

City of Ramsey
Agenda
Regular Planning Commission
Thursday, October 28, 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 September 23, 2021 Planning Commission Meeting Minutes
 2. Consider Ordinance #21-15 Creating Additional Requirements for Driveways and Parking Pads
 3. Consider Allowing Accessory Dwelling Units on Single-Family Residential Properties
 4. Review Ordinance Amending Digital Display Billboard Regulations
6. **Public Hearing**
 1. PUBLIC HEARING: Consider Resolution #21-309 and Ordinance #21-23 Approving Preliminary Plat for Trott Brook Crossing; Case of Sotarra
 2. PUBLIC HEARING: Consider Request for a Variance to Front Yard Setbacks for the Single Family Lots in Lynwood Subdivision, Located West and South of 15050 Armstrong Boulevard (Project No. 21-122); Case of Lennar
 3. PUBLIC HEARING: Consider Resolution #21-287 Granting a Conditional Use Permit for Auto Sales at 6957 Highway 10 NW and Declaring Terms of Agreement; Case of Laws Auto Connection
 4. PUBLIC HEARING: Consider Resolution #21-288 Granting a Conditional Use Permit for Auto Sales at 6740 Highway 10 NW and Declaring Terms of Agreement
 5. PUBLIC HEARING: Consider Resolution #21-219 Granting a Conditional Use Permit (CUP) and Declaring Terms Agreement at 7127 Highway 10 NW; Case of Ron Touchette

- 7. Commission Business**
- 8. Commission/Staff Input**
- 9. Adjournment**

Regular Planning Commission

5. 1.

Meeting Date: 10/28/2021

By: Brian McCann, Community
Development

Information

Title:

Approve the September 23, 2021 Planning Commission Meeting Minutes

Purpose/Background:

The purpose of this case is to approve the September 23, 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: Brian McCann

Final Approval Date: 10/21/2021

Reviewed By

Bruce Westby

Date

10/21/2021 05:53 AM

Started On: 10/14/2021 03:29 PM

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

The Ramsey Planning Commission conducted a regular meeting on Thursday, September 23, 2021, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

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

Members Absent: None

Also Present: Senior Planner Chloe McGuire Brigl
 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 Anderson, to approve the agenda as presented.

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

5. CONSENT AGENDA

5.01: Approve the August 26, 2021 Planning Commission Meeting Minutes:

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

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

6. PUBLIC HEARINGS/COMMISSION BUSINESS

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

Public Hearing

Chairperson Bauer called the public hearing to order at 7:02 p.m.

Presentation

Planning Technician McCann presented the staff report stating that staff recommends adopting Resolution #21-253 granting a variance to fence height requirements for the front yard on the subject property.

Commissioner VanScoy asked if this would be a variance to the height for the fence and whether the gate required a variance.

Planning Technician McCann clarified that the gate is permitted, and the variance would only apply to the requested height of the fence.

Commissioner VanScoy commented that a variance does not set precedent and therefore wondered why other previous fence variances were referenced.

Chairperson Bauer commented that he believed that reference was made to show that it would not alter the character of the neighborhood as there is a similar fence in the neighborhood.

Senior Planner McGuire Brigl commented that staff is not saying the variance has to be granted because the neighbor has one but was simply stating that the fence would not alter the character of the neighborhood. She displayed the driveway as shown on Google maps and noted that it appears to be a road and therefore the property owners have a lot of vehicles coming down their driveway.

Citizen Input

Kristina Myhers, applicant, stated that they would like the fence for the safety and security of their home and to reduce the noise from the roadway. She stated that since the land use sign was placed in their yard, they have had 27 vehicles go through that circle of their driveway. She stated that they typically have three to five vehicles per week coming down their driveway. She stated that the fence would also help to keep wildlife out of their yard and keep their children safe.

Commissioner VanScoy stated that the applicant would be permitted to install a four-foot fence with a gate. He asked why a six-foot fence is desired.

Ms. Myhers stated that the six-foot fence would provide more privacy from the road and would reduce the noise from Nowthen Boulevard as well.

Commissioner Anderson asked the distance from the road to the home.

Ms. Myhers replied that her home is about 400 feet from the roadway.

Commissioner Anderson commented that he could not see the home from the road. He stated that he did not see how an additional two feet would help because the home is setback too far.

Ms. Myhers stated that a lot of the issue is privacy. She commented that with the number of vehicles coming down their driveway, they can then see the items in their yard such as the boat and four wheelers.

Senior Planner McGuire Brigl stated that staff has worked a lot with the applicant on different permits. She stated that the Myhers recently purchased the property and in an attempt to clean up the property, removed dead vegetation that previously acted as a buffer and therefore the noise has increased from the road traffic.

Ms. Myhers commented that in speaking with the previous owners there was a fence on that side of the lot until 2016 or 2017, but that section was removed by the previous owners.

Kevin Myhers, applicant, commented that when drivers are going down Nowthen Boulevard they can see the items that he owns and therefore the additional two feet would block that view and prevent theft attempts. He stated that even though they are 400 feet off Nowthen Boulevard, they are only 100 feet from Alpine.

Ms. Myhers stated that they are State licensed contractors and build 100 to 120 decks and porches per year. She stated that as contractors they wanted to follow the proper path to apply for the required fence permit. She stated that they chose to live in Ramsey and their business is based out of Ramsey and are familiar with staff as they pull permits for the decks and porches they construct. She stated that the neighbor to the north would possibly be interested in extending their fence to the north as well in order to create a safer environment for their children. She commented that it was a lot of work to clean up the dead vegetation, as the previous owners stacked brush, which is a fire hazard. She stated that the property looks nicer, but that vegetation removal increased the noise they hear from the road.

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

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

Chairperson Bauer closed the public hearing closed at 7:16 p.m.

Commission Business

Motion by Commissioner Walker, seconded by Commissioner Peters, to adopt Resolution #21-253 granting a variance to fence height requirements for the front yard on the subject property.

Further discussion

Commissioner VanScoy commented that he feels a four-foot fence would be adequate. He stated that perhaps the ordinance should be reconsidered if six-foot fence heights continue to be approved. Commissioner Gengler stated that this situation is unique because that adjacent intersection is very busy with heavy amounts of traffic, in addition to the Google maps issue. She did not believe a six-foot fence would detract from this area and believed the variance criteria are met by the request.

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

6.02: 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

Public Hearing

Chairperson Bauer called the public hearing to order at 7:19 p.m.

Presentation

Senior Planner McGuire Brigl presented the staff report stating that 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 reduced lot sizes are just slightly below the minimum area requirement.

Commissioner Anderson asked for additional information on the outlot as it pertains to the back of the home. He asked the distance from the home to the outlot and whether there would be space for a deck, garden, or pool.

Senior Planner McGuire Brigl estimated that the lots are about 100 feet deep and noted that the homes would meet the backyard setback.

Commissioner Anderson stated that he would like to know the distance from the back of the home to the outlot line, noting that he wants to ensure there is room for the homeowner to enjoy the backyard.

Commissioner VanScoy asked if there is rationale between the 35 feet and 45 feet mentioned in the case.

Senior Planner McGuire Brigl stated that the berm will range from three to four feet and therefore some properties would have more of a berm than others. She stated that because of that some people would not get the full benefit of the berm and therefore an additional ten feet was added.

Commissioner VanScoy asked how many times an outlot has been used for transitioning in the past.

Senior Planner McGuire Brigl commented that the developments are handled on a case-by-case basis. She stated that some have been deeded to neighbors, some have been done under easements, and the outlot has been introduced as a new tool.

Commissioner VanScoy stated that he did not recall something like this situation. He stated that creating a 45-foot outlot and asking the developer to provide the additional space has taken away some of the lot space. He noted that previously that transition area would have been the whole lot with an easement. He stated that perhaps that ordinance should be revisited.

Senior Planner McGuire Brigl confirmed that in attempting to address one enforcement issue, another issue has arisen. She agreed that it would be appropriate to review the ordinance in the future.

Commissioner Anderson stated that there will be a similar issue any time there are 80-foot lots or larger abutting a new development.

Chairperson Bauer agreed that it would be appropriate to review this ordinance.

Senior Planner McGuire Brigl confirmed that staff would have time to review that as there are not any anticipated developments in the near future that would require transitioning. She noted that these calculations are estimates based on where a home could be placed on a lot and estimated a distance of 30 to 40 feet between the back of the home to the edge of the outlot. She noted that because the outlot is a shared greenspace amenity, there would be a reduced setback for items placed in a backyard.

Citizen Input

Paul Tabone, Lennar, stated that they have been working with staff and ensured there is sufficient space in the backyards for decks or porches. He stated that they will be cognizant of that as they continue to bring the development to fruition.

Chairperson Bauer asked if the property owners would be made aware that the berm is not their property, and whether there would be something in place to ensure subsequent landowners are aware as well.

Mr. Tabone commented that the outlot would be deeded to the HOA and would be incorporated as a common landscape or maintenance area. He noted that there are comments in the purchase agreement that states property owners should stay out of that area. He noted that the HOA documents and disclosures are recorded against property title.

Kyle Swenson, 15049 Iguana Street, stated that his property is directly west of this property. He commented that he likes the idea of the outlot. He stated that no matter what happens to the field that exists, it will take away from the enjoyment of his property but recognized that change is coming. He stated that there will be several homes in this development and if two homes are removed, this would meet all the City requirements. He recognized that Lennar is attempting to maximize profits, but the City rules should also be followed. He appreciated the 45-foot transition area with the berm and the redesigns that have been done but also believed that the rules should be followed. He stated that it is important for architects and developers to follow the rules that are set by City Code. He stated that he also wants to be reasonable and understands there is some give and take.

Commissioner VanScoy stated that he had a similar question. He stated that the developer followed the Code in the original proposal and in the past the transition area would have been done through easement and the underlying land would have been included in the lot size. He stated that because there have been issues in the past with people removing trees or altering the buffer area, the City now requires that transition area to be within an outlot which removes that lot area from the individual lot.

Mr. Swenson acknowledge that fact but noted that he will have six or seven homes along his property line, and the middle two lots are tiny. He stated that there will be a large home on the lot and tiny backyard that takes up almost the entire backyard. He stated that if one of those lots were removed and one additional lot to the north were removed, it would make the lots larger.

Chairperson Bauer referenced the four lots on the west side and asked what size backyard would be anticipated for those homes.

Mr. Tabone commented that the depths of the homes vary, noting that the pads are set to be 60 feet deep therefore the homes are typically 50 to 55 feet deep. He noted that there are some additional options such as a morning room or porch that would be another ten to 15 feet, but not all on the back. He stated that their building footprints do show an outdoor living space. He stated that there have been situations in multiple municipalities where the full lot size is credited to the property line with an easement placed over the density transitioning area. He stated that placing the density transitioning area into an outlot creates a tricky situation. He noted that they have already dropped lots from the original development proposal.

Chairperson Bauer asked if some of the homes would have a second story that protrudes further than the first floor.

Mr. Tabone commented that it would depend on the selections of the property owner. He stated that most property owners would choose a deck option. He stated that there is an option for a four-

season porch which could be on the second story of the home. He explained that would be a deck that is enclosed and typically comes off the middle of the home.

Mr. Swenson stated that it sounds like these homes will stay where they are and there would be the same amount of space between the new home and the existing properties, therefore it is just a matter of whether the outlot is used or the easement. He stated that in that instance he would prefer the outlot to ensure that density transitioning area remains protected and maintained. He stated that if homes are not going to be removed from the plan, he would prefer the outlot option.

Senior Planner McGuire stated that she remeasured the lots and most have 20 to 30 feet from the foundation area to the outlot line. She thanked Mr. Swenson for providing input throughout this process, noting that there were changes made to the plan based on his comments.

Commissioner Walker asked if the property was originally zoned for much higher density.

Senior Planner McGuire Brigl confirmed that the north and west boundary were zoned for 80-foot lots while the rest was zoned for apartment buildings, noting that the zoning was changed to support the townhomes.

Commissioner Walker asked and received confirmation that the zoning for the area where the variance is requested was never changed.

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

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

Chairperson Bauer closed the public hearing closed at 7:48 p.m.

Commission Business

Commissioner VanScoy stated this is unique because of the change in City policy in attempt to protect the density transitioning area.

Motion by Commissioner VanScoy, seconded by Commissioner Gengler, 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.

Further discussion

Commissioner Walker stated that it seems that residents request a variance, and it is a fight, but developers request a variance, and it is granted without a fight. He stated that if the City would not have created the problem requiring this variance, he would not have supported this. He stated that because of the change in City policy that created this hardship, he would support the request. Chairperson Bauer commented in the last two meetings staff recommended against a resident

variance, but the Commission ultimately approved those requests. Commissioner Anderson stated that the density transitioning area provides protection to the existing homeowners and therefore he would rather have the 45-foot corridor protected rather than having the new homeowners have the land to the property line. He believed that the protected corridor provides more protection to the existing property owners. Commissioner Walker stated that he agrees that the protected corridor would provide more benefit to existing property owners. He stated that if the transitioning area is to be done through outlot, perhaps an amendment is made to the ordinance to prevent the situation where a variance continues to be requested. Senior Planner McGuire Brigl agreed that the ordinance does need review and staff can bring something back to the Commission. Commissioner Gengler stated that the density transitioning area done through outlot also protects the new homeowners as they are aware from the beginning that the area is not part of their lot. Chairperson Bauer noted that easements are not always disclosed at the time of sale and that is why he asked the developer how the outlot would be recorded. Commissioner Walker stated that perhaps markers could be placed prior to the sale of the home to identify the property/outlot line. Mr. Tabone stated that typically the lot lines are staked so that it is clear in the field where the boundaries are. He stated that there are thorough HOA documents disclosed to buyers that must be signed but acknowledged that not all homeowners choose to read the documents. He described the process they follow to inform homeowners of the lot size and all other details. Councilmember Woestehoff stated that as someone that purchased a Lennar home, he was provided that information but did not pay attention to that. He stated that he does favor the outlot being owned by the HOA as that same information is not disclosed to the second property owner.

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

7. COMMISSION BUSINESS

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

Presentation

Planning Technician McCann presented the Staff Report stating that staff recommends forwarding Ordinance #21-15 to the City Council for adoption.

Commission Business

Commissioner Walker stated that he agrees with parcels under two acres, but is unsure on the two to 4.99 acres, and does not support the requirements for five acres or more. He stated that he has ten acres and does not believe the proposed regulation would be appropriate for large lots. He stated that this would be a slippery slope where the City dictates what can be done on large properties. He understood the need to have this type of regulation on smaller lots in neighborhoods, as there should be requirements on where parking can occur in those situations. He noted that once a lot is over two acres, he did not believe the same regulation would need to exist.

Chairperson Bauer asked if there could be restriction on smaller lots without restriction on larger lots.

Planning Technician McCann stated that the current proposal could be altered to be more accommodating for larger lots, should the Commission desire. He noted that any changes could be made.

Senior Planner McGuire Brigl stated that distinction could be made, but it would need to state there is no restriction on larger lots if that is the desire.

Chairperson Bauer stated that perhaps there is language stating the restriction for lots under 2.5 acres but then language stating no restriction for lots over 2.5 acres.

Senior Planner McGuire Brigl confirmed that could be done. She stated that the larger lots could also be based on the 35 percent building coverage restriction, noting that larger lots will not typically exceed the 35 percent building coverage.

Commissioner Anderson referenced the requirements shown for Andover. He believed that a line should not be drawn on lots over 2.5 acres as long as the parking is not occurring in the front yard. He agreed that there should be limited or no restrictions for lots over 2.5 acres.

Commissioner Gengler commented that even if a property is a large space, there are still neighboring properties. She believed the 35 percent building restriction would provide adequate guidance.

Commissioner VanScoy stated that in reviewing the regulations of other cities, Andover is the only city that mentioned lot size whereas other cities only allowed driveway parking. He stated that Ramsey would then be accommodating in allowing additional parking on a parking pad.

Senior Planner McGuire Brigl confirmed that Ramsey is generous in its parking allowances and accessory building sizes.

Commissioner Anderson stated that there are cases where people park nine or ten vehicles in their backyard and turn it into a salvage lot.

Senior Planner McGuire Brigl confirmed that those types of complaints are often received by City staff from neighboring property owners. She stated that it would be nice to have this concrete direction to provide to property owners.

Commissioner Walker stated that he looks at this different than other members because he has ten acres on which he has three large trucks, a horse trailer, and another large trailer. He stated that he parks his items in an orderly manner. He stated that all the properties in his area are five to ten acres in size, many of which have tractors and other equipment. He did not feel that the City should tell him he would have to get rid of a trailer because his maximum square footage for parking is exceeded.

Commissioner VanScoy was unsure the City would dictate that would have to be removed.

Senior Planner McGuire Brigl commented that if there were a complaint, staff would tell him that pavers are needed along with a \$25 permit. She stated that if the parking regulation, as proposed, were exceeded, a conditional use permit or variance would be needed.

Commissioner Walker stated that he did not see the reason to make homeowners go through that process.

Commissioner VanScoy stated that perhaps additional space is allowed through conditional use permit. He stated that when it gets out of hand and complaints are generated, it becomes an issue.

Commissioner Walker referenced a case the Commission recently reviewed related to code enforcement where a neighbor received a violation and then turned in other neighbors because they were mad. He stated that is what he is worried about. He stated that if someone has a junkyard, he supports making that person clean it up. He stated that on the other hand, he has multiple vehicles to complete the work that is necessary on his property and to support his horses. He noted that is not unique when you are in rural Ramsey. He stated that he does support the regulation on smaller lots but would not want the same regulation on larger lots.

Commissioner Anderson asked if a pad is designed as a shed or building. He asked if a lean-to shed that vehicles are parked under considered a pad.

Senior Planner McGuire Brigl stated that a lean-to would count as a structure. She stated that this would apply to parking pads. She stated that perhaps they start with the regulation on lots under 2.5 acres and then complete a review in one year.

Commissioner VanScoy asked the parking guidelines currently and whether they are by acre.

Senior Planner McGuire Brigl reviewed the current parking regulations.

Commissioner Walker asked the lot sizes that are creating the current issues.

Senior Planner McGuire Brigl replied that there are issues on all sized lots. She stated that there are parking issues on tiny lots, huge lots, and everything between.

Commissioner Walker stated that if small lots of account for 75 percent of the problem, it would make sense to deal with that now and leave the larger lots.

Commissioner Anderson agreed that they should start small and work their way up.

Senior Planner McGuire Brigl stated that the Code currently does not have a limit on parking pads and therefore people are paving and putting down a lot of gravel.

Chairperson Bauer stated that when looking at the zoning districts there are districts with 2.5 acre lots but not two acres. He suggested that the regulations apply to 2.5 acre lots and lower, placing

requirements in conjunction with the lot sizes in the different zoning districts. He summarized that the proposed ordinance is too restrictive, and the Commission would favor regulation of lots 2.5 acres and smaller with no restriction on lots larger than 2.5 acres at this time.

Commissioner Walker asked how many vehicles could be parked on a 2.5-acre lot or less.

Senior Planner McGuire Brigl replied that six vehicles could be parked outdoors and no limit on indoors.

Commissioner Walker commented that he did not believe a 300 square feet would be enough to cover that. It was noted that some of those six vehicles would be parked in the driveway.

Senior Planner McGuire Brigl stated that four vehicles parked on a pad would be 1,000 square feet which would be 1/10 of the lot.

Commissioner Walker stated that he would like to see 500 square feet.

Commissioner VanScoy stated that a standard parking space is nine feet by 18 feet.

