003 and legally described as follows:

THE SE1/4 OF SE1/4 OF SEC 20 TWP 32 RGE 25, EX E 466 FT OF N 466 FT THEREOF, EX RD, SUBJ TO EASE OF REC, Anoka County, Minnesota

(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 September 23, 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 34 acres in size and is currently zoned R-1 Residential (MUSA) – 80 and R-3 Residential (High Density).
4. That the Applicant has requested a Zoning Amendment to rezone portions of the Subject Property from R-3 Residential (High Density) to R-2 Residential (Medium Density).
5. That the surrounding residential parcels to the west and north of the Subject Property range in size from about 0.99 acres to about 7.4 acres and are zoned R-1 Residential (Rural Developing), thus density transitioning is required on the Subject Property.
6. That if landscaping is used to achieve the required density transitioning, either a forty-five (45) foot wide corridor with 8 overstory trees, 8 understory trees, and 8 evergreen trees per 100 feet of property boundary adjacent to an impacted use or a thirty-five (35) foot wide corridor with a berm and 4 overstory trees, 4 understory trees, and 4 evergreen trees per 100 feet of property boundary adjacent to an impacted use is required.
7. That the Applicant has provided a Site Plan that provides for a forty-five (45) foot wide corridor for density transitioning, with berming and landscaping throughout much of it, but as proposed, that area is included in each of the individual lots.
8. That City Code states that the density transitioning corridor is to be held in common ownership rather than as part of each individual lot.

9. That creating a separate outlot for the proposed forty-five (45) foot wide density transitioning corridor reduces the lot sizes for the twelve (12) proposed single family residential lots, six (6) of which fall below the required minimum lot size of 0.25 acres.
10. That the following table outlines the lots (the “Lots”) that are deficient in lot size after factoring out the area for density transitioning:

Proposed Lot & Block #	Lot Size	Acreage Deficient
Lot 3, Block 1	0.22 acres	0.03 acres
Lot 4, Block 1	0.21 acres	0.04 acres
Lot 8, Block 1	0.21 acres	0.04 acres
Lot 9, Block 1	0.21 acres	0.04 acres
Lot 10, Block 1	0.21 acres	0.04 acres
Lot 11, Block 1	0.20 acres	0.05 acres

FINDINGS OF FACT

1. That the reduced area of the Lots will not impair an adequate supply of light and air to adjacent property.
2. That the reduced area of the Lots will not unreasonably increase the congestion on the public street.
3. That the reduced area of the Lots will not have the effect of allowing any use prohibited in the R-1 Residential (MUSA) - District.
4. That the reduced area of the Lots 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 reduced area of the Lots will not increase the danger of fire or endanger the public safety.
6. That the reduced area of the Lots 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 reduced area of the Lots 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 reduced area of the Lots will not violate the intent and purpose of the Comprehensive Plan.
9. That the reduced area of the Lots will be in accordance with the objectives of the intent of Section 117-53 (Variances) of the Ramsey City Code.

10. That the reduced area of the Lots 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 the minimum lot size requirement on the **Lots**, subject to review and approval as to legal form and contingent upon the following conditions:

CONDITIONS

1. That this **Variance** shall allow reduced lot sizes for the **Lots**, as shown in Exhibit 1, contingent upon receiving approval of Preliminary Plat, Final Plat, Zoning Amendment, and a Comprehensive Plan Amendment (already approved by City Council, but still requires approval by Metropolitan Council).
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 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.
5. That adequate water supply and on-site sewage disposal facilities shall be the responsibility of the **Permittee**.
6. That this **Variance** shall automatically expire if the use is not initiated by September 23, 2022, and initiation shall be considered recording of the Final Plat of LYNWOOD with Anoka County.

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:

None

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 23rd day of September, 2021.

Chairperson

ATTEST:

City Clerk

Exhibit 1



Regular Planning Commission

7. 1.

Meeting Date: 09/23/2021

By: Brian McCann, Community
Development

Information

Title:

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

Purpose/Background:

A proposed ordinance to regulate additional driveway space, and parking pads in the City of Ramsey. The City currently regulates driveway standards in regards to type of material, width at street, and distance from neighboring property lines. Additional driveway and parking pad requirements would help City staff and residents with future impervious surface expansions.

Notification:

Notification is not required at this time. A notice will be advertised in the Anoka County Union-Herald when it is introduced to the City Council.

Observations/Alternatives:

Summary:

At the June Planning Commission regular meeting, the Planning Commission had requested an ordinance update to create more requirements for parking pads and width of driveways in residential districts. The Commission had stated they would like to see a limited width for driveways, a limited number of parking pads per property, and a way to ensure the parking capacity isn't expanded as set in City Code Section 117-355 - Residential Development Off-Street Parking. Planning Staff members have drafted Ordinance #21-15 for review by the Planning Commission to determine if it would meet their proposed requirements, and be sent to the City Council for formal adoption.