Senior Planner McGuire Brigl commented that 500 square feet could be a nice round number to start with and see if that works for what people need. She stated that they would still intend to review this in one year to determine if the changes work.

Chairperson Bauer summarized the direction of the Commission to allow one pad of 500 square feet on lots of 2.5 acres or less. He stated that staff will bring back the proposed ordinance for review again at the next meeting.

Commissioner Dunaway asked if there would be anything regulating the distance from the property line.

Senior Planner McGuire Brigl stated that currently parking pads following setbacks for accessory use.

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

Presentation

Planning Technician McCann presented the Staff Report stating that staff recommends directing City staff to draft an ordinance to be presented to the Planning Commission during its regular meeting on October 28, 2021 with edits as discussed during the meeting.

Commission Business

Commissioner VanScoy commented that he is a little uncomfortable with the concept of allowing rental of these units. He noted that many regulations require a familial connection. He stated that

it seems to make sense to allow these units in those instances where a family member needs additional care but was unsure of allowing these to be used as rentals.

Chairperson Bauer commented that he has a 97-year-old mother-in-law that lives with them. He stated that he could see the benefit of having this type of structure for her but asked what would happen with that structure when she is no longer using it, or when they sell the home.

Senior Planner McGuire Brigl stated that staff considered that as well, noting that there have been concerns with rentals. She noted that they are attempting to be generous with the ordinance and there is a regulation that requires the property owner to live in the main home or accessory dwelling unit, which should ensure there are not problems. She agreed that in most instance a family member is using the unit and used the example of a college student whose parents perhaps charge rent in order to prepare them for the world.

Commissioner Walker stated that he likes the regulation Dayton has on attached versus detached and the required lot sizes. He stated that he is in favor of this action as people will do it anyways and the City would be able to capture license revenue.

Commissioner VanScoy stated that in addition to revenue this also provides quality control to ensure the structures are safe.

Commissioner Anderson stated that he started in favor of this action, and commended staff on the research completed. He stated that after reading the research, he is against this action as it would create two houses on a single-family lot. He asked what would happen when the people are gone that needed the accessory dwelling structure, noting that the next owner could use it for purposes not intended. He did not believe Ramsey should do this at this time and he felt it would open the City up to having more buildings. He asked if the accessory dwelling unit would be taxed as another home.

Commissioner Peters stated that a person is taxed on livable space, and therefore this would increase the taxes paid on the property as the property value would increase.

Chairperson Bauer commented that when looking at the demographics and the increase in the aging population, there is and will continue to be, a need for people to care for their aging family members. He noted that not everyone has space for that in their home and this would create another opportunity to care for an elderly parent or family member.

Senior Planner McGuire Brigl commented that this would bring more people to Ramsey and allow people to age in Ramsey without increasing density. She noted that accessory dwelling units can also be an opportunity for a fun Airbnb experience which opens more people to the beauty of Ramsey. She stated that they are attempting to make it easy for people to do as typically these units are expensive to build. She noted that this will be an investment in properties for those that choose to do so.

Commissioner Gengler stated that she is very much in favor of having this ordinance in place as more requests will most likely come forward for this type of unit. She also believed that this makes

sense. She commented that it is expensive to build these units and therefore she did not believe there would be a rush of applications.

Commissioner VanScoy stated that he also liked the Dayton ordinance which separated detached and attached units and would like to see that in the Ramsey ordinance.

Chairperson Bauer stated that he was a bit concerned with the clause that the Dayton ordinance included related to an expiration as the building would still remain.

Commissioner Walker stated that he thinks the idea would be that if he built the unit and obtained the proper license, that would expire when the property is sold, but the new property owner would be able to apply with the City to obtain their own license.

Chairperson Bauer noted that Dayton uses an Interim Use Permit, which he does not favor using. He believed that an ordinance should address subsequent ownership.

Commissioner VanScoy noted that the Dayton ordinance only allows familial occupation. He stated that Ramsey would allow rental and therefore that would be irrelevant.

Senior Planner McGuire Brigl stated that a lot of cities in Iowa were previously challenged on the definition of family and did not believe that is something Ramsey wants to get in the business of; regulating who is or is not family. She stated that if the units are desired, she would suggest they be allowed and not dictate who lives in the unit.

Commissioner Walker commented that he would like to see a draft following the Dayton model, without the IUP. He stated that for attached units he would like to limit the lot size that it could be on.

Commissioner Gengler stated that she believed that internal units are already allowed without permitting.

Senior Planner McGuire Brigl confirmed that as long as the unit can access the front door from the interior, it is currently allowed.

Senior Planner McGuire Brigl summarized the input from the Commission and noted that staff will prepare a draft ordinance for the Commission to review at its October meeting.

Commissioner Gengler asked if the Commission would support these units on lots under 2.5 acres.

Commissioner Walker commented that he believed the direction was to allow attached on lots under 2.5 acres and detached would be allowed on lots over 2.5 acres.

Senior Planner McGuire Brigl commented that she did not believe there would be many requests on smaller lots because of the required setbacks and maximum lot coverage requirements.

8. COMMISSION / STAFF INPUT

Chairperson Bauer noted that at its next meeting the City Council will consider the hiring of a new Community Development Director/Deputy City Administrator.

Commissioner VanScoy asked if moving the Commission meeting to the fourth Thursday of the month is working as intended.

Senior Planner McGuire Brigl confirmed that the date change is working and noted changes to the meeting date that would occur in future months to avoid holidays.

9. ADJOURNMENT

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

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

The regular meeting of the Planning Commission adjourned at 9:04 p.m.

Respectfully submitted,

Chloe McGuire Brigl
Senior Planner

ATTEST:

JoAnn Shaw
Planning Division Secretary

Drafted by Amanda Staple
TimeSaver Off Site Secretarial, Inc.

Regular Planning Commission

5. 2.

Meeting Date: 10/28/2021

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.

Planning Commission Meetings

Proposed changes as recommended by the Planning Commission 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
- Parking pad requirements for lots under 2.5 acres, no requirements for lots 2.5 acres or larger
- Lot coverage/impervious surface coverage of surrounding cities

Staff have also included regulations from surrounding cities - although many surrounding cities did not have any additional standards for parking pads, just for driveways. Impervious surface and lot coverage requirements have been added to the final page at the request of the Planning Commission at their regular meeting in September. All requested changes have been reflected in the proposed Ordinance.

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 also supports 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 introduction and adoption.

Action:

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

Attachments

Research of Surrounding Cities

Ordinance 21-15

Example Drawings

Form Review

Inbox

Bruce Westby

Form Started By: Brian McCann

Final Approval Date: 10/21/2021

Reviewed By

Bruce Westby

Date

10/21/2021 05:24 AM

Started On: 09/30/2021 08:32 AM

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>	<u>Lot Coverage and/or Impervious</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	20-30% lot cover max based on zoning district
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	30% impervious surface max for residential districts
Blaine	Driveways only	N/A	N/A	3 feet from neighboring single-family properties	No requirement found
Coon Rapids	Driveways only	24 feet max width	N/A	No setback, as long as it doesn't interfere with traffic	30-50% lot cover max based on zoning district
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	25-30% lot cover max based on zoning district
Elk River	Driveways only	N/A	N/A	5 feet for single-family residential properties	25-30% lot cover max based on zoning district
Ham Lake	Driveways only	30 feet at street, 24 on cul-de-sacs	N/A	10 feet from all property lines	No requirement found
Nowthen	Driveways only	N/A	N/A	15 feet from all property lines	35% impervious surface max
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	40% lot coverage for buildings only
Otsego	Driveways only	N/A	N/A	N/A	5%-30% lot coverage for buildings only

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. Parking pad size and number. Properties less than 2.5 acres in size cannot have more than one (1) parking pad with a maximum size of 500 square feet.
- e. Setbacks. Parking pads must meet setbacks for accessory structures set in Section 117-111.
- f. 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.
- g. Variances. Variances from the strict enforcement of this section may be granted in accordance with the procedures and requirements of Section 117-51.

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:

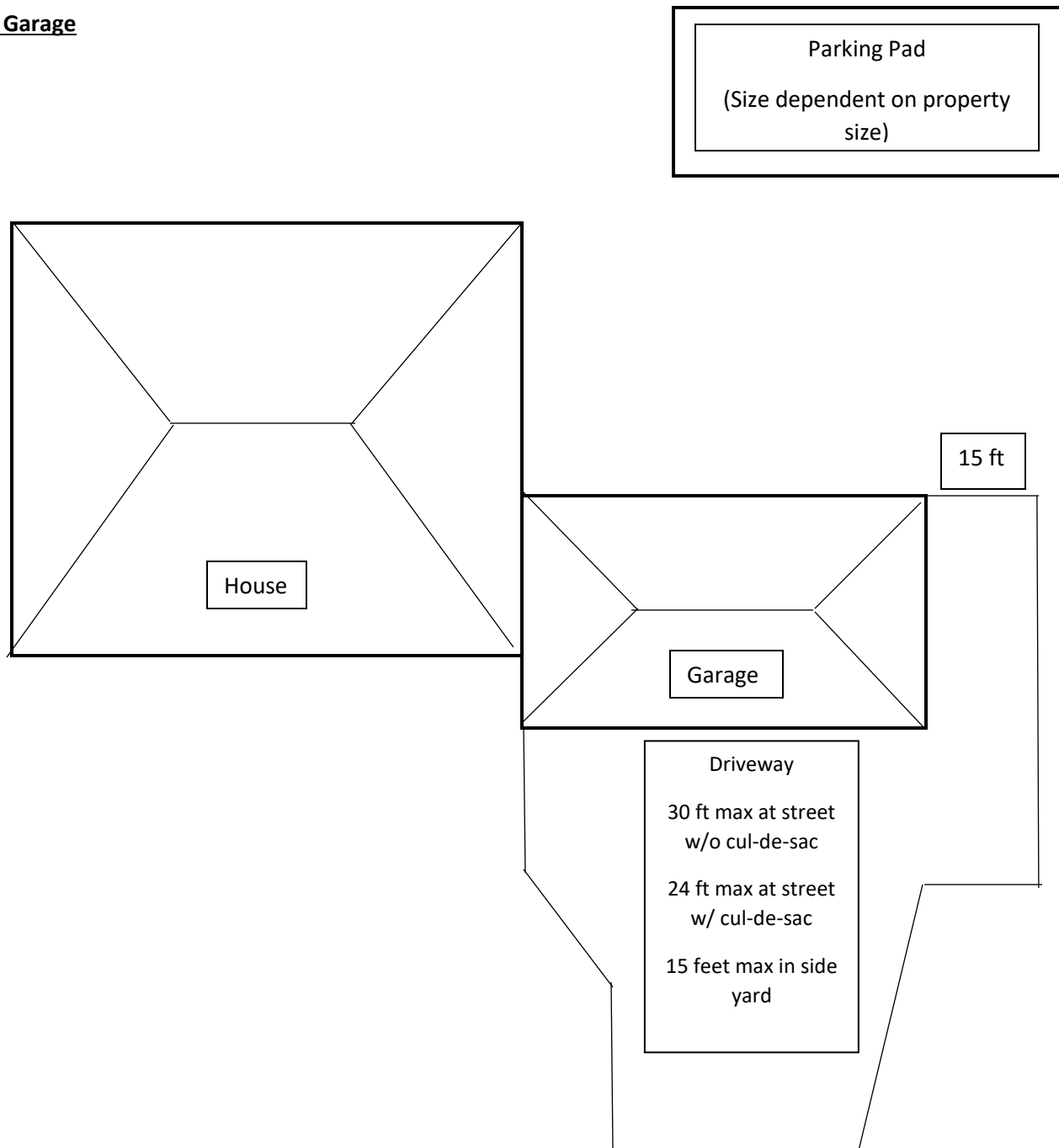
City Administrator

Introduction date:

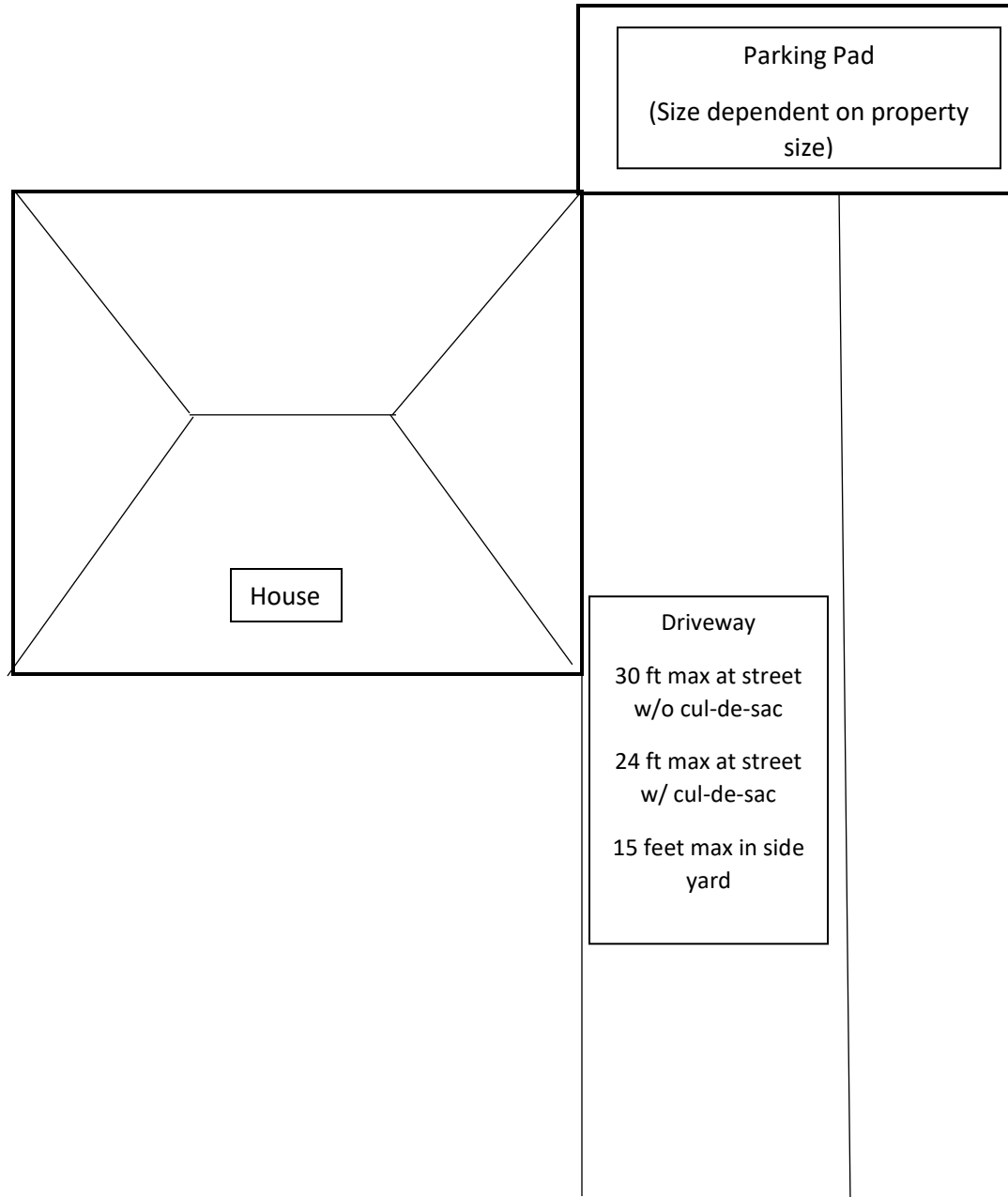
Posting dates:

Adoption date:
Publication date:
Effective date:

Example Property with Garage



Example Property without Garage



Regular Planning Commission

5. 3.

Meeting Date: 10/28/2021

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. A draft ordinance is being presented to the Planning Commission and City Staff are requesting recommendation from the Planning Commission to adopt Ordinance #21-18.

Planning Commission Meetings

At the request of the Planning Commission, 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. The proposed ordinance reflects all inclusions requested by the Planning Commission:

- Modelled after Dayton's ADU ordinance
- No minimum lot size for attached, but minimum lot width
- Minimum lot size of 2.5 acres for detached ADU's
- No options for Interim Use Permits

Alternatives:

Alternative 1: Recommend City Council introduce and adopt Ordinance #21-11 to Allow Accessory Dwelling Units on Properties in the R-1 District. Staff recommends this alternative.

Alternative 2: Recommend City Council do not introduce or adopt Ordinance #21-11 to Allow Accessory Dwelling Units on Properties in the R-1 District. Staff does not recommend this alternative.

Funding Source:

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

Recommendation:

Staff recommends the Planning Commission recommend adoption of Ordinance 21-18 to the City Council to allow ADU's on single-family properties.

Action:

Motion to recommend City Council adopt Ordinance 21-18 Allowing Accessory Dwelling Units (ADU's) on Single-Family Properties

Attachments

ADU Research

Ordinance #21-18

Form Review

Inbox

Bruce Westby

Form Started By: Brian McCann

Final Approval Date: 10/21/2021

Reviewed By

Bruce Westby

Date

10/21/2021 05:43 AM

Started On: 09/30/2021 08:33 AM

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
Anoka	<i>ADU's not allowed</i>	<i>ADU's not allowed</i>
Blaine	<i>ADU's not allowed</i>	<i>ADU's not allowed</i>
Coon Rapids	<i>ADU's not allowed</i>	<i>ADU's not allowed</i>
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)
Ham Lake	<i>ADU's not allowed</i>	<i>ADU's not allowed</i>
Maple Grove	<i>ADU's not allowed</i>	<i>ADU's not allowed</i>
Minneapolis	All types	No requirement
Minnetrissa	All types	No requirement
Nowthen	<i>ADU's not allowed</i>	<i>ADU's not allowed</i>
Oak Grove	<i>ADU's not allowed</i>	<i>ADU's not allowed</i>
Otsego	<i>ADU's not allowed</i>	<i>ADU's not allowed</i>
Rogers	<i>ADU's not allowed</i>	<i>ADU's not allowed</i>
Roseville	All types	No requirement
St. Paul	All types	5,000 sf (0.11 acres)

Additional Information/Resources on ADU's

- [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](#)

ORDINANCE #21-18

**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 SECTION 117-349 (ACCESSORY USES AND BUILDINGS) 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

Sec. 117-1 shall be amended to read as follows (additions indicated by underline)

Accessory dwelling unit (ADU) means a permanent residential dwelling unit, but not a mobile home, located on the same lot as a single-family dwelling unit, either within the same building as the single-family dwelling unit or in an accessory building

Habitable space means a space in a building for living, sleeping, eating or cooking.

Sec. 117-111 shall be amended to read as follows (additions indicated by underline)

(b) *Permitted uses.*

(10) Accessory dwelling units

(c) *Uses permitted by conditional use permit.*

(11) Conversion of a lawful-nonconforming garage to an accessory dwelling unit.

Sec. 117-349 shall be amended to read as follows (additions indicated by underline, deletions indicated by ~~strikethrough~~)

(d) *Accessory buildings.*

(5) ~~Reserved~~ Accessory Dwelling Units (ADU's)

a. General Requirements. Attached and detached accessory dwelling units are permitted with the following requirements:

1. Number. No more than one (1) ADU shall be allowed per one (1) existing single-family residential property.
2. Owner Occupancy. The principal dwelling or the ADU must be owner-occupied.
3. Accessory Buildings. The ADU must comply with all other accessory building requirements set forth in this section.
4. Maximum Size. The maximum size of an ADU cannot exceed 800 square feet of habitable space.
5. Home Occupations. The ADU cannot be used for any portion of a home occupation.
6. Setbacks. The ADU setbacks must meet the setback requirements for a dwelling in the R-1 Residential Zoning District.
7. Minimum Lot Size. Detached ADU's are allowed on properties with a minimum of 2.5 acres in size. Attached ADU's are allowed on properties with a minimum of 80-foot lot width.
8. Height. The ADU may not exceed a height of 22 feet, or the height of the principal structure, whichever is less.
9. Address. The ADU must retain the same address as the principal structure.
10. Parking. Additional parking for the ADU is not required if off-street parking requirements for the principal structure are met.
11. Regulations. An accessory dwelling unit must comply with all other city, local, regional, state, and federal regulations.
12. Utilities. Accessory dwelling units must share utilities with the principal structure.
13. Foundation. Accessory dwelling units must have a permanent foundation.
14. Certificate of Occupancy. Accessory dwelling units must have a Certificate of Occupancy and a building permit.
15. Ownership. Accessory dwelling units may not be sold separately from the primary residence, and cannot be created with a new tax parcel.
16. Garage Conversion. ADU's are permitted above existing lawful garages. A conditional use permit (CUP) is required for the conversion of a lawful, nonconforming garage to an ADU. Exterior finish updates and additional landscaping or screening may be required from the City Council as a condition.

(15) Reserved

SECTION 3. SUMMARY

The following official summary of Ordinance #20-18 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 #20-18 amends Section 117-1, 117-111, 117-349 to create requirements for accessory dwelling units 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:

Regular Planning Commission

5. 4.

Meeting Date: 10/28/2021

By: Chloe McGuire Brigl, Community
Development

Information

Title:

Review Ordinance Amending Digital Display Billboard Regulations

Purpose/Background:

The City Council has directed Staff to move forward with amending the City Code to allow for digital display billboards along Highway 10, with the intention of leasing City-owned land to a private sign developer in order to provide visibility to businesses who may not be on Highway 10 to the numerous cars driving along Highway 10 daily. Additionally, the private company will build and lease the sign, with a discount for Ramsey businesses, and the City will make funds off the lease.

The purpose of this case is to review the proposed changes to the Sign Code. The Economic Development Authority will be working on the land lease with the company independently from this case, and the City Council will have final approval over both items.

Notification:

No notification provided for this meeting. A public hearing notice is required for this ordinance, to be held with City Council.

Observations/Alternatives:

Summary

The City Council has directed Staff to update the City Code in order to allow for digital display billboards along Highway 10. The City is planning to lease 7443 Highway 10, a currently vacant site just west of the existing monument sign, to a private company for a large digital display sign. In creating these regulations, Staff attempted to be as clear as possible, limiting the number of signs to 3 throughout the City, and covering items that other Cities include in their ordinances. The findings, purpose, and intent of the Code section is important as it sets the tone for the section and can be taken into consideration when reviewing applications (to ensure they meet the intent of the district).

This is a longer section of Code, which appears to be industry standard. Staff attempted to cut superfluous regulations where possible, but based on the significant amount of code surrounding billboards, this appears to be the required items to protect the City, drivers, and residents, while allowing businesses extra visibility on Highway 10.

Feedback Requested

- Does the Planning Commission want to limit signs to be a principal use (no building required), an accessory use (accessory to a primary building)?
 - Note: As currently written, digital billboard signs are only allowed as a primary and principal use, and can't be placed upon any site that has a building.
- All Cities appear to limit the duration of each slide, with 8 seconds appearing to be the industry standard and average. Does this timeframe appear to be sufficient?
 - Note: The existing sign code for dynamic displays (currently allowed signs are significantly smaller

than these) allows for changes every 3 seconds, with no transitions or motion videos. Since these signs are larger than currently allowed, the more restrictive regulation would prevail.

- The City allows larger than average signs under Section 117-519 (c), which notes that in the Armstrong Boulevard Interchange Overlay District, signs are allowed to be 50 feet tall and 150 sq ft total. Signs are held to a higher architectural standard here, requiring an architectural base. Should the City remove the additional allowances for signs in this overlay to reduce the number of signs?
 - Note: The Planning Commission has previously expressed concerns over "forests of signs" in the City. The proposed digital display billboards allow for visibility on Highway 10 without individual signs for each business.
- Should the City place stricter standards on Conditional Use Permits for oversized signage in the COR and along Highway 10 and direct businesses/applicants towards the digital display billboards?
 - Note: This would consolidate signage onto these central signs while maintaining the downtown feel in the COR.
- Does the distance between signs seem sufficient?
 - Note: Staff is attempting to limit the number of signs along Highway 10, but provide sufficient distance between signs so that drivers would not see more than one sign at once along the Highway 10 corridor, to reduce distraction. Under the proposed code, 3 signs would be permitted, one at each end, and one in the center.
 - If directed, Staff could revise the Code to only allow them on City-owned property.

Attachments

Attached to this case is the entirety of the Sign Code (Division 8) with proposed changes, and the new section as a standalone document. Please note the highlighted sections indicating areas where Staff would like direct feedback from the Planning Commission. Also attached to this case is a list of items to consider which notes relevant regulations from other cities in the area.

Funding Source:

Staff is handling this case as part of regular duties. One of the City's Planning Consultants, WSB, helped draft the ordinance for the City.

Recommendation:

Staff recommends that the Planning Commission provide feedback on the draft ordinance and direct Staff to bring the ordinance forward to City Council for final approval.

Action:

Motion to recommend the City Council introduce the ordinance.

Attachments

[Proposed Billboard Overlay \(Allowed Sites\)](#)

[Items to Consider and Research](#)

[Entire Sign Code with Proposed Changes](#)

[Proposed New Section: Digital Billboards](#)

Form Review

Inbox

Bruce Westby

Form Started By: Chloe McGuire Brigl

Final Approval Date: 10/21/2021

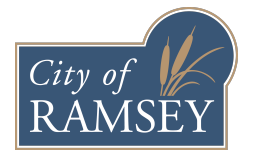
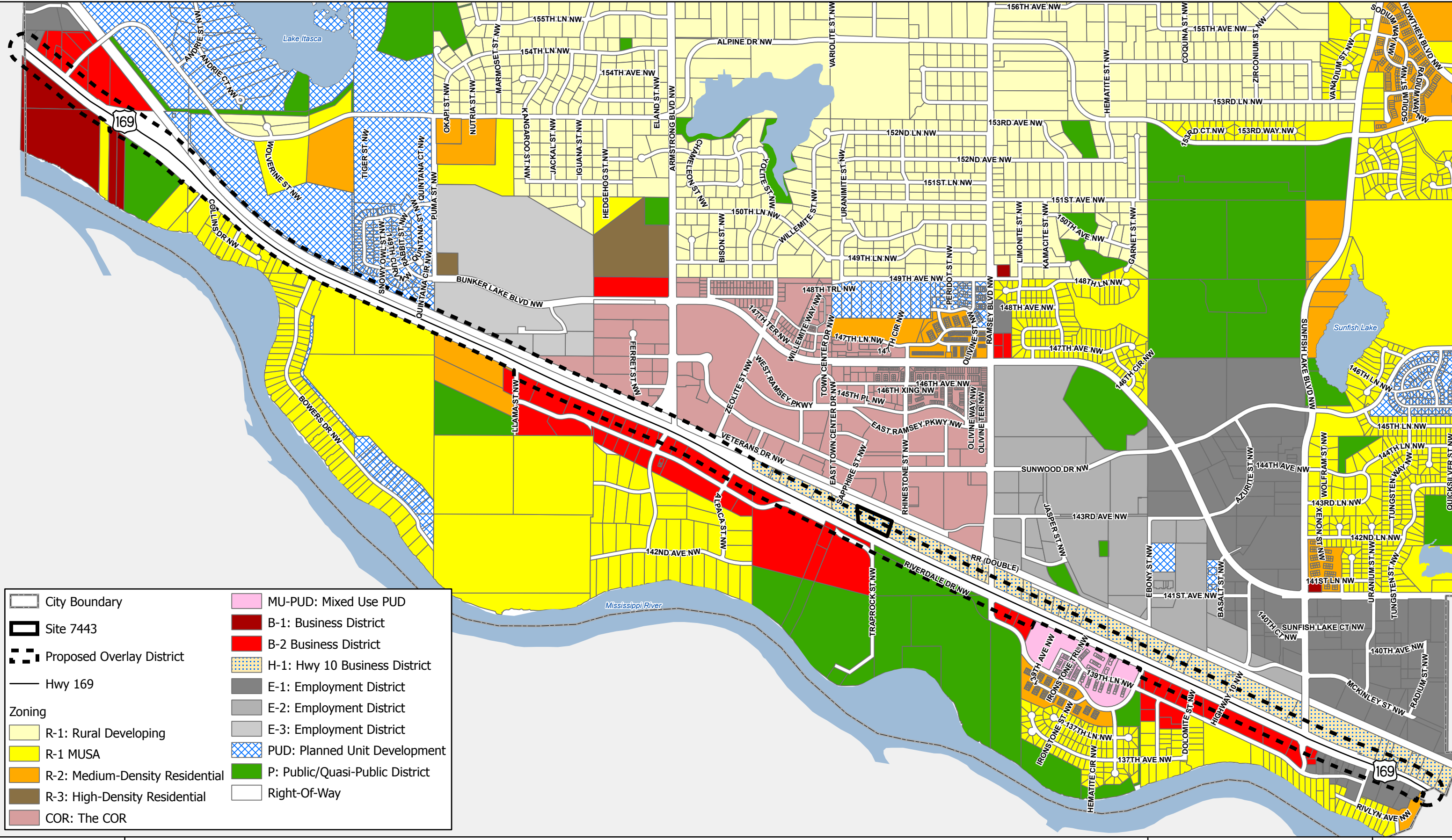
Reviewed By

Bruce Westby

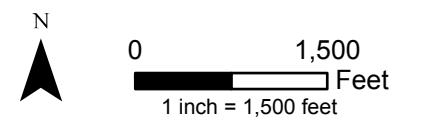
Date

10/21/2021 07:12 AM

Started On: 10/20/2021 08:44 PM



Project Location Map
Billboard Project
Ramsey, MN



Items to consider:

1. Timing of display change
 - a. Current code allows dynamic display signs to change every 3 seconds
 - b. IDigital suggests billboard dynamic display signs to change every 7 seconds
 - c. Champlin allows billboard dynamic display signs to change every 8 seconds
 - d. Inver Grove Heights allows billboards to change every 8 seconds
 - e. Shoreview allows billboards to change every 8 seconds
 - f. Plymouth allows dynamic display billboards to change every 8 seconds
 - g. Blaine allows billboard dynamic display signs to change every 8 seconds
 - h. Coon Rapids allows billboard dynamic display signs to change every 60 seconds
 - i. Rogers allows billboard dynamic display signs to change every 10 seconds
 - j. Brooklyn Park allows billboards that change messages every 60 seconds
 - k. Albertville allows billboard dynamic display signs to change every 8 seconds
 - l. St. Michael does not allow billboards but allows dynamic signs to change every 10 seconds
 - m. Maple Grove allows dynamic signs to change every 60 seconds
 - n. Lakeville (does not allow billboards) but allows digital display within the Freeway Corridor to change every 24 hours
 - o. Oakdale allows dynamic display signs to change every 30 seconds
2. Overlay district location or rezone
 - a. Central site with desired location is located at 7443 Highway 10 NW.
 - b. Highway 10 is approximately 7 miles within Ramsey
 - c. 250ft overlay would accomplish desired site location without calling out specific lots or limiting to City owned land
 - d. 3 permitted total within overlay could be accomplished with separation distance (utilize GIS to determine best fit sites and provide separation distance).

DIVISION 8. SIGNS

Subdivision I. In General

Sec. 117-457. Purpose.

The purpose of this division is to protect and promote the general welfare, health, safety and order within the city through the establishment of a comprehensive and impartial series of standards, regulations and procedures governing the erection, use and/or display of devices, signs or symbols serving as a visual communicative media to persons situated within or upon public rights-of-way or properties. The provisions of this division are intended to encourage creativity, a reasonable degree of freedom of choice, an opportunity for effective communication and a sense of concern for the visual amenities on the part of those designing and displaying communicative media for the types regulated by this division, while at the same time assuring that the public health and welfare is not endangered.

(Code 1978, § 9.12.01; Ord. No. 94-02, 2-28-1994; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Sec. 117-458. Substitution clause.

The owner of any sign that is otherwise allowed by this division may substitute noncommercial speech in lieu of any other commercial speech or noncommercial speech. The owner of any sign that is otherwise allowed by this division may substitute commercial speech in lieu of any other commercial speech or noncommercial speech. This substitution of copy may be made without any additional approval or permitting. The purpose of this division is to prevent any inadvertent favoring of commercial speech over noncommercial speech, favoring of noncommercial speech over commercial speech, favoring any particular commercial speech over any other commercial speech, or favoring of any particular noncommercial speech over any other noncommercial speech. This division prevails over any more specific provision to the contrary.

Sec. 117-459. Variations.

Request for variations from the provisions of this division shall be processed by the applicant applying to the zoning administrator for a conditional use permit, which conditional use permit procedure shall be as prescribed in section 117-50.

(Code 1978, § 9.12.24; Ord. No. 94-02, 2-28-1994; Ord. No. 03-31, 9-15-2003; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Sec. 117-460. Conflict.

If any portion of this division is found to be in conflict with any other provision of any zoning, building, fire, safety or health ordinance of the city, the provision that establishes the higher standard shall prevail.

(Code 1978, § 9.12.25; Ord. No. 94-02, 2-28-1994; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Sec. 117-461. Violations.

- (a) When, in the opinion of the zoning administrator, a violation of this Code exists, the zoning administrator shall issue a written order to either the owner of the sign, or the owner of the property, or tenant leasing the property, on which the sign is placed. The order shall specify those sections of this Code involved, describe the violation and shall direct that the violation be corrected within five days from the date of the order, unless otherwise specified by the zoning administrator. If the violation is not corrected, the violation will be penalized through the administrative citation or removal, whichever is appropriate.
- (b) If the zoning administrator or building official finds that a sign is abandoned or is structurally, or electrically defective, or in any way endangers the public, the zoning administrator or building official shall issue a written order to the owner of the sign and occupant of the premises stating the nature of the violation and requiring repair or removal of the sign within 60 days of the date of the order.

(Code 1978, § 9.12.21; Ord. No. 94-02, 2-28-1994; Ord. No. 03-31, 9-15-2003; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Sec. 117-462. Removal of signs by the zoning administrator.

- (a) The zoning administrator may cause the removal of any illegal sign, any sign remaining after a business permanently closes, or any sign not properly maintained in cases of emergency, or after failure to timely comply with written orders for removal or repair. After removal or demolition of the sign, a notice shall be mailed to the sign owner and owner of the property where the sign was located stating the nature of the work and the date on which it was performed and demanding payment of the costs as certified by the zoning administrator together with an additional 50 percent for inspection and incidental costs.
- (b) If the amount specified in the notice is not paid within 30 days after mailing of the notice, it shall become a lien against the parcel where the sign was located and shall be certified as an assessment against the property together with ten percent interest for collection in the same manner as the real estate taxes.
- (c) The owner of the parcel upon which the sign is located shall be presumed to be the owner of all signs thereon unless facts to the contrary are brought to the attention of the zoning administrator.
- (d) In case of emergency, the zoning administrator or building official may cause the immediate removal of a dangerous or defective sign without notice. Signs removed in this manner must present a hazard to the public safety as defined in the state building code.

(Code 1978, § 9.12.22; Ord. No. 94-02, 2-28-1994; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Sec. 117-463. General restrictions.

- (a) *Address sign.* One address sign shall be required per main building in all districts.
- (b) *Bench sign.* Bench signs shall be permitted only at bus stops.
- (c) *Ground sign.* A ground sign shall not project higher than 25 feet as measured from base of sign or grade of the nearest adjacent roadway, whichever is lower. Any ground sign within 50 feet of any intersection of street right-of-way lines and/or driveway entrances shall have a minimum vertical clearance of 12 feet above the centerline of the pavement unless it can be shown that it can comply with subsections (e)(2)a and b of this section.

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- (d) *Canopies or marquees.* Canopies and marquees shall be considered to be an integral part of the structure to which they are an accessory. Signs may be attached to a canopy or marquee, but such structures shall not be considered as part of the wall area and thus shall not warrant additional sign area.
- (e) *Location.*
- (1) No sign other than governmental signs shall be erected or temporarily placed within any street or public right-of-way or upon any public easement.
 - (2) A permit for a sign to be located within 50 feet of any street or highway regulatory or warning sign, or any traffic sign or signal, or of any crossroad or crosswalk, will not be issued unless:
 - a. The sign will not interfere with the ability of drivers and pedestrians to see any street or highway sign, or any traffic sign or signal, or any crossroad or crosswalk; and
 - b. The sign will not distract drivers nor offer any confusion to any street or highway, sign, or any traffic sign or signal.
 - (3) A sign shall not be located so as to extend over any lot line or within 15 feet of any point of vehicular access from a parcel to a public roadway.
- (f) *Dynamic display and illumination.*
- (1) Based on findings conducted by scientific studies, the city finds that dynamic displays should be allowed on signs with appropriate regulation in order to minimize their proliferation and their potential threats to public safety.
 - (2) Regulations. Dynamic displays on signs are subject to the following conditions:
 - a. Size. On-premise signs may include dynamic displays. Dynamic display signs shall not exceed the size allowed by this chapter. Dynamic displays are not in addition to the size allowed for static signs.
 - b. Frequency of display change. A dynamic display may not change more often than once every three seconds, and no part of the display may include flashing or scrolling text. The images display must be static, and the transition from one display to another must be instantaneous without special effects. The dynamic display shall not be allowed to project full-motion video. Subtle transition animations shall be allowed.
 - c. Brightness. No sign may be brighter than is necessary for clear and adequate visibility, or that it interferes with the effectiveness of a traffic sign or signal, or that it distracts a driver from motor vehicle operation.
 - d. Troubleshooting. Dynamic displays must be designed and equipped to freeze the device in one position if a malfunction occurs. The display must also be equipped with a means to immediately discontinue the display if it malfunctions, and the sign owner must immediately stop the dynamic display when notified by the city that it is not complying with the standards of this section.
- (g) *Institutional and recreational identification sign.* One wall and/or ground sign shall be permitted to identify the civic, philanthropic, educational, public or religious organization or recreational use occupying the parcel. There shall not be more than one ground sign for each parcel. The gross surface area of a ground sign shall not exceed 100 square feet for each exposed face nor exceed an aggregate gross surface area of 200 square feet. Such facilities having more than one point of entrance or street frontage may erect secondary identification signs not to exceed 50 square feet for each exposed face at the additional entrance points or street frontages.
- (h) *Institutional attraction boards.* There shall not be more than one institutional attraction board for each principal building and it may be either wall or ground type or constructed as a part of the institutional

identification sign. The gross surface area of an attraction board shall not exceed 50 square feet for each exposed face nor exceed an aggregate gross surface area of 100 square feet. An attraction board shall not be located so as to extend over any lot line or within 15 feet of any point of vehicular access from any parcel to a public roadway. Attraction boards shall not exceed 15 feet in height as measured from the base of the sign or building to which the sign is to be affixed or the grade of the nearest adjacent roadway, whichever is higher.