July Planning Commission Meeting

Proposed changes as recommended by the Planning Commission at their regular meeting on July 22, 2021 include:

- Variance information to exceed standards set in the ordinance
- Driveways: 15 foot extension requirement for the side yard of a primary garage exclusively
- Graphic included in the attachments to demonstrate proposed ordinance restrictions on driveways and parking pads

Staff have also included regulations from surrounding cities - although many surrounding cities did not have any additional standards for parking pads, just for driveways. Staff have also presented a table that outlines proposed sizes and number of parking pads. The draft Ordinance has also been updated to include the proposed table, and requests of the Planning Commission.

Parking pads have also been presented to align with the City's residential off-street parking standards. The proposed number of pads and sizes of pads was determined by taking the average vehicle size (50 square feet) and multiplying it by the number of allowed outdoor storage items per property size (ranges from 6-10 based on property size):

- Parcels less than 2 acres: 1 pad (300 sf max)
- Parcels between 2 acres and 4.99 acres: 2 pads (400 sf max - each)
- Parcels 5 acres or larger: 3 pads (500 sf max - each)

Alternatives:

Alternative 1: Recommend adoption of Ordinance #21-15 to the City Council. Staff supports this alternative.

Alternative 2: Recommend additional changes be made to Ordinance #21-15, and an updated draft be presented to the Planning Commission at their next regular meeting. Staff is also supportive of this alternative.

Alternative 3: Recommend denial of Ordinance #21-15 to the City Council. Staff does not support this alternative.

Funding Source:

This case is being handled as part of Staff's regular duties.

Recommendation:

Staff recommends forwarding Ordinance #21-15 to the City Council for adoption.

Action:

Motion to recommend City Council adopt Ordinance #21-15.

Attachments

Ordinance #21-15

Surrounding City Regulations

Example Drawings

Form Review

Inbox

Brian McCann

Brian McCann

Bruce Westby

Form Started By: Brian McCann

Final Approval Date: 09/17/2021

Reviewed By

Brian McCann

Brian McCann

Bruce Westby

Date

09/03/2021 03:25 PM

09/16/2021 09:29 AM

09/17/2021 09:32 AM

Started On: 08/04/2021 08:48 AM

ORDINANCE #21-15

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

AN AMENDMENT TO SECTION 117 WHICH IS KNOWN AS THE ZONING SECTION OF THE CITY CODE OF RAMSEY, MINNESOTA.

AN ORDINANCE AMENDING SECTIONS 117-111 (R-1 RESIDENTIAL DISTRICT), 117-349 (ACCESSORY USES AND BUILDINGS), AND 117-355 (RESIDENTIAL OFF-STREET PARKING) OF THE CITY CODE OF RAMSEY, MINNESOTA.

The City of Ramsey ordains:

SECTION 1. AUTHORITY

This ordinance is adopted pursuant to and under the authority of the City Charter of the City of Ramsey.

SECTION 2. AMENDMENTS

Section 117-1. – Definitions shall be amended to read as follows:

Driveway means an onsite prepared surface traffic lane, which shall be the traffic lane leading directly from a public street to the primary garage on the subject parcel; ~~the width of which cannot exceed the primary garage width by more than 15 feet, or in the absence of a garage, a traffic lane to a parking pad that cannot exceed 20 feet in width. Driveway parking may not extend beyond the front of the primary garage without meeting the performance standards for side or rear yard parking. (Cannot exceed maximum width at roadway under zoning district bulk standards).~~

Section 117-111 shall be amended to read as follows:

(d) *R-1 bulk standards.*

²A zoning permit is required to install any driveway that is not associated with work requiring a building permit. [Driveways and parking pads are an allowed accessory use in any R-1 Residential District and require a zoning permit.](#)

(g) *General R-1 residential performance standards*

[\(4\) Driveways](#)

- a. The width of a driveway cannot exceed the primary garage width by more than 15 feet in the side yard, or in the absence of a garage, a traffic lane to a parking pad that cannot exceed 20 feet in width.
- b. Driveway parking may not extend beyond the front of the primary garage without meeting the performance standards for parking pads and side or rear yard parking.
- c. Variances. Variances from the strict enforcement of this section may be granted in accordance with the procedures and requirements of section 117-51.