- (i) *Pennants.* The use of pennants is permitted in any commercial district provided the pennants are securely anchored and maintained in good repair, including replacement or removal when weather damage is evident. The zoning administrator, or his designee, shall have the authority to identify and notify property owners and/or occupants of the parcel on which the pennants have been determined to be in violation of this Code. Failure to remove or replace the pennants within ten days of notification shall be sufficient cause for the zoning administrator or his designee to remove said pennants. The property owner shall be billed for all costs incurred by the city in administering this subdivision.
- (j) *Banners.* The use of banners is permitted in any commercial district as permanent wall signage provided the banner is securely anchored and maintained in good repair, including replacement or removal when weather damage is evident. The square footage dedicated to banners is limited to 50 percent of the total square footage allowance for wall signs. Facilities choosing to utilize wall banners in addition to other permanent wall signage shall be required to obtain a separate sign permit for the maximum square footage allowed for banners and payment of the permanent sign fee.
- (k) *Flags.* The display of flags shall be permitted in all districts. However, the total square footage area of any flags used as advertising copy or as attention getting devices for commercial purposes shall be considered as permanent signage and counted towards the total allowable sign area permitted by this section for the parcel on which the flag is displayed. Flag height is restricted to 25 feet.
- (l) *Directional signs.* Directional or instructional signs are restricted to on-site direction and instruction, with the exception of governmental signs, temporary real estate signs and public event signs, and shall not exceed four square feet in size. Such signs shall only provide direction or instruction to guide persons to facilities intended to serve the public.
- (m) *Maintenance.*
 - (1) The surface and structure of all signs must be kept refinished as necessary to prevent the sign surface from becoming unkempt in appearance. The zoning administrator shall use the following guidelines to determine if the sign is unkempt: evidence of rust, peeling paint, structural damage, message damage, and/or weathering.
 - (2) When any sign for which a permit is required is removed, the zoning administrator shall be notified and the entire sign and its components shall be removed.
 - (3) The permit owner shall be responsible for all of the requirements of this section, including the liability for expense of removal and maintenance incurred by the city.
- (n) *Sign content.* No sign shall contain obscene images or statements in violation of Minn. Stats. § 617.241.

(Code 1978, § 9.12.03; Ord. No. 94-02, 2-28-1994; Ord. No. 03-31, 9-15-2003; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008; Ord. No. 12-20, § 1, 11-27-2012)

Sec. XXX-XXX. Off-Premises Digital Billboard Signs

(a) Findings, purpose, and intent. The city council finds it necessary for the promotion and preservation of the health, safety, welfare, and aesthetics of the community that the construction, location, size, conspicuity, brightness, legibility, operational characteristics, and maintenance of off-premises digital billboard signs be

controlled. Off-premises digital billboard signs have a direct and substantial impact on traffic safety, pedestrian safety, community aesthetics and property values. The city council recognizes that signs provide a guide to the physical environment and as such serve an important function in the community and economy. With respect to off-premises digital billboard signs, the city council finds that they are highly visible from long distances and at very wide viewing angles both day and night and are designed to catch the eye of persons in their vicinity and hold it for extended periods of time. If left uncontrolled, off-premises digital billboard signs, including video display signs, constitute a serious traffic safety threat. The city council intends by this subsection to establish a legal framework for off-premises digital billboard sign regulation in the city. The regulations promulgated in this subsection are intended to facilitate an easy and agreeable communication between people while protecting and promoting the public health, safety, welfare and aesthetics of the community. It is not the purpose or intent of this subsection to prefer or favor commercial messages or speech over noncommercial messages or speech or to discriminate between types of noncommercial speech or the viewpoints represented therein. Rather, the purpose of the off-premises digital billboard sign regulations promulgated in this subsection is:

(1) To eliminate potential hazards to motorists and pedestrians using the public streets, sidewalks, and rights of way;

(2) To safeguard and enhance property values;

(3) To control nuisances;

(4) To preserve and improve the appearance of the city through adherence to aesthetic principles, in order to create a community that is attractive to residents and to nonresidents who come to live, visit, work, or trade;

(5) To eliminate excessive and confusing sign displays;

(6) To encourage signs which by their design are integrated with and harmonious to the surrounding environment and the buildings and sites they occupy;

(7) To maintain the character of the mainstreet core downtown but allow local businesses the opportunity to reach a wider audience by advertising along Highway 10 and

(7) To promote the public health, safety, and general welfare.

(b) Location of off-premises digital billboard signs. Notwithstanding anything to the contrary contained within this Code, off-premises digital billboard signs may be located only within the off-premises digital billboard sign overlay district. Off-premises digital billboard signs are prohibited in all zoning districts of the city other than the off-premises digital billboard sign overlay district. Off-premises digital billboard signs located in the off-premises digital billboard sign overlay district must comply with all Code requirements for permitted off-premises digital billboard signs.

(1) Permitted districts. The off-premises digital billboard sign overlay district shall commence along Highway 10 within two hundred fifty feet (250') of the Highway 10 centerline within the Ramsey city limits. Off-premises digital billboard signs are not allowed in any residential zoning district.

(2) Number of off-premises digital billboard signs. A total of three off-premises digital billboard signs shall be permitted within the entirety of the off-premises digital billboard sign overlay district.

(3) Separation distance between off-premises digital billboard signs. Off-premises digital billboard signs shall have a separation distance of 2 miles between each site in which they are located.

(4) Site restrictions. Off-premises digital billboard signs shall not be placed upon any property upon which a building already exists.

(5) Size. Off-premises digital billboard signs shall not exceed 700 square feet in surface area per sign surface.

(6) Number of surfaces. Off-premises digital billboard signs shall not contain more than two sign surfaces. Said sign surfaces shall face in opposite directions with an interior angle not to exceed 45 degrees.

(7) Height. Off-premises digital billboard signs shall not exceed 50 feet in height as measured from the established grade of the site upon which the off-premises signs and digital billboards is located.

(c) Off-premises digital billboard sign overlay district performance standards: The off-premises digital billboard sign overlay district is hereby established as a separate zoning district within the city. Within the off-premises digital billboard sign overlay district, off-premises digital billboard signs are permitted subject to the following conditions:

(1) No off-premises digital billboard signs shall be erected that, by reason of position, shape, movement, or color, interferes with the proper functioning of a traffic signal or which constitutes a traffic hazard.

(2) Off-premises digital billboard signs shall meet all required principal structure setbacks of the underlying zoning district.

(3) Off-premises digital billboard signs must have an architecturally enhanced base.

(4) Off-premises digital billboard signs must have minimum display duration of eight seconds. Such display shall contain static messages only; change from one static message to another shall be instantaneous without any special effects, through dissolve or fade transitions, or with the use of another subtle transition technique that does not have the appearance of moving text or images.

(5) Off-premises digital billboard signs must be rectangular in shape and all messages must be contained within the off-premises digital billboard frame.

(6) All off-premises digital billboard signs shall have ambient light monitors installed as part of the off-premises digital billboard sign and shall, at all times, allow such monitors to automatically adjust the brightness level of the electronic sign based on light conditions.

(7) Off-premises digital billboard signs shall meet the following brightness standards:

a. Off-premises digital billboard signs shall not exceed 7,500 nits (candelas per square meter) between the hours of civil sunrise and civil sunset and shall not exceed 500 nits (candelas per square meter) between the hours of civil sunset and civil sunrise as measured from the face of the sign. The light level shall not exceed 0.3-foot candles above ambient light as measured from a pre-set distance depending on sign size. Measuring distance shall be determined using the following equation: the square root of the message center sign area multiplied by 100. Example: 12 square foot sign $\sqrt{(12 \times 100)} = 34.6$ feet measuring distance.

(8) Off-premises digital billboard signs shall have a fully functional monitoring off switch system that shuts the dynamic display off-premises sign off when the display deteriorates, in any fashion, five percent or greater until the dynamic display sign has been repaired to its fully functional factory specifications.

(9) Off-premises billboard signs must be part of the state of Minnesota's public safety alert system.

(10) Applicants for an off-premises digital billboard signs permit shall enter into an agreement with the city to provide the city no less than 20 hours (provided in 9,000 eight-second spots) per month per dynamic display off-premises sign face in the city for community and public service messages at such times as shall be reasonably determined by the city. This agreement must be approved by the city council before a permit for the construction or conversion of an off-premises signs and digital billboard may be issued by the building official.

Sec. 117-464. Prohibited signs.

- (a) *"A" frame or sandwich board signs.* "A" frame or sandwich board signs are prohibited.
- (b) *Advertising device signs.* Advertising device signs are prohibited except as provided for in section 117-465.

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- (c) *Whirling devices, searchlights, streamers, balloons and other gas-filled figures.* Whirling devices, searchlights, streamers, balloons, and other gas filled figures, are prohibited except as a temporary sign as provided for in section 117-465.
 - (d) *Flashing or scrolling signs, devices or lights.* Flashing signs, devices, or lights are not permitted in any district except as provided for in section 117-463(f).
 - (e) *Portable signs.* Portable signs are prohibited except as temporary signs as provided for in section 117-465.
 - (f) *Projecting signs.* No projecting sign shall be permitted in any district.
 - (g) *Roof signs.* Roof signs are prohibited in any zoning district.
 - (h) *Signs on parked vehicles.* Signs painted or mounted on or attached to vehicles, trailers or equipment where the apparent primary purpose of the vehicle or equipment is to display said sign are prohibited. However, this is not in any way intended to prohibit signs placed on or affixed to vehicles and trailers, such as lettering on motor vehicles, where the sign is incidental to the primary use of the vehicle, trailer and/or any other type of mobile equipment.
 - (i) *Signs on trees and utility poles.* Signs which are attached or otherwise affixed to trees or other vegetation or utility poles are prohibited.
 - (j) *Signs painted on walls.* Signs painted on an exterior wall, fascia, parapet or a chimney of a building or on a fence are prohibited.
 - (k) *Signs which imitate traffic control devices.* Signs which imitate, interfere with, obstruct the view of, or can be confused with any authorized traffic control sign, signal, or other device are prohibited.

(Code 1978, § 9.12.04; Ord. No. 94-02, 2-28-1994; Ord. No. 03-31, 9-15-2003; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008; Ord. No. 12-20, § 1, 11-27-2012)

Sec. 117-465. Temporary signs.

- (a) Temporary signs are defined as signs which are erected or displayed for a limited period of time and not affixed to a state building code approved structure. A sign is considered temporary if it is not intended to remain on the property permanently and has not received a permanent sign permit and/or is not intended to be constructed per the state building code.
 - (1) *Duration.* Temporary signs shall be permitted for up to six weeks per year per parcel, or per business on multitenant business parcels. The six-week limit may be extended up to four weeks if there have been no sign violations in the past year by the entity who erects the sign.
 - (2) *Location.* Temporary signs must be located fully on private property, with the permission of the property owner. The city will remove any signs in the public right-of-way, or erected without permission from the property owner.
 - (3) *Number.* All properties are limited to two temporary signs per parcel. In locations where there are multiple businesses on one parcel (a multitenant facility), three signs are permitted.
 - (4) *Size.* Temporary signs shall be limited to 50 square feet in size.
 - (5) *Permits and fees.* All temporary signs shall be required to obtain a temporary sign permit. The temporary sign permit application shall specify the exact times and dates the temporary sign is to be erected, the size of the sign, the location of the sign, contact information, and other information deemed necessary by the zoning administrator to determine that the temporary sign is erected within applicable code. The temporary sign permit shall be clearly displayed on the temporary sign. The fee

for the temporary sign permit shall be established by ordinance as part of the rates and charges. The fee shall only be collected for the first permit per parcel or per business in a multi-tenant facility. The provisions of this division apply to all temporary signs, and appropriate penalties for violations will be assessed, as outlined in section 117-461.

- a. *Exemptions from temporary sign Permit.* Signs less than 15 square feet in size and all temporary signs in residential districts (R-1 Residential, R-2 Residential, R-3 Residential) are exempt from temporary sign permitting requirements.
- (6) *Dynamic display.* Temporary signs may consist of dynamic display, provided all standards of section 117-463(f) are complied with.
- (b) Balloons, gas filled figures, streamers, whirling devices and revolving searchlights or any such attention-getting device that is not specifically a sign may be permitted up to four weeks per year, for one week at a time.

(Code 1978, § 9.12.05; Ord. No. 94-02, 2-28-1994; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008; Ord. No. 10-11, § 2, 7-27-2010; Ord. No. 12-20, § 1, 11-27-2012)

Secs. 117-466. Other temporary signs.

- (a) *Real estate signs.* One temporary real estate sign constructed of durable materials located on the premises is permitted for sale or lease of building or vacant lot for each street frontage.
- (b) *Construction signs.* One temporary construction sign constructed of durable materials located on the premises is permitted on each street frontage of a development under construction.

(Ord. No. 12-20, § 1, 11-27-2012)

Secs. 117-467. Unified development signs.

- (a) *General provisions.* A unified development is a development that consists of multiple parcels of similar zoning district and bound by major roadways consisting of arterial or collector designation or higher. Signs for multi-tenant commercial and employment developments may be erected to include off-premise copy under the following conditions:
 - (1) The sign must identify the development at the top of the sign and may include provisions for individual users within the development.
 - (2) The sign must be located within 500 feet of the development and may not be separated from the development by an arterial road.
 - (3) The sign must not exceed 250 square feet per face (500 square feet aggregate) and 30 feet in height.
 - (4) The sign may include dynamic display not to exceed 100 square feet per face (200 square feet aggregate).
 - (5) The sign will not be included in the total signage permitted for the property in which it is located.
 - (6) The general location of area identification signs for commercial and employment districts must be approved by the planning commission as part of a master sign plan approved as part of site plan approval.

(Ord. No. 12-20, § 1, 11-27-2012)

Secs. 117-468—117-483. Reserved.

Subdivision II. Permit

Sec. 117-484. Required; exemptions.

- (a) All permanent signs shall obtain a permit prior to installation. This permit is reviewed by the zoning administrator and the building official, or their assigns, for conformance with the regulations described herein. Temporary signs shall obtain a permit in accordance with section 117-465.
- (b) Exemptions. The exemptions permitted by this section shall apply only to the requirement of a permit and fee and shall not be construed as relieving the installer of the sign, or the owner of the property upon which the sign is located, from conforming with the other provisions of this division.
 - (1) A window sign not exceeding 30 percent of the window area.
 - (2) Holiday decorations temporarily displayed on traditionally accepted civic, patriotic, or religious holidays.
 - (3) On-premises address or nameplate identification signs having a sign area of four square feet or less.
 - (4) Memorial plaques or tablets, grave markers, statutory, or other remembrances of persons or events that are noncommercial in nature.
 - (5) Interior signs which are fully located within the interior of any building or stadium, or within an enclosed lobby or court of any building, or in the lobby or entrance of any theater which are intended solely for information relating to the interior operation of the building in which they are located.
 - (6) Pennants.
 - (7) Noncommercial speech signs, as exempted in the Minnesota Statutes.

(Code 1978, §§ 9.12.14, 9.12.16; Ord. No. 94-02, 2-28-1994; Ord. No. 03-31, 9-15-2003; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008; Ord. No. 10-11, § 2, 7-27-2010)

State law reference(s)—Exemptions for noncommercial signs, Minn. Stats. § 211B.045.

Sec. 117-485. Application.

Application for permits shall be made upon forms provided by the zoning administrator and shall state or have attached thereto the following information:

- (1) The names, addresses, and telephone numbers of the applicant, the owner of the parcel on which the sign is to be erected or affixed, the owner of the sign, and the person to be erecting or affixing the sign.
- (2) Type of sign.
- (3) Type of construction materials to be used.
- (4) Location of building, structure or parcel to which, or upon which, the sign is to be attached or erected.
- (5) Position of the sign or other advertising structures in relation to the nearest buildings, structures, public streets, rights-of-way and property lines, along with location and square footage areas for all existing signs on the same premises. The drawing showing such position shall be prepared "to scale."

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- (6) Blueprint or ink drawing of the plans and specifications, and method of construction or attachment to the building or in the ground, including all dimensions, locating all light sources, wattage, type and color of lights and details of any light shields or shades.
 - (7) Copy of stress sheets and calculations, showing the structure is designated for dead load and wind velocity in the amount required by this division and all other ordinances of the city, if required by the zoning administrator or building official. The zoning administrator or building official may require additional information concerning safety.
 - (8) An agreement with the city which would authorize and direct the city to remove the sign and sign structure, at the expense of the applicant, where maintenance is required and the maintenance is not furnished, but only after a notice of 60 days specifying the maintenance required by the city.

(Code 1978, § 9.12.17; Ord. No. 94-02, 2-28-1994; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008;)

Sec. 117-486. Administration.

The zoning administrator shall process applications for permits. The building official is empowered, upon presentation of proper credentials, to enter or inspect any building, structure, or parcel in the city for the purpose of inspection of a sign and its structural and electrical connections to ensure compliance with all applicable codes and ordinances.

(Code 1978, § 9.12.20; Ord. No. 94-02, 2-28-1994; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Sec. 117-487. Permit issuance or denial.

- (a) The zoning administrator shall issue a permit for the erection, alteration, or relocation of a sign within 14 days of receipt of a completed application and nonrefundable application fee provided that the sign complies with all applicable laws and regulations of the city.
- (b) When a permit is denied, written notice shall be provided to the applicant along with a brief statement of the reasons for denial. The zoning administrator or building official may suspend or revoke an issued permit for any false statement or misrepresentation of fact in the application.

(Code 1978, § 9.12.18; Ord. No. 94-02, 2-28-1994; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Sec. 117-488. Permit fees.

The permit fee for permanent and temporary signs shall be as provided by ordinance.

(Code 1978, § 9.12.15; Ord. No. 94-02, 2-28-1994; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

State law reference(s)—Fees, Minn. Stats. § 462.353, subds. 4, 4a.

Sec. 117-489. Fee refunds and permit expiration; commencing work without permit.

- (a) If an issued permit is withdrawn by the applicant within 90 days of issuance, and if no inspections have been made and no work authorized by the permit has been performed, 50 percent of the permit fee may be refunded to the applicant.
- (b) A permit issued by the zoning administrator becomes null and void if work is suspended or abandoned or not completed within six months of issuance, but may be reinstated with an additional payment of one-half of the original fee.

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- (c) Any sign installed or placed on any parcel prior to receipt of a permit, the specified permit fee shall be doubled. However, the payment of the doubled fee shall not relieve any person of any other requirement or penalties prescribed in this section.

(Code 1978, § 9.12.19; Ord. No. 94-02, 2-28-1994; Ord. No. 03-31, 9-15-2003; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Secs. 117-490—117-516. Reserved.

Subdivision III. District Regulations

Sec. 117-517. District regulations.

In addition to those signs permitted or required in all districts as described in sections 117-463 and 117-465, the following signs are permitted in each specific district and shall be regulated as to size, location and character according to the requirements herein set forth.

(Code 1978, § 9.12.06; Ord. No. 94-02, 2-28-1994; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Sec. 117-518. Residential type districts.

- (a) *Area identification signs.* One sign per vehicular access to a development, not to exceed 32 square feet in area is permitted.
- (b) *Temporary signs.* Temporary signs are permitted in accordance with section 117-465.
- (c) *Home occupation signs.* Home occupations signs may be permitted in accordance with section 117-351.

(Code 1978, § 9.12.07; Ord. No. 03-31, 9-15-2003; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Sec. 117-519. Business type districts.

- (a) *Business use signs.*
- (1) *Wall, canopy or marquee sign.* Total sign area may not exceed 15 percent of the front building facade. Businesses in multitenant buildings shall be allowed the proportionate share of the total wall sign area. The total wall signage permitted may be distributed on any other building facade. Sign height shall not exceed the top of the parapet wall or, if no parapet wall, sign height shall not exceed the height of the eaves. A wall, canopy or marquee sign may be located on the outermost wall of any principal building but shall not project more than 16 inches from the wall to which the sign is to be affixed. The gross surface area of a wall, canopy or marquee sign may be increased by ten percent if such wall sign:
- a. Consists only of individual, outlined alphabetic, numeric and/or symbolic characters without background except that provided by the building surface to which the sign is to be affixed; and
 - b. Illumination, if any, is achieved through shielded illumination, shielded silhouette lighting, or shielded spot lighting but not any lighting where the light source is visible or exposed on the face or sides of the characters.
- (2) *Ground sign.* There shall not be more than one ground sign for each parcel or per road frontage on parcels with more than one road frontage, not to exceed an aggregate of two ground signs. The gross surface area of a ground sign shall not exceed 100 square feet for each exposed face nor exceed an

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- aggregate gross surface area of 200 square feet. For parcels qualifying for two ground signs, the second ground sign shall not exceed 50 square feet for each exposed face nor exceed an aggregate gross surface area of 100 square feet and may not exceed 12.5 feet in height as measure in section 117-463(c) of this section.
- (3) *Service bay identification signs.* Service bay identification signs providing direction or instruction to persons using the facility and containing no advertising material of any kind shall be subject to the following:
- a. All service bay identification signs shall be wall signs.
 - b. There shall not be more than one service bay identification sign for each service bay located on the parcel.
 - c. A service bay identification sign may be located on the outermost wall of any principal building adjacent to a service bay entrance.
 - d. A service bay identification sign shall not project higher than the parapet line of the wall to which the sign is to be affixed.
- (4) *Fuel pump island identification sign.* Fuel pump island identification signs indicating the type of service offered; the price of gasoline; and other relevant information, within reason, pertaining to the facility; or direction to persons using the facility shall be subject to the following: The gross surface area of a service island identification sign shall be counted against the maximum allowable sign area for the subject parcel.
- (5) *Menu board.* Menu board for drive-up or walk-up lane of a drive-in business are allowed up to a maximum of 50 square feet of total signage. Menu boards are allowed a message on one side only and cannot contain an advertising message.
- (6) *Directional signs.*
- a. Directional or instructional signs are permitted in accordance with section 117-463(l).
 - b. Parking lot directional signs designating parking area entrances and exits are limited to one sign for each entrance and/or exit and shall not exceed four square feet for each exposed face. Parking lot directional signs shall not project higher than five feet in height, as measured from the established grade of the parking area to which such signs are accessory.
 - c. Parking lot instructional signs designating the conditions of use or identifying parking areas shall not exceed eight square feet and shall not project higher than ten feet in height for wall signs and seven feet in height for ground signs, as measured from the established grade of the parking area to which such signs are accessory.
 - d. Window signs are restricted to 30 percent of the area of the window in which the sign is to be displayed.
- (b) *Shopping center signs.* In accordance with section 117-54, the developer shall submit a sign plan for approval, drawn to scale with elevations, at the time application is made for site plan approval. The sign plan shall include but not be limited to the following information: number of signs, type of signs, sign sizes, type of construction materials, sign messages, and proposed sign locations.
- (c) Permitted freestanding signs under previous section 117-519(a) (business use signs), and located within the Armstrong Boulevard Interchange Overlay District as defined by this section, shall be allowed to a height of not more than 50 feet and an area of not greater than 150 square feet. Signs permitted under this section shall have a monument style base constructed of materials that are consistent with the principal building to a minimum height of six feet.

(Code 1978, § 9.12.08; Ord. No. 94-02, 2-28-1994; Ord. No. 03-31, 9-15-2003; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008; Ord. No. 10-11, § 2, 7-27-2010; Ord. No. 13-15, § 2, 8-27-2013)

Sec. 117-520. E-1 and E-2 Employment Districts.

- (a) *Wall, canopy or marquee sign.* Total sign area may not exceed 15 percent of the front building facade. Sign height shall not exceed the top of the parapet wall or, if no parapet wall, sign height shall not exceed the height of the eaves. A wall, canopy or marquee sign may be located on the outermost wall of any principal building but shall not project more than 16 inches from the wall to which the sign is to be affixed. Where a principal building is devoted to two or more permitted uses, the operator of each such use may install a wall sign upon his proportionate share of the building wall to which the sign is to be affixed. The maximum gross surface area of each such wall sign shall be determined by calculating the proportionate share of the area of the building wall, including doors and windows to which the sign is to be affixed and applying such proportion to the total permitted wall sign aggregate gross surface area for the building. The gross surface area of a wall sign may be increased by ten percent if such wall sign:
- (1) Consists only of individual, outlined alphabetic, numeric, and/or symbolic characters without background except provided by the building surface to which the sign is to be affixed; and
 - (2) Any illumination, if any, is achieved through shielded illumination, shielded silhouette lighting, or shielded spot lighting but not any lighting where the light source is visible or exposed on the face or sides of the characters.
- (b) *Ground signs.* There shall not be more than one ground sign for each parcel or per road frontage on parcels with more than one road frontage, not to exceed an aggregate of two ground signs. The gross surface area of a ground sign shall not exceed 100 square feet for each exposed face nor exceed an aggregate gross surface area of 200 square feet. For parcels qualifying for two ground signs, the second ground sign shall not exceed 50 square feet for each exposed face nor exceed an aggregate gross surface area of 100 square feet and may not exceed 12.5 feet in height as measured in section 117-463(c) of this section.
- (c) *Directional signs.*
- (1) Directional or instructional signs are permitted in accordance with section 117-463(l).
 - (2) Parking lot directional signs designating parking area entrances and exits are limited to one sign for each entrance and/or exit and shall not exceed four square feet for each exposed face. Parking lot directional signs shall not project higher than five feet in height, as measured from the established grade of the parking area to which such signs are accessory.
 - (3) Parking lot instructional signs designating the conditions of use or identification of parking areas shall not exceed eight square feet and shall not project higher than ten feet in height for wall signs and seven feet in height for ground signs, as measured from the established grade of the parking area to which such signs are accessory.
- (d) *Window signs.* Window signs shall not exceed 30 percent of the area of the window in which the sign is proposed to be displayed.

(Code 1978, § 9.12.09; Ord. No. 94-02, 2-28-1994; Ord. No. 03-31, 9-15-2003; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008; Ord. No. 17-01, § 2, 1-10-2017)

Sec. 117-521. Business and industrial park signs.

- (a) *Park identification signs.* Industrial or business park signs shall be permitted to contain the following information: the name and address of the park, the management or the developer thereof, and the names of

the individual businesses located within said park. Park identification signs shall contain no advertising material of any kind, and shall be subject to the following:

- (1) All industrial and business park signs shall be ground or wall signs.
 - (2) There shall not be more than one industrial or business park sign for each point of vehicular access to an office or industrial park.
 - (3) The gross surface area of an industrial or business park sign shall not exceed 100 square feet in gross surface area for each exposed face nor exceed an aggregate gross surface area of 200 square feet.
 - (4) A ground industrial or business park sign shall not project higher than ten feet, as measured from base of sign or grade of the nearest adjacent roadway, whichever is higher.
- (b) *Park member identification signs.*
- (1) There shall not be more than one wall sign for each principal building or tenant or use within a building, except where the building abuts two or more streets, additional such signs, one oriented to each abutting street, shall be permitted.
 - (2) There shall not be more than one ground sign for each principal building.
 - (3) The gross surface area of a wall sign shall not exceed 15 percent of the occupant's proportionate share of the building wall to which the sign is to be affixed. A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed.
 - (4) The gross surface area of a ground sign shall not exceed 100 square feet for each exposed face nor exceed an aggregate gross surface area of 200 square feet.
 - (5) A ground sign shall not project higher than ten feet, as measured from base of sign or grade of the nearest adjacent roadway, whichever is higher.

(Code 1978, § 9.12.10; Ord. No. 94-02, 2-28-1994; Ord. No. 03-31, 9-15-2003; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Sec. 117-522. Construction specifications.

- (a) All signs permitted by this division in excess of 16 square feet shall be painted, lettered, or faced to the workmanship standards and best commercial practices of companies normally engaged in the business of providing commercial signs, using materials designed and marketed specifically for use on outdoor signs.
- (b) In addition to complying with the provisions of this division, all signs shall be constructed in accordance with the applicable provisions of the 1991 Edition of the Uniform Sign Code and State Electrical Code and as subsequently amended.
- (c) All signs shall be located in such a way that they maintain horizontal and vertical clearance of all electrical power lines and communication lines.
- (d) All signs and their supporting structures shall maintain clearance and non-interference with all surface and underground facilities and conduits for water, sewage, gas, electricity, or communications equipment or lines. In addition, the placement of all signs and their supporting structures shall not interfere with natural or artificial drainage or surface or underground water.
- (e) All signs, except those attached flat against the wall of a building, shall be constructed to withstand minimum wind loads as follows:
 - (1) Solid signs: 30 pounds per square foot per face of the sign.

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- (2) Open signs: 36 pounds per square foot of the total face area of the letters and other sign surfaces, or ten pounds per square foot of the gross surface area of the sign, whichever is greater.

(Code 1978, § 9.12.12; Ord. No. 94-02, 2-28-1994; Ord. No. 03-31, 9-15-2003; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Secs. 117-523—117-554. Reserved.

DIVISION 8. SIGNS

Sec. XXX-XXX. Off-Premises Digital Billboard Signs

(a) *Findings, purpose, and intent.* The city council finds it necessary for the promotion and preservation of the health, safety, welfare, and aesthetics of the community that the construction, location, size, conspicuity, brightness, legibility, operational characteristics, and maintenance of off-premises digital billboard signs be controlled. Off-premises digital billboard signs have a direct and substantial impact on traffic safety, pedestrian safety, community aesthetics and property values. The city council recognizes that signs provide a guide to the physical environment and as such serve an important function in the community and economy. With respect to off-premises digital billboard signs, the city council finds that they are highly visible from long distances and at very wide viewing angles both day and night and are designed to catch the eye of persons in their vicinity and hold it for extended periods of time. If left uncontrolled, off-premises digital billboard signs, including video display signs, constitute a serious traffic safety threat. The city council intends by this subsection to establish a legal framework for off-premises digital billboard sign regulation in the city. The regulations promulgated in this subsection are intended to facilitate an easy and agreeable communication between people while protecting and promoting the public health, safety, welfare and aesthetics of the community. It is not the purpose or intent of this subsection to prefer or favor commercial messages or speech over noncommercial messages or speech or to discriminate between types of noncommercial speech or the viewpoints represented therein. Rather, the purpose of the off-premises digital billboard sign regulations promulgated in this subsection is:

- (1) To eliminate potential hazards to motorists and pedestrians using the public streets, sidewalks, and rights of way;
- (2) To safeguard and enhance property values;
- (3) To control nuisances;
- (4) To preserve and improve the appearance of the city through adherence to aesthetic principles, in order to create a community that is attractive to residents and to nonresidents who come to live, visit, work, or trade;
- (5) To eliminate excessive and confusing sign displays;
- (6) To encourage signs which by their design are integrated with and harmonious to the surrounding environment and the buildings and sites they occupy;
- (7) To maintain the character of the mainstreet core downtown but allow local businesses the opportunity to reach a wider audience by advertising along Highway 10 and
- (7) To promote the public health, safety, and general welfare.

(b) *Location of off-premises digital billboard signs.* Notwithstanding anything to the contrary contained within this Code, off-premises digital billboard signs may be located only within the off-premises digital billboard sign overlay district. Off-premises digital billboard signs are prohibited in all zoning districts of the city other than the off-premises digital billboard sign overlay district. Off-premises digital billboard signs located in the off-premises digital billboard sign overlay district must comply with all Code requirements for permitted off-premises digital billboard signs.

(1) *Permitted districts.* The off-premises digital billboard sign overlay district shall commence along Highway 10 within two hundred fifty feet (250') of the Highway 10 centerline within the Ramsey city limits. Off-premises digital billboard signs are not allowed in any residential zoning district.

(2) *Number of off-premises digital billboard signs.* A total of three off-premises digital billboard signs shall be permitted within the entirety of the off-premises digital billboard sign overlay district.

(3) *Separation distance between off-premises digital billboard signs.* Off-premises digital billboard signs shall have a separation distance of 2 miles between each site in which they are located.

(4) *Site restrictions.* Off-premises digital billboard signs shall not be placed upon any property upon which a building already exists.

(5) *Size.* Off-premises digital billboard signs shall not exceed 700 square feet in surface area per sign surface.

(6) *Number of surfaces.* Off-premises digital billboard signs shall not contain more than two sign surfaces. Said sign surfaces shall face in opposite directions with an interior angle not to exceed 45 degrees.

(7) *Height.* Off-premises digital billboard signs shall not exceed 50 feet in height as measured from the established grade of the site upon which the off-premises signs and digital billboards is located.

(c) *Off-premises digital billboard sign overlay district performance standards:* The off-premises digital billboard sign overlay district is hereby established as a separate zoning district within the city. Within the off-premises digital billboard sign overlay district, off-premises digital billboard signs are permitted subject to the following conditions:

(1) No off-premises digital billboard signs shall be erected that, by reason of position, shape, movement, or color, interferes with the proper functioning of a traffic signal or which constitutes a traffic hazard.

(2) Off-premises digital billboard signs shall meet all required principal structure setbacks of the underlying zoning district.

(3) Off-premises digital billboard signs must have an architecturally enhanced base.

(4) Off-premises digital billboard signs must have minimum display duration of eight seconds. Such display shall contain static messages only; change from one static message to another shall be instantaneous without any special effects, through dissolve or fade transitions, or with the use of another subtle transition technique that does not have the appearance of moving text or images.

(5) Off-premises digital billboard signs must be rectangular in shape and all messages must be contained within the off-premises digital billboard frame.

(6) All off-premises digital billboard signs shall have ambient light monitors installed as part of the off-premises digital billboard sign and shall, at all times, allow such monitors to automatically adjust the brightness level of the electronic sign based on light conditions.

(7) Off-premises digital billboard signs shall meet the following brightness standards:

a. Off-premises digital billboard signs shall not exceed 7,500 nits (candelas per square meter) between the hours of civil sunrise and civil sunset and shall not exceed 500 nits (candelas per square meter) between the hours of civil sunset and civil sunrise as measured from the face of the sign. The light level shall not exceed 0.3-foot candles above ambient light as measured from a pre-set distance depending on sign size. Measuring distance shall be determined using the following equation: the square root of the message center sign area multiplied by 100. Example: 12 square foot sign $\sqrt{(12 \times 100)} = 34.6$ feet measuring distance.

(8) Off-premises digital billboard signs shall have a fully functional monitoring off switch system that shuts the dynamic display off-premises sign off when the display deteriorates, in any fashion, five percent or greater until the dynamic display sign has been repaired to its fully functional factory specifications.

(9) Off-premises billboard signs must be part of the state of Minnesota's public safety alert system.

(10) Applicants for an off-premises digital billboard signs permit shall enter into an agreement with the city to provide the city no less than 20 hours (provided in 9,000 eight-second spots) per month per dynamic display off-premises sign face in the city for community and public service messages at such times as shall be reasonably determined by the city. This agreement must be approved by the city council before a permit for the construction or conversion of an off-premises signs and digital billboard may be issued by the building official.

Regular Planning Commission

6. 1.

Meeting Date: 10/28/2021

By: Chloe McGuire Brigl, Community
Development

Information

Title:

PUBLIC HEARING: Consider Resolution #21-309 and Ordinance #21-23 Approving Preliminary Plat for Trott Brook Crossing; Case of Sotarra

Purpose/Background:

The purpose of this case is to review a Preliminary Plat application from Sotarra (previously the Excelsior Group) (the "Applicant") for a 270 lot residential subdivision west of Nowthen Blvd NW, east of Variolite Street, and north of Trott Brook. The site is approximately 270 acres and consists of six separate parcels (the "Subject Properties"). The Applicant has proposed all lots within the Single-Family (80 foot wide) lot width designation. The case was previously referred to as Trott Brook North and included a request for smaller than 80 foot wide lots. The City Council directed the Applicant to revise the plans to show quarter acre, 80 foot wide lots. All lots in the proposed preliminary plat meet said direction.

Notification:

The City attempted to notify all property owners, as reflected in the Anoka County Property Records, within 700 feet of the Subject Property of the request by U.S. Mail. The Public Hearing notice was also posted in the City's Official Newspaper, the Anoka County UnionHerald.

Observations/Alternatives:

Summary

The proposed preliminary plat shows 270 lots on the 200 acres. The project includes a large public park in the northeast corner of the site, consisting of the homestead and historic farm buildings. The Subject Property is guided for 80 foot wide lots on City utilities, and zoned similarly, except the southwestern most parcel on the Subject Property. The Applicant has requested that the City rezone and re-guide this property to allow for 7 lots on this parcel.

Conformity with City Code

The proposed preliminary plat does appear to generally meet the requirements of City Code. There are a few minor changes that will be required, as is typical with any sketch plan, preliminary plat, or subdivision application. The Preliminary Plat appears to meet all of the requirements for the R-1 MUSA District. All Staff comments are attached.

Key Staff Comments

- **Wetlands and Floodplain:** All wetlands will be delineated and approved by the Lower Rum River Watershed Management Organization, which will also need to issue a permit in order for work to start onsite. Wetlands will be encumbered by a 16.5 foot easement. The City of Ramsey can require as-builts with any new home that is built in the City. Based on the sensitive environmental nature and potential increase to insurance associated with owning a property by the floodplain, Staff will require as-builts for all of these sensitive lots.
- **Utilities:** The City is working with Bolton and Menk on an Infrastructure Study for the general planning area of Trott Brook North, north of the Brook, and between Variolite St and Nowthen Blvd. The Infrastructure Study shows that in order to serve the areas guided for City Utilities (within the MUSA), they will largely need to come through this site from the South. This property will then serve adjacent properties, such as North Brook Meadows. The City can require utility connections when land subdivides at urban scales (e.g.

quarter acre lots). **The City cannot force a private property owner to connect to City utilities, even if they are put in the road in front of their home. This right is protected in the City Charter.**

- **Sidewalks and Trails:** The City requires a sidewalk on every side of a public street. Additionally, the City will require a trail along 173rd. Additionally, there will need to be a pedestrian crossing on 173rd.
- **Roads:** 173rd will need to be upgraded to a full public road as part of this project. The Applicant is working with the Applicant to the north coordinating on this item. It is likely that there will be a cost-share agreement outlined as part of road project, which will be discussed with the Applicants and City Council at a future date. This road must be upgraded as part of this project, in order to properly serve the new residents.
- **Lot Sizes and Alignments:** All of the proposed lots are 80 foot wide lots, proposed outside of the large gas easement on the property.

EAW

Based on the scale of the project, Minnesota Statutes require that this project complete an EAW. The Environmental Analysis Worksheet was approved for distribution by the City Council with a one month public comment period, ending on October 28, 2021. As of the date of this case being published, no comments have been received on the EAW. Staff will provide a verbal update if comments are received by the Planning Commission meeting date.

The EAW is available for review at: <http://www.ci.ramsey.mn.us/748/Trott-Brook-Crossing>

Comprehensive Plan and Rezoning (SW parcel)

The southwestern most lot in the project area is currently zoned R-1 Rural Developing and guided for Rural Residential in the City's comprehensive plan. That specific property is just under 30 acres and is significantly encumbered by wetland. As part of this project, the Applicant has requested to rezone and reguide this area to Low Density Residential and rezone it to R-1 MUSA 80, allowing for 7 lots to exist or encroach onto this property area.