Sec. 117-349 *Accessory uses and buildings* (d) (7) shall be amended to read as follows:

(7) *Driveways and Parking Pads.*

- c. Parking pads. A parking pad may be installed on a residential property with a zoning permit. The parking pad may not exceed standards set in section 117-355 regarding residential development off-street parking including but not limited to:
 - i. Number of vehicles and items allowed
 - ii. Surfacing requirements of the residential zoning districts
 - iii. Parking pad must be in the side or rear yard.
- d. Principal building required. No accessory parking pads or driveways shall be constructed on any lot prior to the time of construction of the principal building.
- e. Requirements. Size restriction and number of parking pads in residential districts shall align with Section 117-355 regarding residential off-street parking:

Parcel Size	Maximum Square Footage Allowed for Parking Pads (square feet)	Maximum Number of Parking Pads
Less than two (2) acres	300	One (1)
Two (2) acres – 4.99 acres	400	Two (2)
Five (5) acres or larger	500	Three (3)

- f. Variances. Variances from the strict enforcement of this section may be granted in accordance with the procedures and requirements of section 117-51.
- g. Principal building required. No accessory parking pads or driveways shall be constructed on any lot prior to the time of construction of the principal building.

Section 117-355 *Residential development off-street parking* (b) shall be amended to read as follows:

- (b) In any residential district, outside parking of any motor vehicle(s) and/or recreational equipment is subject to the following conditions:
 - (1) *Number of items.*
 - a. Six items ~~allows~~ allowed for outdoor storage and parking on parcels less than two acres in size.

- b. Eight items allowed for outdoor storage and parking on parcels between two and 4.99 acres in size.
- c. Ten items allowed for outdoor storage and parking on parcels five acres or greater in size.
- d. Items stored or parked separate from other items shall count as one item each; multiple items stored or parked on a trailer, for instance, count as one item. (Example: two snowmobiles and an empty trailer on the ground are three items; two snowmobiles on a trailer are one item).
- e. Items that will count towards the number restriction include, but are not limited to, the following examples: motor vehicles, recreational vehicles, campers, boats, canoes, snowmobiles, jet-skis, all terrain vehicles, go-carts, motocross bikes, motorcycles, fish houses, and other recreational equipment and self-propelled vehicles.
- f. Exceptions: Items that will not count towards the number restriction include those items typically seen as accessory to a residential use. Examples would be lawnmowers, garden tractors and attachments, bicycles, wheelbarrows, play structures, stepladders, and other items used for routine home and lawn maintenance.
- g. Increase in the number of items will be allowed through an administrative zoning permit at the discretion of the zoning administrator if the applicant can demonstrate a higher number of drivers, topographical issues on the lot or other practical difficulties.
- h. Adjacent parcels under single ownership shall be treated as one property to determine the number of allowed outdoor storage items based on the total size of the property.

SECTION 3. SUMMARY

The following official summary of Ordinance #20-15 has been approved by the City Council of the City of Ramsey as clearly informing the public of the intent and effect of the Ordinance.

Ordinance #20-15 amends Sections 117-111, 117-349, and 117-355 to create additional requirements for parking pads, driveways, and number of outdoor storage items in the City of Ramsey.

SECTION 4. EFFECTIVE DATE

This ordinance becomes effective 30 days after its passage and publication, subject to City Charter Section 5.04.

PASSED by the City Council of the City of Ramsey, Minnesota the _____ day of _____, 2021.

Mayor

ATTEST:

City Administrator

Introduction date:

Posting dates:

Adoption date:

Publication date:

Effective date:

Parking Pad and Driveways (Ordinance 21-15) Research
Research for Further Regulations of Parking Pads and Driveways in the City of Ramsey
By: Brian McCann

The purpose of this research is analysis of peer community codes regarding standards for driveways and parking pads. Nearby communities that had requirements are as follows:

[Andover](#) (12-13-8. Off Street Parking Requirements):

- Driveways and parking spaces included in impervious surface requirements: 75% maximum of lot size in 25% of landscaped areas
- Off-street parking spaces regulated by size of the home
- Must have 2.5 acres minimum for additional parking spaces
- Asphalt, concrete, or other surface (water sealed) allowed
- Maximum width of 24 feet at street on cul-de-sac, 30 feet for others
- 10 feet from property lines of commercial, industrial, and multi-family. 5 feet for single-family residential.