Parks

The Application includes dedication of park land and historic barn buildings in the northeast corner of the site. The City is excited at the opportunity to bring a larger public park to this area through the dedication of land and buildings, as well as the ability to protect the historic buildings and pay homage to the history of the property. The Applicant is proposing to dedicate 10.8 acres of fully buildable land, and 4.3 acres of land underneath an electric transmission line for the park. Land under the electric transmissions lines will likely be used for parking, while the remainder of the land shall be used for other park amenities. The historic buildings will remain on the property.

Platting Process

1. Sketch Plan - Identify red flags and direct the Applicant on moving forward to Preliminary Plat
2. Preliminary Plat - Engineering documents, formal public hearing, if approved, the project has entitlement (we are here)
3. Final Plat - Construction documents and legal agreements, only heard by City Council

City Code Sections

- Section 117-111: R-1 Residential (Existing and Proposed Zoning)
- Section 117-588: Major Plat
- Section 117-614: Subdivision Design Standards

Funding Source:

The Applicant is responsible for all costs associated with review.

Recommendation:

Staff recommends adoption of Resolution #21-309 and Ordinance #21-23.

Action:

Motion to recommend that the City Council adopt Resolution #21-309 and Ordinance #21-23.

Attachments

[Preliminary Plat \(Color Rendering\)](#)

[Site Location Map](#)

[Informational Session Flyer](#)

[Preliminary Plat Sheets](#)

[Landscape Plan \(attachment to be updated\)](#)

[Trott Brook North Planning Framework \(July 2020\)](#)

[Preliminary Phasing Plan \(Informational Only\)](#)

[Draft presentation \(to be updated\)](#)

[Infrastructure Study \(Final\)](#)

[Draft Ordinance #21-23](#)

[Draft Resolution #21-309](#)

Form Review

Inbox

Bruce Westby

Form Started By: Chloe McGuire Brigl

Final Approval Date: 10/21/2021

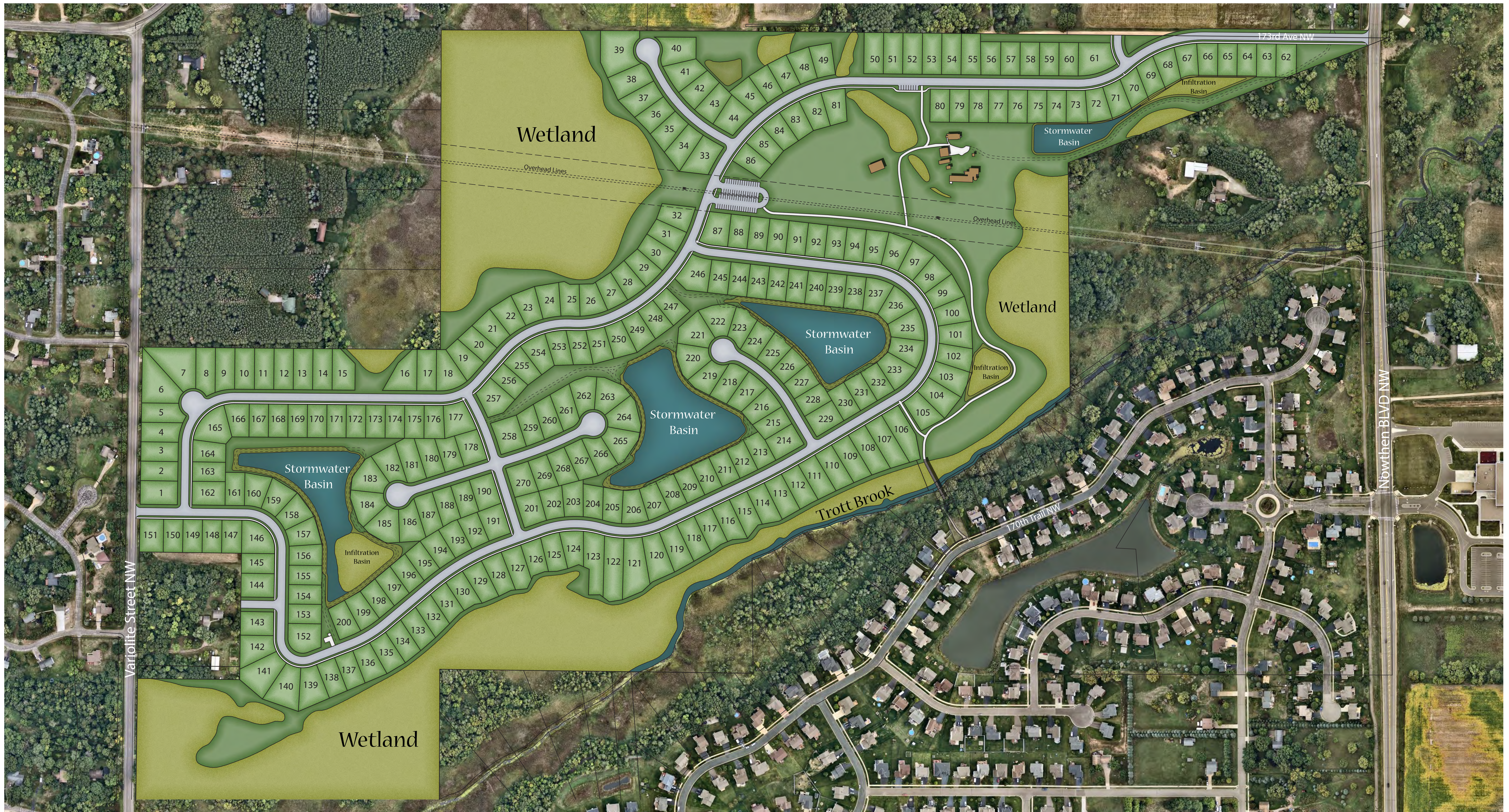
Reviewed By

Bruce Westby

Date

10/21/2021 05:12 PM

Started On: 10/20/2021 08:56 AM

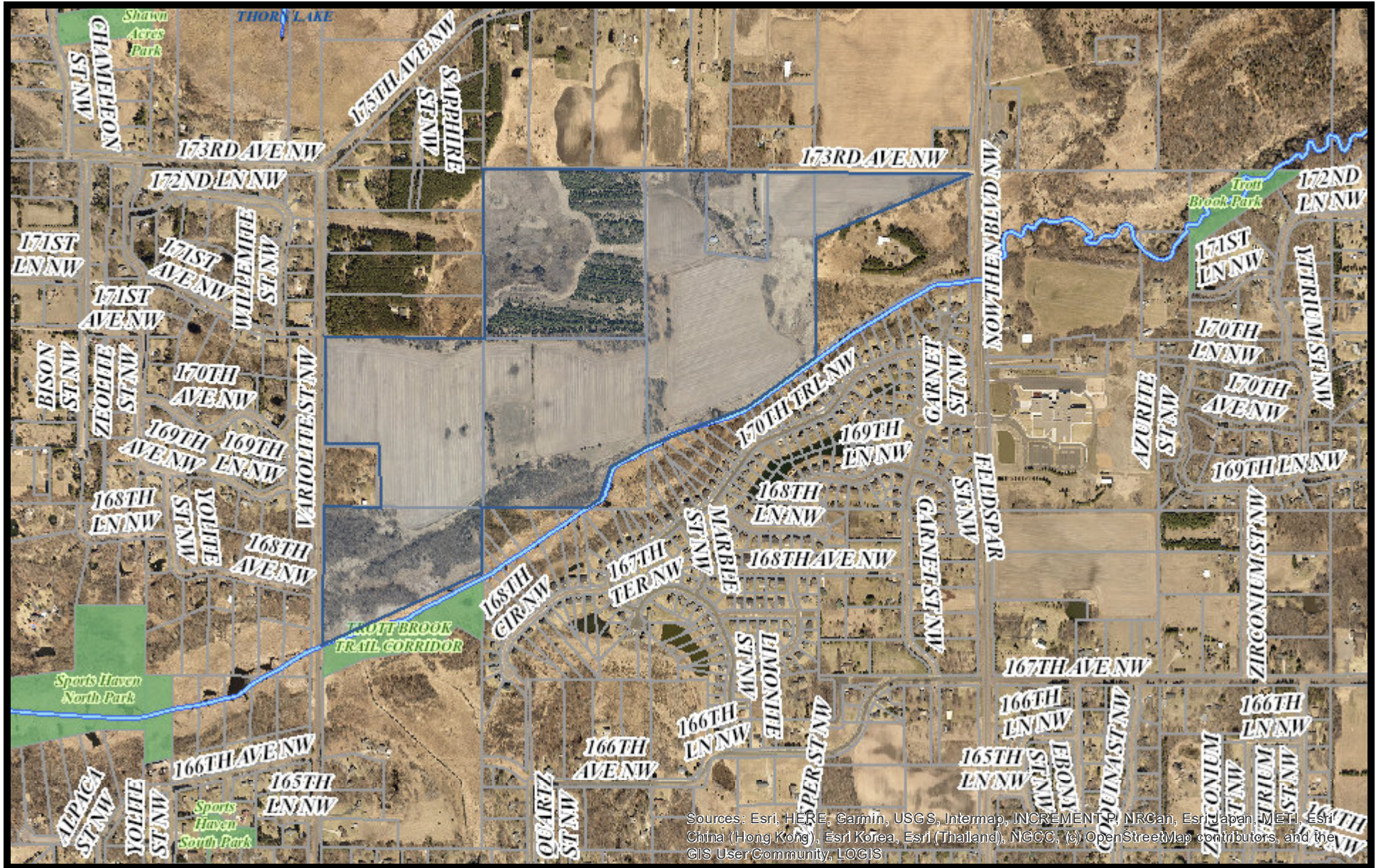
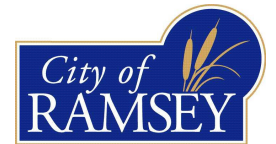



TROTT BROOK
CROSSING

Ramsey, MN 

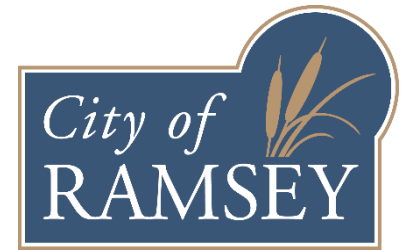
Site Location Map

Trott Brook North



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

Trott Brook Crossing Informational Session



Public Informational Meeting

The Applicant, Sotarra, (previously the Excelsior Group) is proposing a 270-lot residential subdivision comprised of 80-foot wide, quarter-acre lots.

On October 28, 2021, the Applicant is requesting the Planning Commission to consider approving a Preliminary Plat, at which time a public hearing will be held.

The informational meeting on November 4, 2021 is an opportunity for residents to have questions answered and learn about the proposed development from both the Applicant and City Staff.

The purpose of this meeting is to provide information regarding the Trott Brook Development. This meeting is informative in nature. There will be no formal presentation, but instead will be an open house style format.

Event: Information Session for the Proposed Residential Development of Trott Brook Crossing

Location:

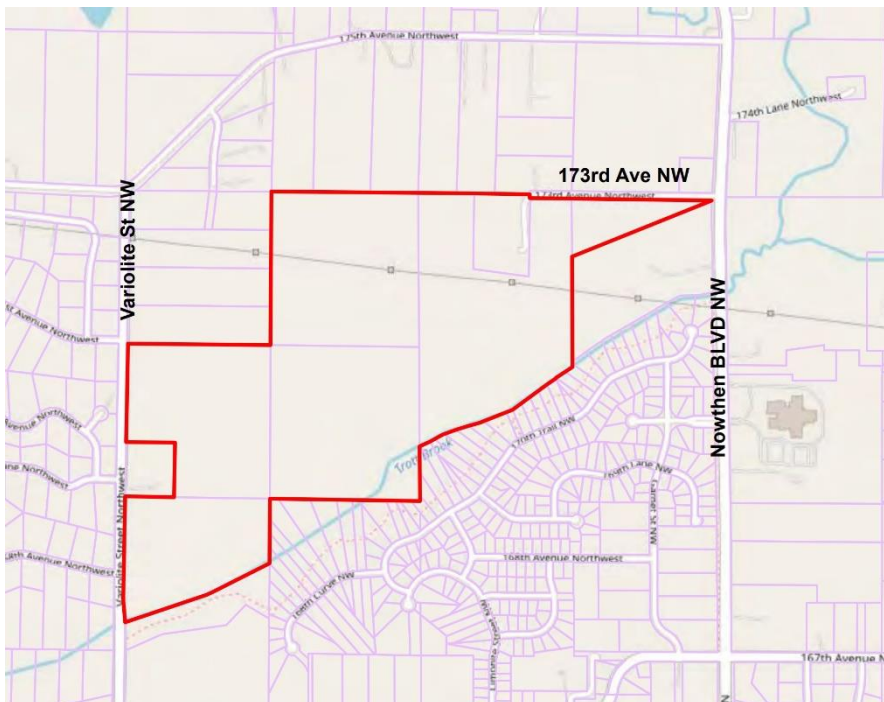
Ramsey Municipal Center
Lake Itasca Room
7550 Sunwood Drive NW
Ramsey, MN 55303

Date: November 4, 2021

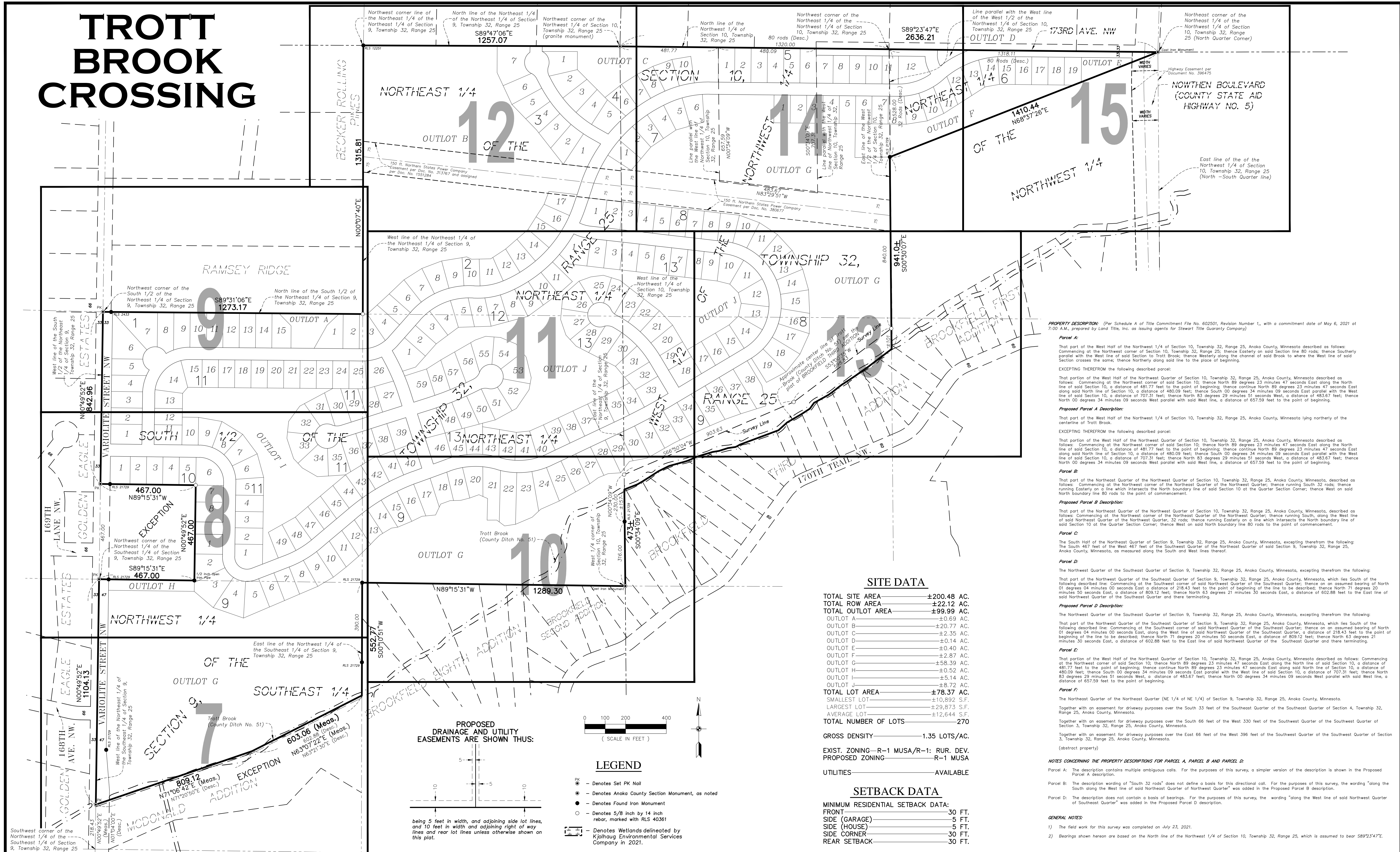
Time: 5 to 6:30pm

For more information:

Contact Community
Development Staff at
763-433-9840



TROTT BROOK CROSSING



PROPERTY DESCRIPTION: (Per Schedule A of Title Commitment File No. 602501, Revision Number 1, with a commitment date of May 6, 2021 at 7:00 A.M., prepared by Land Title, Inc. as issuing agents for Stewart Title Guaranty Company)

Parcel A:
That part of the West Half of the Northwest 1/4 of Section 10, Township 32, Range 25, Anoka County, Minnesota described as follows: Commencing at the Northwest corner of Section 10, Township 32, Range 25, then East along said Section 10, a distance of 80 rods; then South along said Section 10, a distance of 481.77 feet to the point of beginning; then continue North 89 degrees 23 minutes 47 seconds East along said North line of Section 10, a distance of 480.09 feet; then South 00 degrees 34 minutes 09 seconds East parallel with the West line of said Section 10, a distance of 707.31 feet; then North 83 degrees 29 minutes 51 seconds West, a distance of 483.67 feet; then North 00 degrees 34 minutes 09 seconds West parallel with said West line, a distance of 657.59 feet to the point of beginning.

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

Parcel B:
That part of the West Half of the Northwest 1/4 of Section 10, Township 32, Range 25, Anoka County, Minnesota lying northerly of the centerline of Trot Brook.

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

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

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

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

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

Parcel F:
The Northeast Quarter of the Northeast Quarter (NE 1/4 of NE 1/4) of Section 9, Township 32, Range 25, Anoka County, Minnesota. Together with an easement for driveway purposes over the South 33 feet of the Southwest Quarter of the Southeast Quarter of Section 4, Township 32, Range 25, Anoka County, Minnesota.

Together with an easement for driveway purposes over the South 66 feet of the West 330 feet of the Southwest Quarter of the Southwest Quarter of Section 3, Township 32, Range 25, Anoka County, Minnesota.

Together with an easement for driveway purposes over the East 66 feet of the West 396 feet of the Southwest Quarter of the Southwest Quarter of Section 3, Township 32, Range 25, Anoka County, Minnesota.

(abstract property)

NOTES CONCERNING THE PROPERTY DESCRIPTIONS FOR PARCEL A, PARCEL B AND PARCEL D:
Parcel A: The description contains multiple ambiguous calls. For the purposes of this survey, a simpler version of the description is shown in the Proposed Parcel A description.
Parcel B: The description wording of "South 32 rods" does not define a basis for this directional call. For the purposes of this survey, the wording "along the South along the West line of said Northeast Quarter of Northwest Quarter" was added in the Proposed Parcel B description.
Parcel D: The description does not contain a basis of bearings. For the purposes of this survey, the wording "along the West line of said Northeast Quarter of Southeast Quarter" was added in the Proposed Parcel D description.

GENERAL NOTES:
1) The field work for this survey was completed on July 23, 2021.
2) Bearings shown hereon are based on the North line of the Northwest 1/4 of Section 10, Township 32, Range 25, which is assumed to bear S89°23'47"E.

SITE DATA

TOTAL SITE AREA	±200.48 AC.
TOTAL ROW AREA	±22.12 AC.
TOTAL OUTLOT AREA	±99.99 AC.
OUTLOT A	±0.69 AC.
OUTLOT B	±20.77 AC.
OUTLOT C	±2.35 AC.
OUTLOT D	±0.14 AC.
OUTLOT E	±0.40 AC.
OUTLOT F	±2.87 AC.
OUTLOT G	±58.39 AC.
OUTLOT H	±0.52 AC.
OUTLOT I	±5.14 AC.
OUTLOT J	±8.72 AC.
TOTAL LOT AREA	±78.37 AC.
SMALLEST LOT	±10,892 S.F.
LARGEST LOT	±29,873 S.F.
AVERAGE LOT	±12,644 S.F.
TOTAL NUMBER OF LOTS	270
GROSS DENSITY	1.35 LOTS/AC.
EXIST. ZONING	R-1 MUSA/R-1: RUR. DEV.
PROPOSED ZONING	R-1 MUSA
UTILITIES	AVAILABLE

SETBACK DATA

MINIMUM RESIDENTIAL SETBACK DATA:	
FRONT	30 FT.
SIDE (GARAGE)	5 FT.
SIDE (HOUSE)	5 FT.
SIDE CORNER	30 FT.
REAR SETBACK	30 FT.

CARLSON McCAIN ENGINEERING SURVEYING ENVIRONMENTAL
 3890 PHEASANT RIDGE DR NE SUITE 100
 BLAINE, MN 55449
 TEL 763.488.7900
 FAX 763.488.7959
 CARLSONMCCAIN.COM

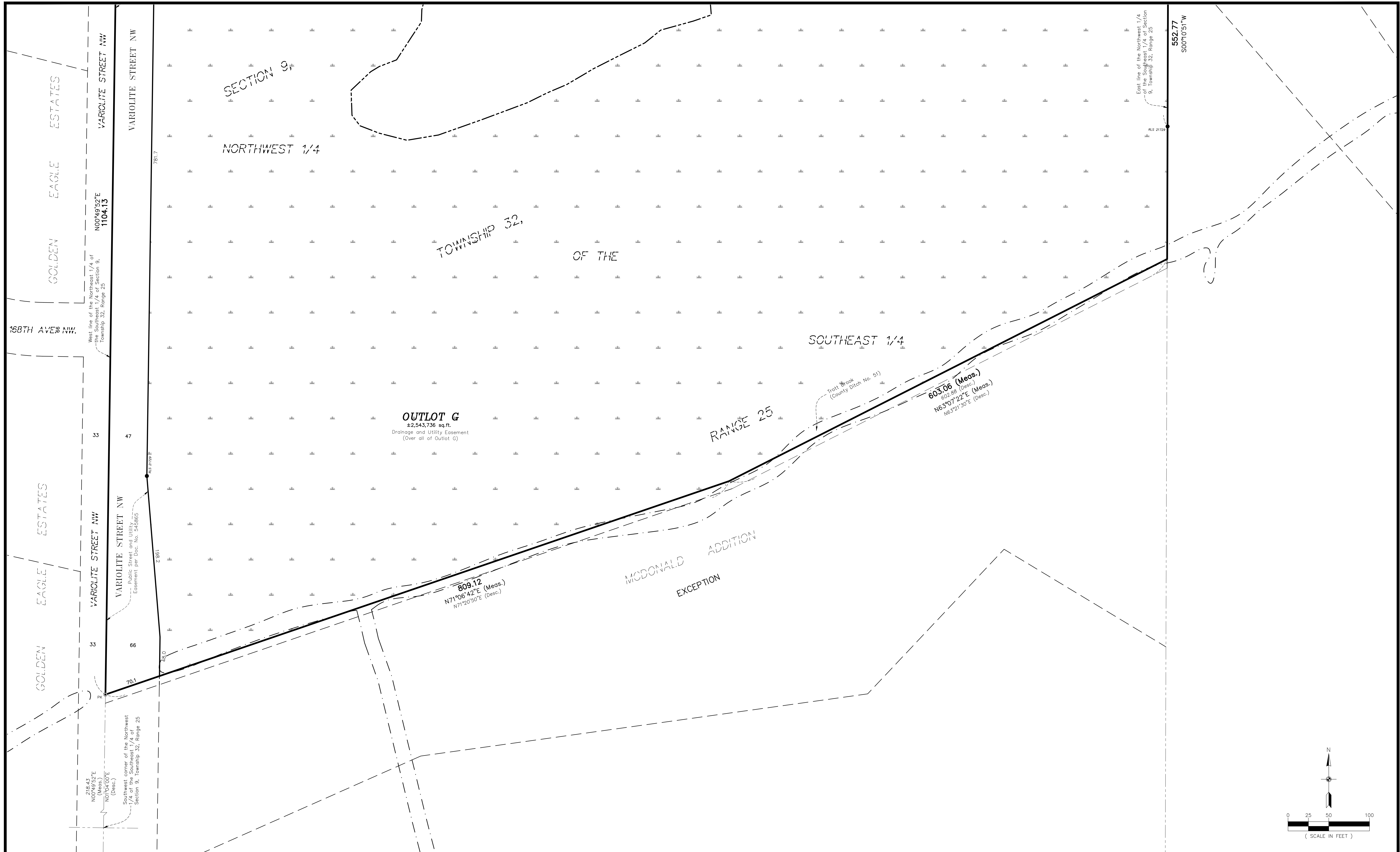
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota
 Print Name: Thomas R. Balluff, L.S.
 Signature: *Thomas R. Balluff*
 Date: 9/23/21 License #: 40361

Drawn By: KCM
 Issue Date: 9/23/21
 File No: 2334

SOTARRA, LLC
 (TEG LAND HOLDINGS, LLC.)
 1660 Hwy 100 South, Suite 400
 St. Louis Park, Minnesota 55416

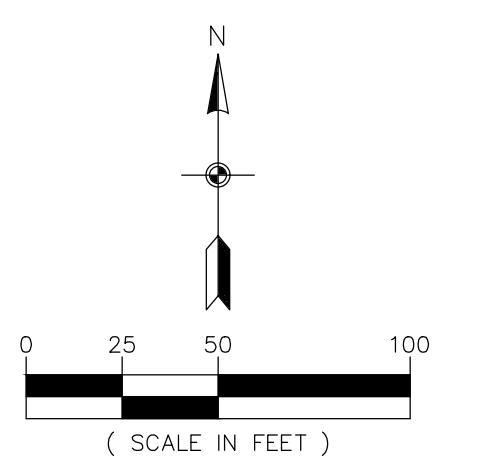
TROTT BROOK CROSSING
 Ramsey, MN

PRELIMINARY PLAT INDEX



East line of the Northwest 1/4 of Section 9, Township 32, Range 25
 RLS 21729

552.77
 S00°10'51\"/>



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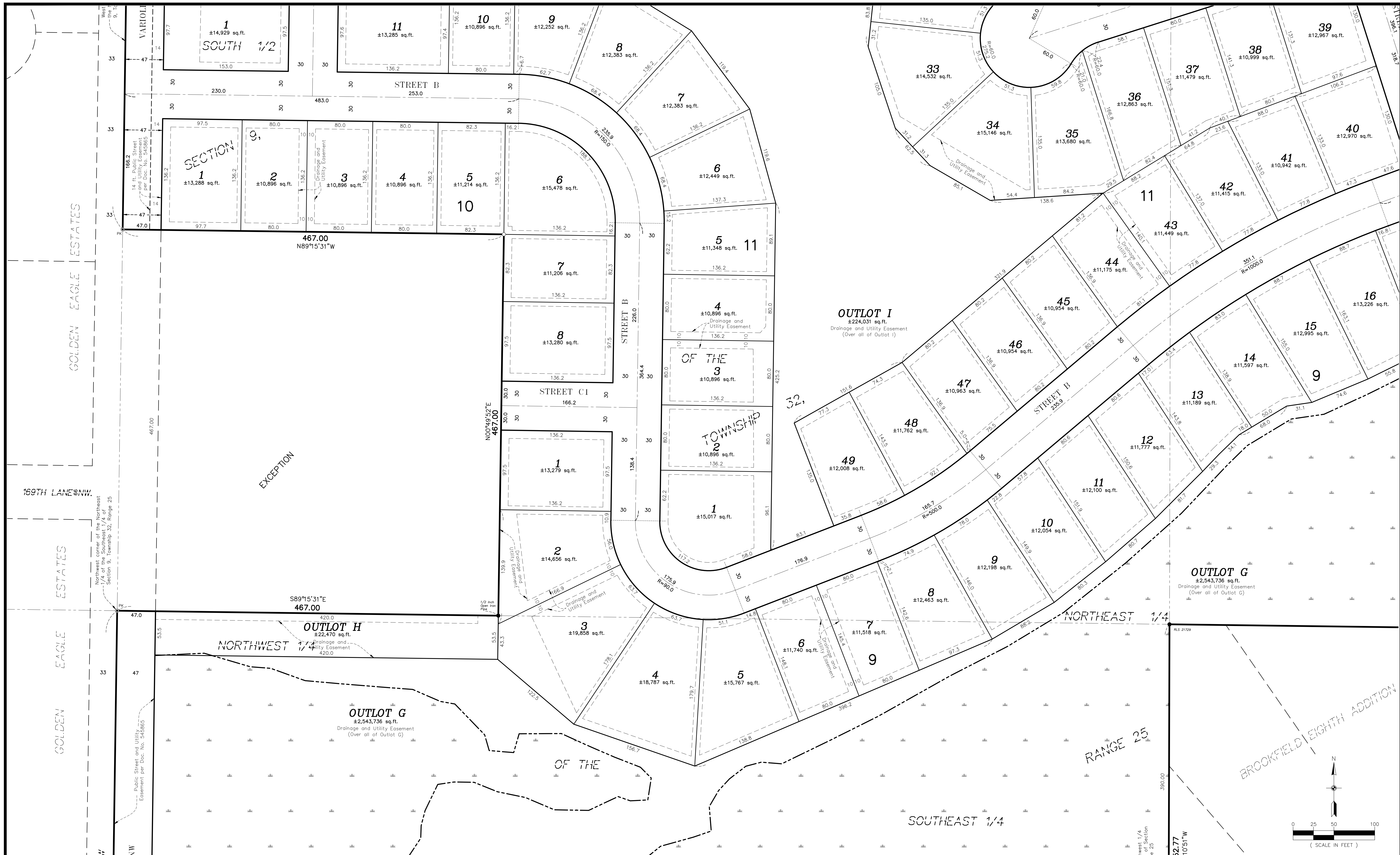
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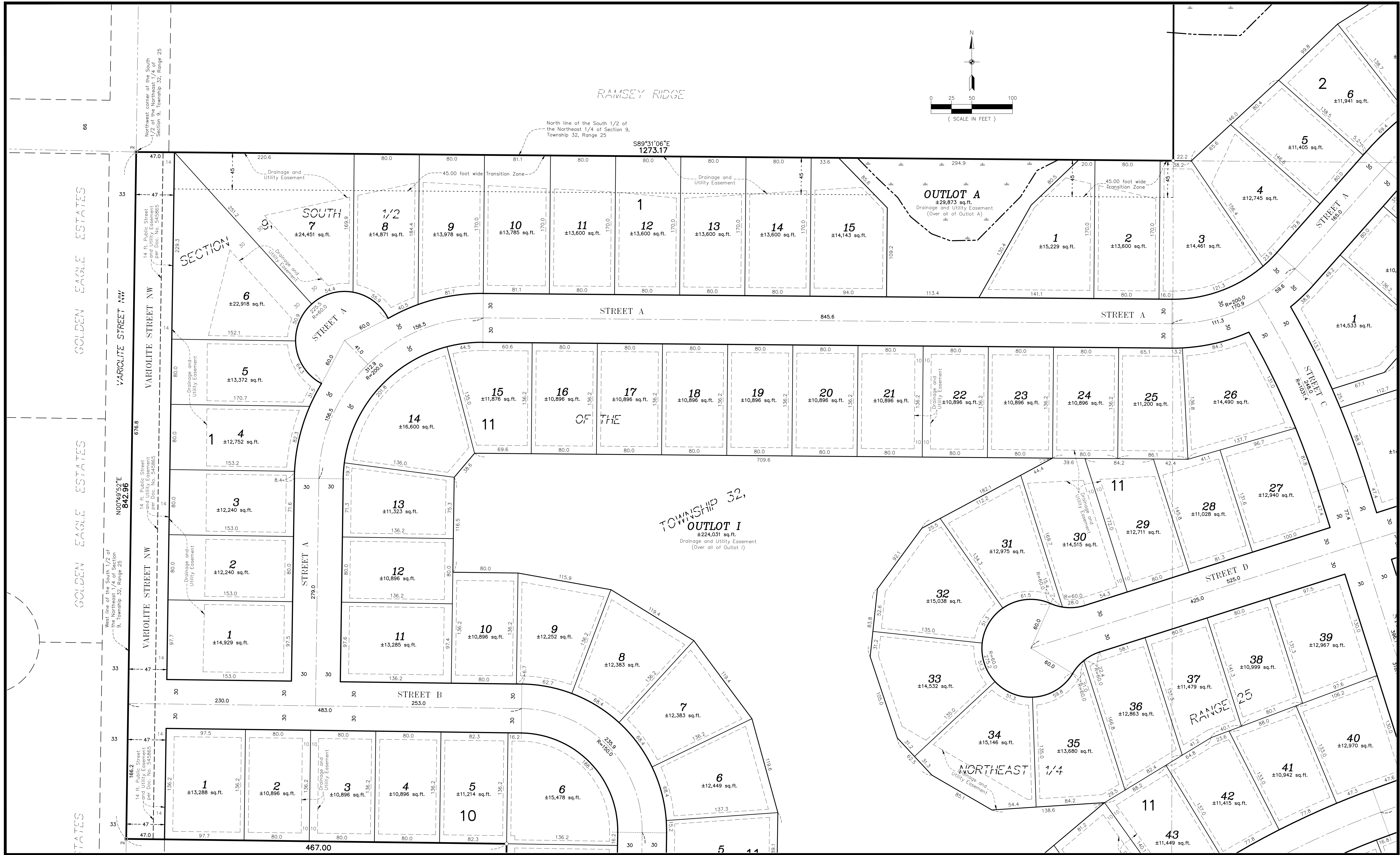
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 St. Louis Park, Minnesota 55416

TROTT BROOK CROSSING
 Ramsey, MN

PRELIMINARY PLAT

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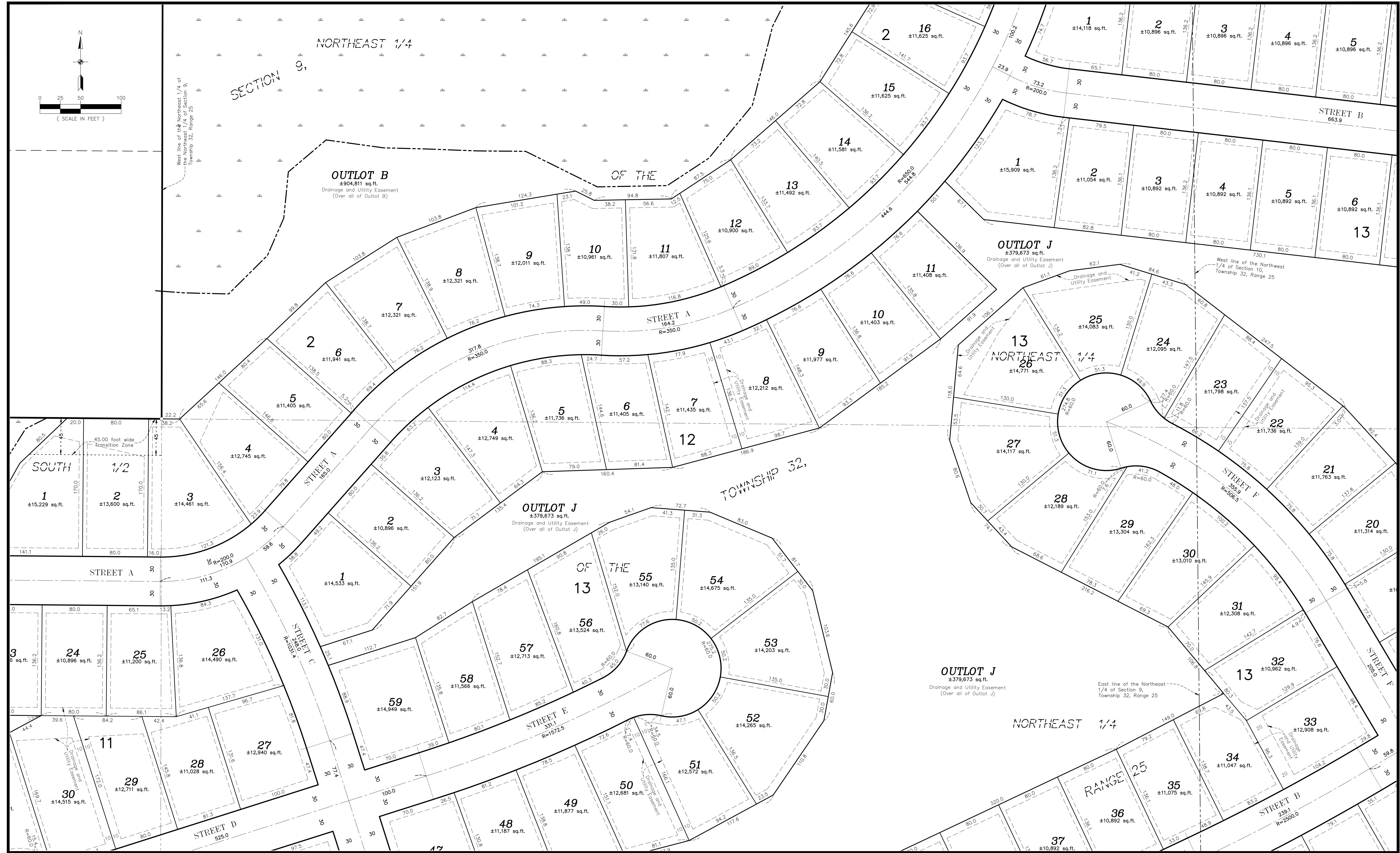
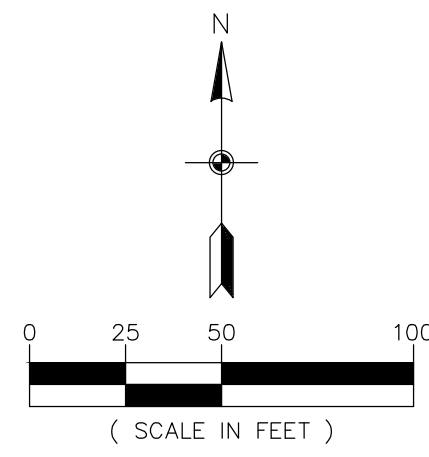
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 Ramsey, MN

PRELIMINARY PLAT

10 of 33

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PRELIMINARY PLAT

SECTION 4

TOWNSHIP 32,

RANGE 25

SECTION 9,

Northwest corner line of the Northeast 1/4 of Section 9, Township 32, Range 25

S89°47'06"E
1257.07

Northwest corner of the Northwest 1/4 of Section 10, Township 32, Range 25 (granite monument)

30 ft. Roadway, Utility and Trail Easement per Doc. No. 2036331.005 (to be potentially vacated at a future date)