[Anoka](#) (Sec. 78-612. – Driveway and parking area standards for single-family and two-family residences):

- Class V allowed as base only
- Driveways only, no parking pads

[Blaine](#) (Sec. 33-13. – Parking):

- 3 feet from property lines abutting single-family residential districts
- No parking pads allowed
- No additional requirements

[Coon Rapids](#) (11-602.1 (7) Parking and Drives):

- 24 feet maximum width
- Concrete, bituminous, brick pavers, or similar hard surfacing
- Additional requirements within 100 feet of right-of-way including:
 - o Must be within 5 feet of the side of the garage and attached to the driveway
 - o Cannot extend more than 45 feet from the front of the garage to the rear
 - o Cannot extend more than 20 feet from the front of the garage towards the street
 - o Driveway total width cannot exceed 40 feet, or 50% of lot width

[Dayton](#) (Sec. 1001.14 Subd. 9 – Driveways):

- 10 feet from Agricultural property lines, 5 feet from residential property lines
- Permit required with site plan
- Class V allowed in Agricultural districts only

[Elk River](#) (30-124. Exterior of premises, parking facilities):

- Asphalt or concrete required
- 5 foot side/rear setbacks in single-family residential districts

[Ham Lake](#) (Article 11 – General Activity Regulations)

- 30 feet wide at street, 24 feet wide for cul-de-sacs
- 10 feet from property lines
- Class V is an approved surface

Nowthen

- 15 feet from lot lines

Oak Grove (Sec. 109-468. – Driveways)

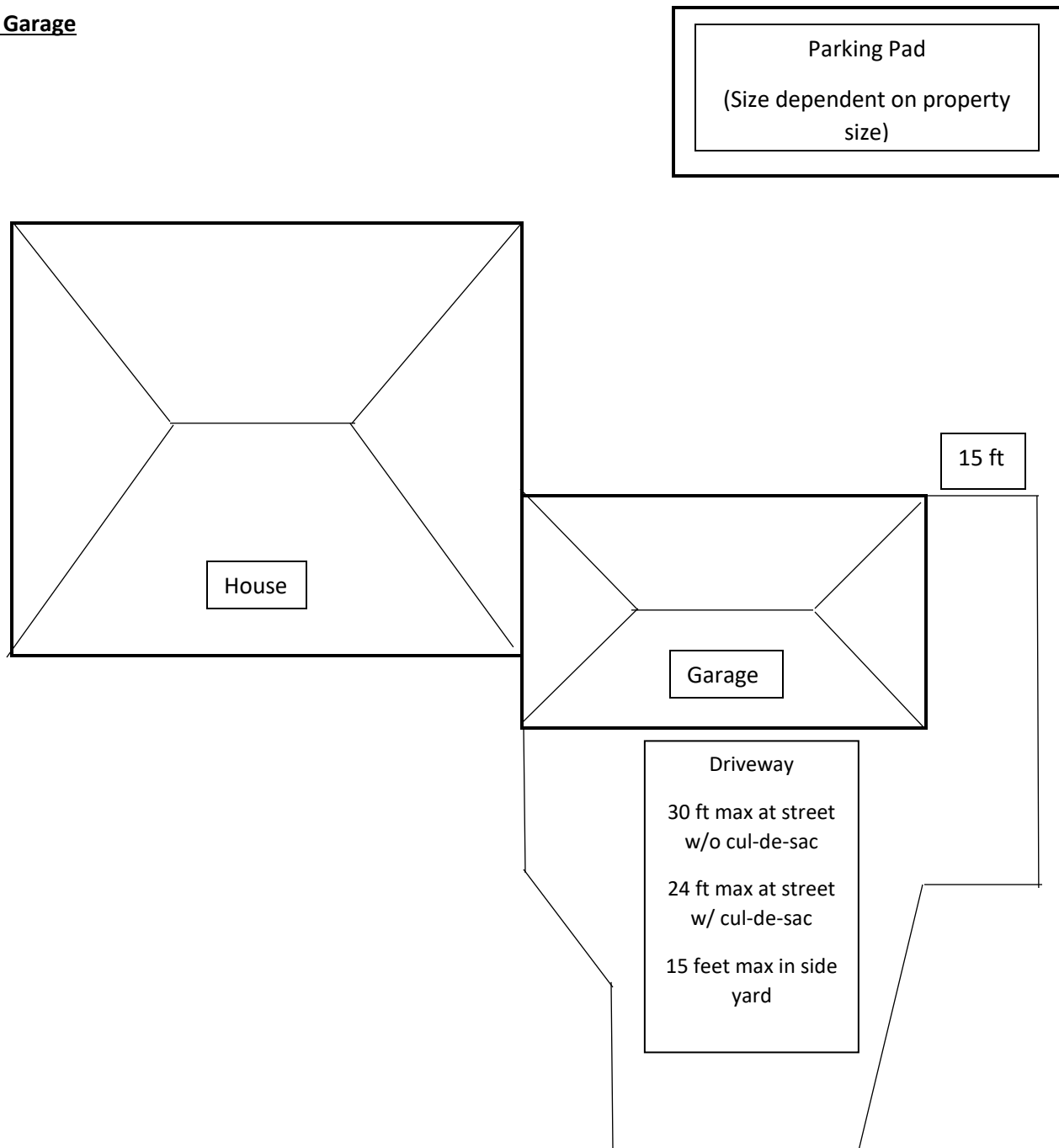
- 28 or 32 foot width depending on zoning district
- Minimum of 5 foot setback, depending on district
- Second driveways are permitted

Otsego (11-21-4 E Residential Use Parking)

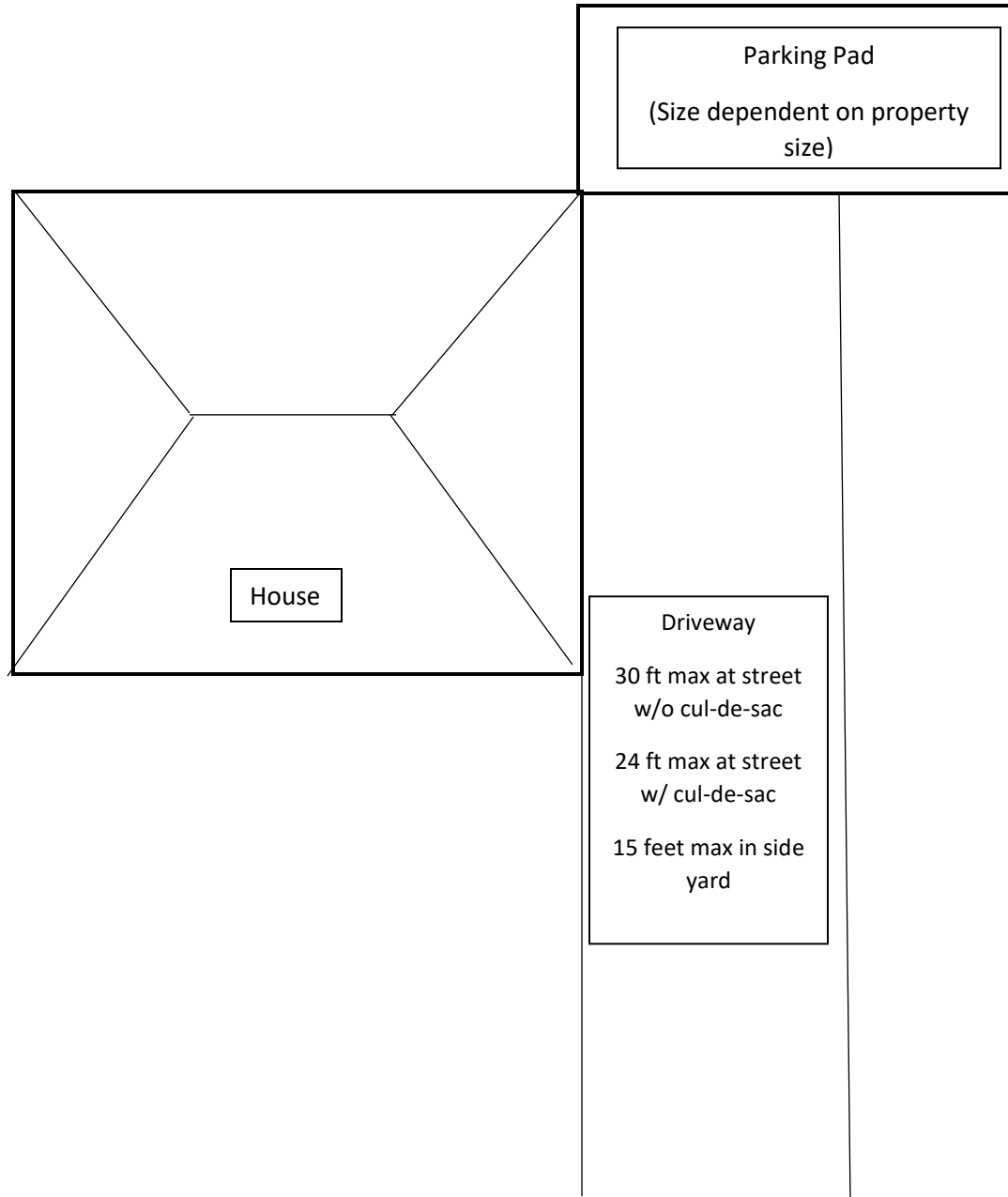
- Asphalt, concrete, or paver bricks

<u>City</u>	<u>Size Requirements</u>	<u>Width Requirements</u>	<u># of Pads Allowed</u>	<u>Setbacks</u>
Andover	Impervious surface requirement of 75% of lot	24 feet on cul-de-sac 30 feet on street	N/A	5 feet from single-family residential, 10 feet for all others
Anoka	Driveways only	Width of driveway plus 10 feet, 20 feet max if no garage, 24 feet at street	N/A	5 feet from neighboring property lines, cannot be in front yard
Blaine	Driveways only	N/A	N/A	3 feet from neighboring single-family properties
Coon Rapids	Driveways only	24 feet max width	N/A	No setback, as long as it doesn't interfere with traffic
Dayton	Driveways only	24 feet max width on cul-de-sacs 30 feet max width at street	N/A	10 feet for agricultural properties, 5 for residential
Elk River	Driveways only	N/A	N/A	5 feet for single-family residential properties
Ham Lake	Driveways only	30 feet at street, 24 on cul-de-sacs	N/A	10 feet from all property lines
Nowthen	Driveways only	N/A	N/A	15 feet from all property lines
Oak Grove	Driveways only	Dependent on zoning district, but generally 28 feet or 32 feet	N/A	Dependent on zoning district, but 5 feet minimum
Otsego	Driveways only	N/A	N/A	N/A

Example Property with Garage



Example Property without Garage



Regular Planning Commission

7. 2.

Meeting Date: 09/23/2021

By: Brian McCann, Community
Development

Information

Title:

Consider Allowing Accessory Dwelling Units on Single-Family Residential Properties

Purpose/Background:

Planning Staff has outlined ways to allow attached, and detached, Accessory Dwelling Units (commonly known as ADUs) in the City of Ramsey for single-family residential properties only, at the request of the Planning Commission during their regular meeting on July 22, 2021.

Notification:

Notification is not required at this time. A notice will be published in the Anoka County UnionHerald when the Ordinance is formally introduced to the City Council.

Observations/Alternatives:

Summary:

During the regular meeting of the Planning Commission on July 22, 2021, Planning Staff have researched, discussed, and created a general outline of what the ADU Ordinance will include for regulations. Based on cities that have allowed Accessory Dwelling Units (ADUs), the standards presented meet most cities' generic qualifications. Other items can be considered for the ordinance if requested, and Staff will present a draft Ordinance during the Planning Commission meeting on September 23, 2021.

Planning Commission - August 26, 2021

At the request of the Planning Commission during their regular meeting on August 26, 2021, City Staff have thoroughly researched and included additional information regarding minimum lot size requirements in researched cities, cities that do not have ADU ordinances, and resources for more information on ADU's.

Alternatives:

Alternative 1: Recommend Staff draft an ordinance for Planning Commission to review at the regular September meeting, and include specific regulations if requested. Staff supports this alternative.

Alternative 2: Recommend City Staff do not draft an ordinance for Accessory Dwelling Units. Staff does not support this alternative.

Funding Source:

This case is being handled as part of Staff's regular duties.

Recommendation:

Staff recommends directing City Staff to draft an ordinance to be presented to the Planning Commission during their regular meeting on October 28, 2021 with edits as discussed in the meeting.

Action:

Motion to recommend City Staff draft an ordinance to be presented to the Planning Commission during their regular meeting on October 28, 2021.

Attachments

ADU Research
Draft Regulations

Form Review

Inbox

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Form Started By: Brian McCann
Final Approval Date: 09/17/2021

Reviewed By

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Date

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Accessory Dwelling Unit Ordinance (21-18) Research
Research for Introductions of ADU's in the City of Ramsey
By: Brian McCann

The purpose of this research is analysis of peer community codes regarding standards for accessory dwelling units (commonly known as ADU's). Researched cities that do not have ADU ordinances include Anoka, Blaine, Coon Rapids, Ham Lake, Maple Grove, Nowthen, Oak Grove, Otsego, and Rogers. Additional links for information on ADU's can be found at the end of the document. Nearby metropolitan communities that regulated ADU's had the following ordinances:

[Andover](#) (pg. 65 – 12-8-5: Accessory Dwelling Unit (ADU))

- Conditional Use Permit required
- Single-family lots in the R-1 District only
- One (1) ADU per single-family lot
- ADU or principal structure must be owner-occupied, and ADU must be on the same parcel as the principal structure. The parcel cannot be split to separate the ADU.
- 400 – 900 sf allowed for total size of ADU
- 20 foot separation from the principal structure
- Must meet the setback requirements for an accessory structure
- Must meet architectural requirements of a single-family residence
- Two (2) off-street parking spaces required in addition to the home's parking spaces
- ADU must have a permanent foundation
- Must adhere to all state laws, state building, plumbing, electrical, mechanical, and fire code regulations, property maintenance regulations, and City Code requirements.
- Rental license required for rental
- Unlawful to construct or allow occupancy of an ADU that does not meet the above-listed requirements

[Dayton](#) (Section 1001.36. Accessory Dwelling Units):

- Attached or internal are permitted
 - o One (1) ADU permitted per residential lot
 - o Principal structure must be owner-occupied
 - o Cannot be utilized as a home occupation or rental (short or long-term)
 - o 2 occupants/bedroom maximum
 - o Size range of 300 – 960 square feet, or 35% maximum of principal structure livable square footage – whichever is less.
 - o Inspections and building permit required
 - o Match the primary residence
- Detached with Interim Use Permit
 - o IUP expires when property transfers ownership, or use ceases for one (1) year
 - o One (1) ADU per residential property
 - o Cannot have wheels/chassis/axels, and must be placed on concrete foundation
 - o Familial-relation occupation only
 - o Minimum lot size of two (2) acres

- Ceiling height of at least seven (7) feet, cannot exceed height of principal structure
- Cannot be utilized as a home occupation or rental (short or long-term)
- Must have a building permit, inspections, utility connections, necessary equipment (toilet, bath, shower, light, ventilation, heating, carbon monoxide alarm, smoke alarm, radon control system, emergency escape and rescue openings).
- Meet setback requirements
- May require landscaping/screening as required by the City Council

Elk River (Sec. 30-1. – Definitions)

- R-1 districts only
- One (1) ADU per single-family lot
- Building permit required, must be after or during construction of principal structure
- Counts toward accessory structure total allowable square footage
- If being utilized as a rental, must meet appropriate rental requirements including a license
- 250 – 1,000 sf size range, cannot be utilized as the principal structure
- 2 bedroom maximum
- Entrance cannot be located in the front yard of the principal structure
- Must meet the appropriate siding regulations, dependent on lot size
- Must conform to all City Code requirements for single-family dwellings
- One (1) off-street parking space must accompany the parking standards for the principal structure
- ADU or principal structure must be owner-occupied, and ADU must be on the same parcel as the principal structure. The parcel cannot be split to separate the ADU. Must also share the same address.
- ADU must have cooking, sleeping, and sanitary facilities; and be serviced with appropriate utilities
- Must meet all current state building, plumbing, electrical, mechanical, and fire codes

Minneapolis (537.110. – Allowed uses and structures.):

- General requirements
 - One (1) ADU per lot, cannot create a new parcel
 - Residential properties only
 - Balconies/decks cannot face an interior side yard, rooftop decks not allowed
- Additional requirements for internal ADU's
 - 800 square feet maximum size, cannot exceed first floor of structure
 - Additional entrances cannot face the street
 - If applicable, stairways leading to the above-ground ADU must be enclosed or entirely in the rear yard.
 - Must be owner-occupied. If not, the ADU is in violation and components must be removed to convert to a non-livable space.
 - Covenant with the County recorder must be provided to alert future owner of restrictions. Covenant will run with the land and is binding to any future owner. Evidence of recording must be provided before building permit is issued.

- Removal of the accessory structure will result in an inspection and release of covenant.
- Additional requirements for attached ADU's
 - 800 square feet maximum size
 - Additional entrances cannot face the street
 - If applicable, stairways leading to the above-ground ADU must be enclosed or entirely in the rear yard.
 - Must match the principal structure
 - Subsequent covenant and recording of covenant required.
- Additional requirements for detached ADU's
 - 21-foot height maximum, unless granted by variance
 - Gross floor area cannot exceed 1,300 square feet, or 16% of lot area, whichever is greater. In cases of larger lot areas, absolute maximum gross floor area of 1,600 square feet, or the gross floor area of the principal structure, whichever is less.
 - Parking area footprint cannot exceed 676 square feet or 10% of the lot area, whichever is greater. Absolute maximum of 1,000 square feet.
 - Minimum side yard requirement of three (3) feet. Rear yard requirement may be reduced to three (3) feet, unless vehicle access doors face the rear lot line, in which case no reduction of the required yard is permitted.
 - Detached ADU's on corner lots cannot be closer to side property lines than two-thirds (2/3) of the depth of the required front yard specified in the yard requirements table of the district of the adjacent property to the rear. Cannot be located within five (5) feet of a rear lot line of a property or office residence district.
 - 20-foot distance requirement from principal structure.
 - Primary exterior materials of the ADU must be durable.
 - More than 5% of the façade facing the street must consist of windows.
 - Exterior stairways are allowed if the railings match the trim or finish of the detached ADU.
 - Subsequent covenant and recording of covenant required.

Minnetrista (Page 129 – 505.07, Subd. 9 (g-h) - “Guest Home” and “Guest Apartment”):

- Guest homes.
 - Accessory to principal structure
 - Detached only
 - Conform to setbacks, lot coverage, and other City Code requirements
 - Height cannot exceed 25 feet
 - Roof pitch, architectural design, and exterior materials/colors must match principal structure
 - Same driveway access for the home must be used for the guest home
 - Allowed an attached garage, square footage counts towards allowed space
 - Separate address required
 - Same utilities as the primary residence (electric/gas/water). Separate ISTS is permitted if required
 - Riparian rights belong to the primary residence
 - Cannot be sold separate from the primary residence

- CUP required for homes over 1,000 square feet, or 30% or more of the principal structure's footprint – whichever is less.
- Guest apartments.
 - One (1) primary apartment access door required
 - Same driveway as principal structure
 - Riparian rights belong to the principal structure
 - Rental is prohibited
 - Same address required

Roseville (Page 148 – 1011.12 (B)):

- One (1) ADU per single-family lot
- Owner-occupied principal or accessory dwelling
- Maximum occupancy of two (2) individuals
- Separate address in some form, i.e. “Unit A” following primary address
- Detached ADU may be located above a garage or in a separate accessory building that meets accessory building section of City Code, including setbacks.
- One (1) additional off-street parking space required.
- Home occupations are not permitted in ADU's
- Maximum height, including above-garage, cannot exceed principal structure or accessory structure standards, as applicable.
- 300-650 square feet of livable space allowed, ADU cannot exceed 75% square footage of principal dwelling's livable area. “Living area” includes kitchen, bathroom, living room, bedroom, other rooms excluding utility rooms, hallways, entryways, storage areas, and garages.
- One (1) bedroom maximum
- Entryway to a detached ADU must be connected to a street frontage with a paved walkway
- Appearance of the attached ADU cannot alter the appearance of the principal dwelling
- Appearance of the detached ADU:
 - Match finish material of principal structure in relation to size, type, placement. Trim, windows (proportion-wise and orientation-wise), and projecting eave included.
 - Roof pitch shall match the predominant roof pitch of the principal dwelling.
- ADU Occupancy Permit required that is non-transferrable, for rental.

St. Paul (Section 65.913. – Dwelling unit, accessory):

- Internal, attached, and detached allowed
 - Minimum lot size of 5,000 square feet
 - One (1) ADU per lot
 - Compliant with all other city, local, regional, state, and federal regulations.
 - Occupancy:
 - Occupancy of principal dwelling and ADU cannot exceed the definition of household in section [60.209](#) – six (6) adults and children or fewer.

- Land use restrictive covenant required for use, and recording with the County.
 - Annual affidavit verifying continued owner-occupancy, with a fee.
- Maximum unit size of 800 square feet. Internal ADU cannot exceed one-third (1/3) of the principal structure floor space.
- Access and entrances
 - Walkway required from abutting public street to the primary entrance of the ADU
 - Internal stairways are permitted for access to upper floor ADU's, but external stairways must be placed on the side or rear of the structure for exterior access points.
 - Exterior stairways must be constructed with durable materials and match the finish of the structure they are attached to.
- Additional parking is not required if off-street parking requirements for the principal structure are met.
- Shall not be sold separately or made a separate tax parcel.

City	Type of ADU (Internal, attached, detached)	Minimum Lot Size for ADU's
Andover	All types	R-1 min. lot size – 2.5 acres
Dayton	Internal, attached	R-1 min. lot size - 10,890 sf (0.25 acres)
	Detached	Two (2) acres with IUP
Elk River	All types	R-1 min. lot size – 6,000 sf (0.13 acres)
Minneapolis	All types	No requirement
Minnetrista	All types	No requirement
Roseville	All types	No requirement
St. Paul	All types	5,000 sf (0.11 acres)

ADU Resources and Information

- [AARP](#): partner of ADU's as it relates to senior living
- [American Planning Association](#)
- [City of St. Paul's Case Study on ADU's](#)
- [ADU by City Research](#)
- [Family Housing Fund](#)
 - [Handout](#)

Necessary components:

1. One per residential lot
2. Existing single-family residential properties only
3. Principal and/or ADU must be owner occupied
4. Compliant with all other city, local, regional, state, and federal regulations
5. Building code standards and permits
 - a. Utilities, stairways, equipment, etc.
6. Match primary residence (siding, material, roof pitch, trim, windows, projecting eave, etc.)
7. Size Range: 800 sf – Attached and Detached
 - a. Conversion of portion of detached garage is allowed (800 sf max)
8. Cannot create a new tax parcel or be sold separately from the primary residence
9. Cannot be utilized for HOP
10. Counts towards accessory structure size and lot coverage requirements
11. Must meet setbacks for dwellings
12. Minimum lot size: ask Planning Commission
13. Must share utilities with the home
14. Cannot exceed 22 feet in height (detached only), or height of the principal structure, whichever is less
15. Same address required
16. Foundation and CO required
17. Above garage or detached structure allowed
18. Driveways based on existing requirements
19. Land Use
 - a. CUP for converting a lawful, nonconforming garage – Planning Commission input
 - i. Extra landscaping/screening?
 - ii. Exterior finish updates