NORTHEAST 1/4 SECTION 9,

OUTLOT B
±904,811 sq.ft.
Drainage and Utility Easement (Over all of Outlot B)

OF THE

TOWNSHIP 32,

OUTLOT C
±102,488 sq.ft.
Drainage and Utility Easement (Over all of Outlot C)

BECKER ROLLING PINES

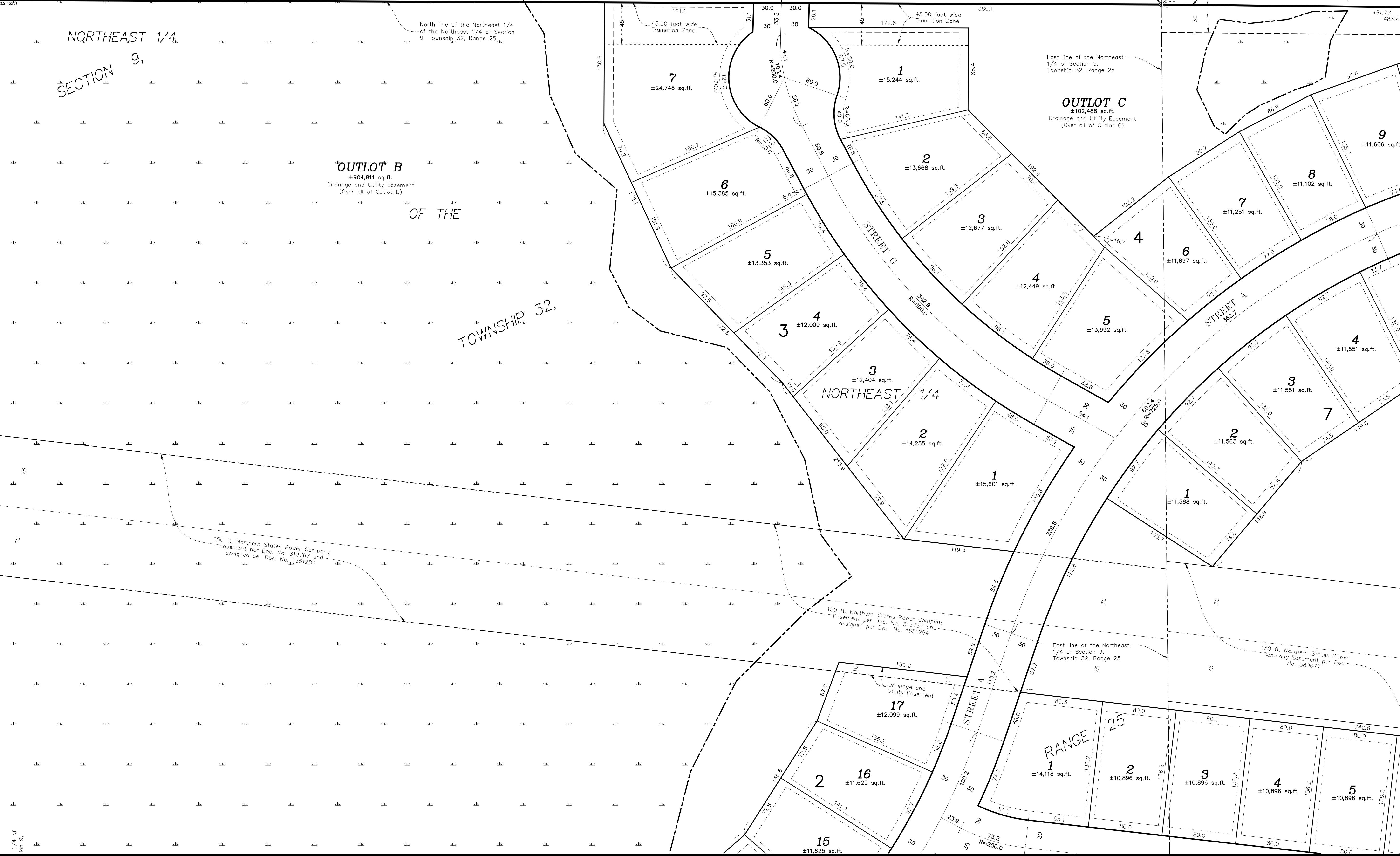
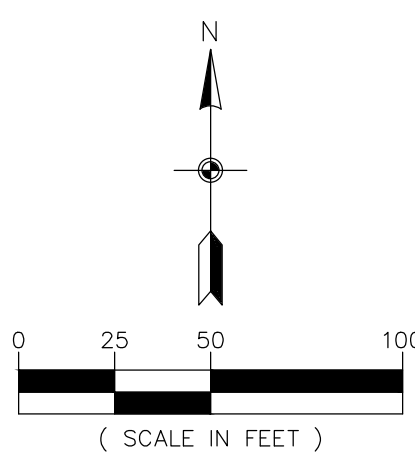
N00°07'40"E
1315.81

150 ft. Northern States Power Company Easement per Doc. No. 313767 and assigned per Doc. No. 1551284

150 ft. Northern States Power Company Easement per Doc. No. 313767 and assigned per Doc. No. 1551284

East line of the Northeast 1/4 of Section 9, Township 32, Range 25

150 ft. Northern States Power Company Easement per Doc. No. 380677



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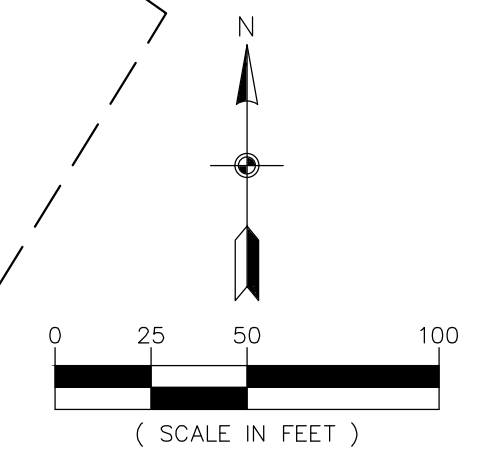
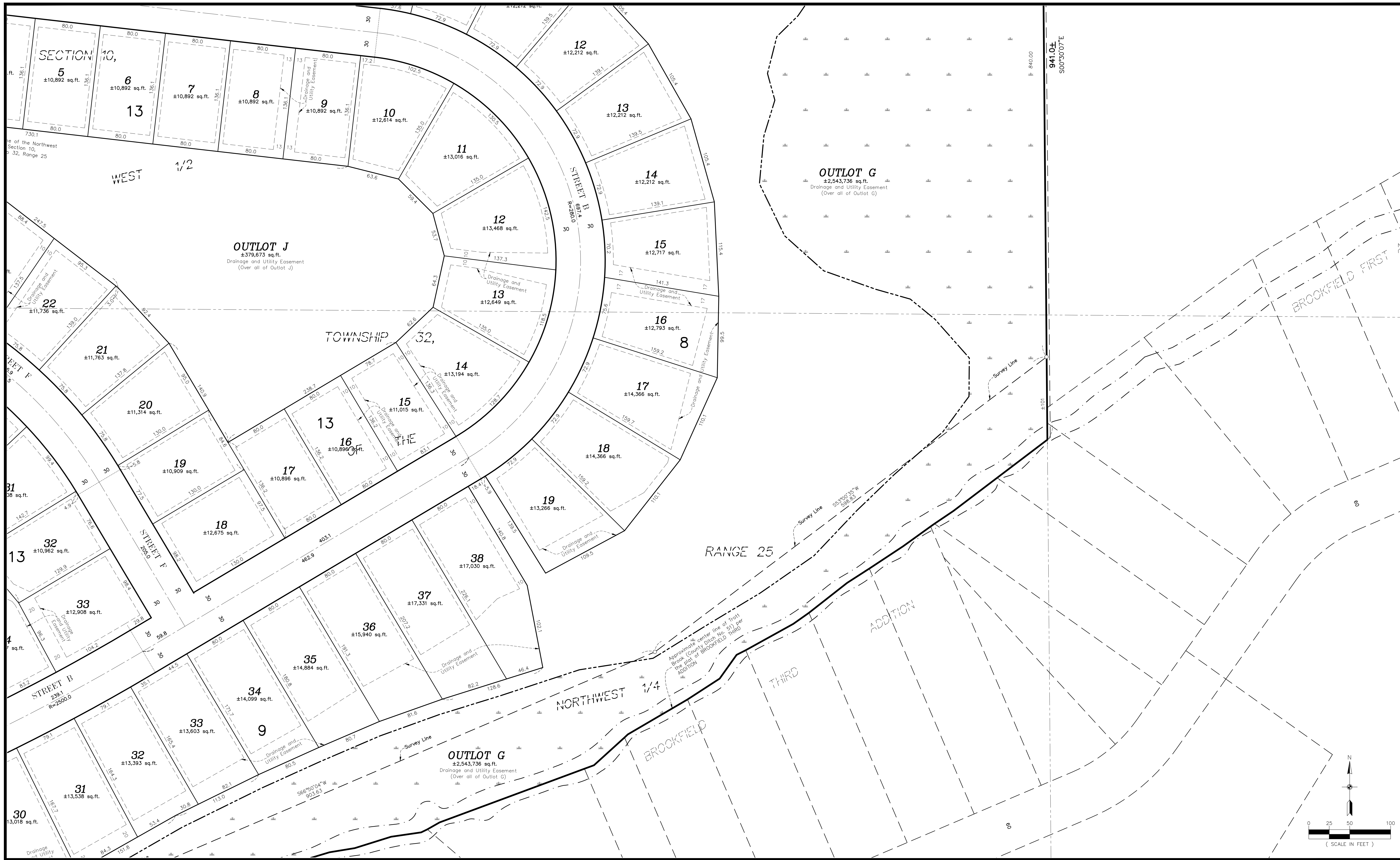
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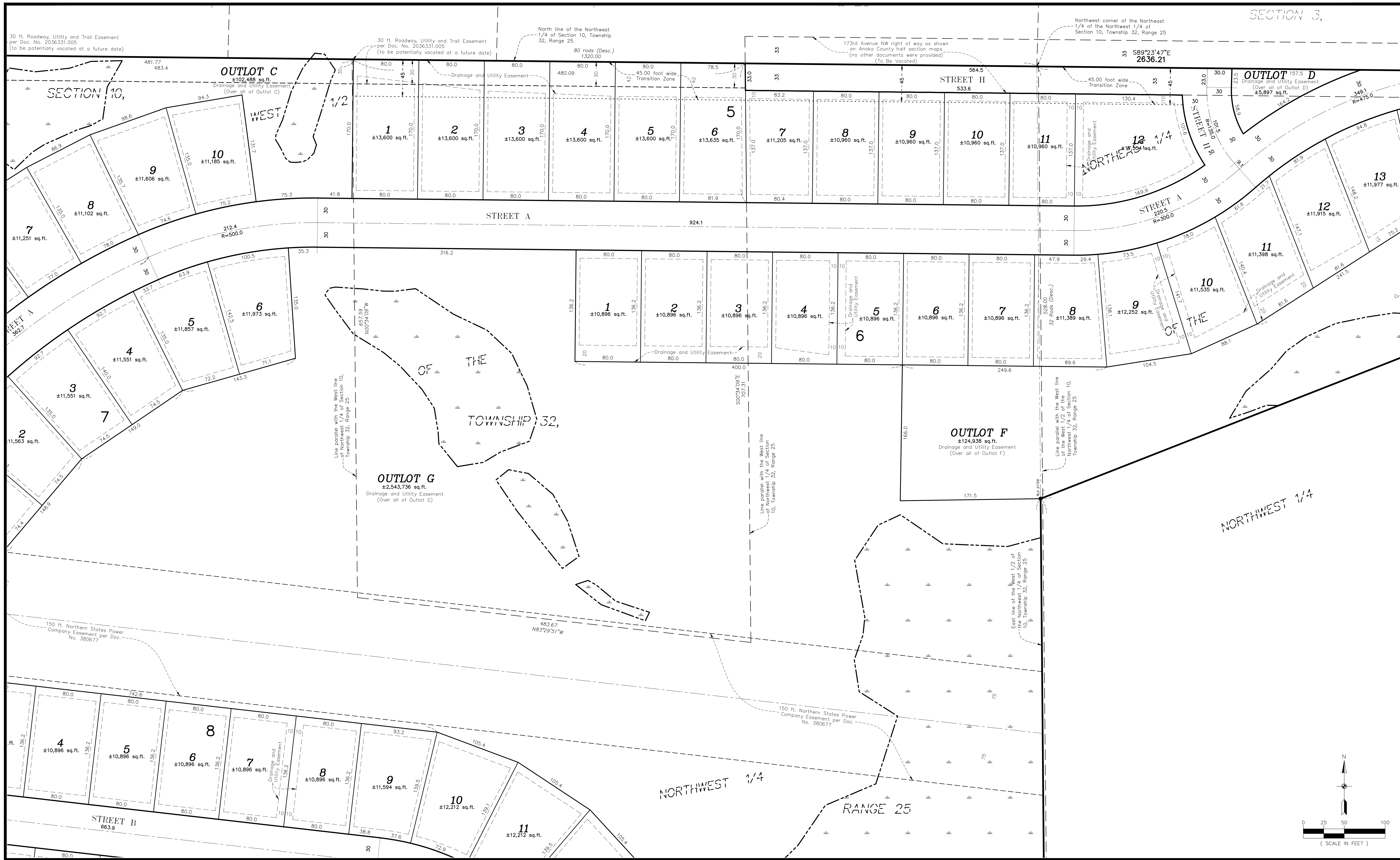
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CITY OF RAMSEY LANDSCAPE REQUIREMENTS

1. **MINIMUM PLANTINGS.** MINIMUM OF TWO (2) TREES REQUIRED PER DWELLING UNIT. THE COMPLEMENT OF TREES FULFILLING THE LANDSCAPING REQUIREMENTS SHALL NOT BE LESS THAN 25 PERCENT DECIDUOUS AND NOT LESS THAN 25 PERCENT CONIFEROUS. NOT MORE THAN 25 PERCENT OF THE REQUIRED PLANTINGS SHALL CONSIST OF ORNAMENTAL OR UNDERSTORY TREES.

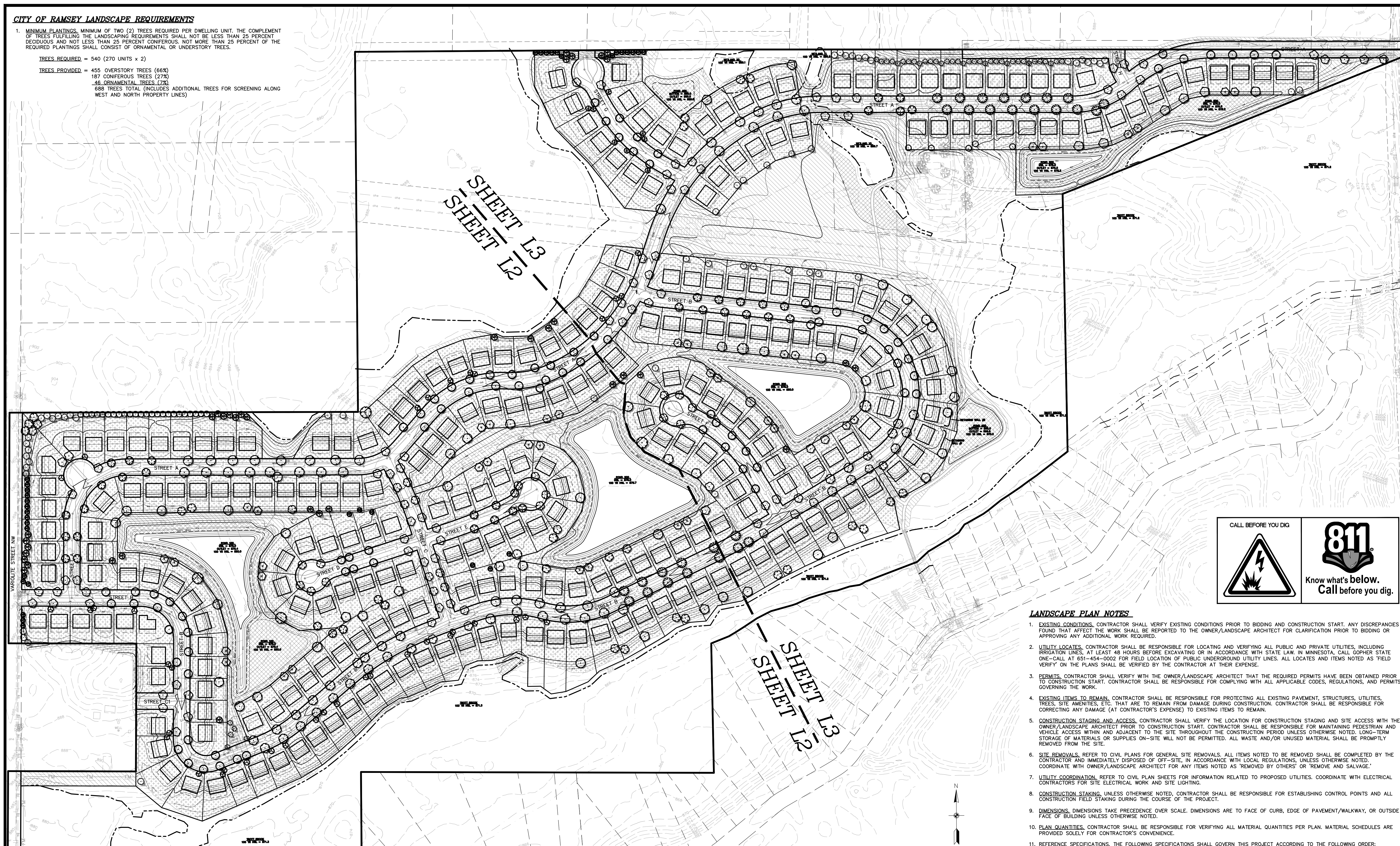
TREES REQUIRED = 540 (270 UNITS x 2)

TREES PROVIDED = 455 OVERSTORY TREES (66%)

187 CONIFEROUS TREES (27%)

116 ORNAMENTAL TREES (27%)

688 TREES TOTAL (INCLUDES ADDITIONAL TREES FOR SCREENING ALONG WEST AND NORTH PROPERTY LINES)



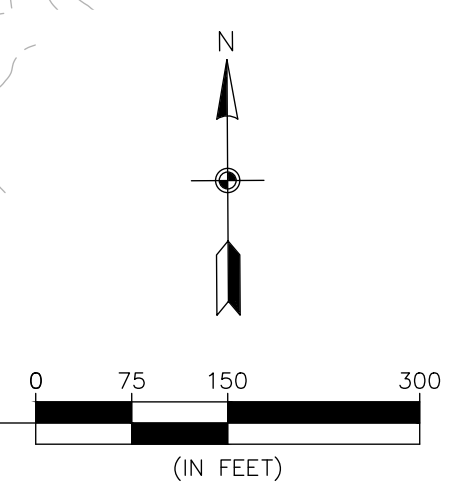
CALL BEFORE YOU DIG

811

Know what's below.
Call before you dig.

LANDSCAPE PLAN NOTES

1. **EXISTING CONDITIONS.** CONTRACTOR SHALL VERIFY EXISTING CONDITIONS PRIOR TO BIDDING AND CONSTRUCTION START. ANY DISCREPANCIES FOUND THAT AFFECT THE WORK SHALL BE REPORTED TO THE OWNER/LANDSCAPE ARCHITECT FOR CLARIFICATION PRIOR TO BIDDING OR APPROVING ANY ADDITIONAL WORK REQUIRED.
2. **UTILITY LOCATES.** CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND VERIFYING ALL PUBLIC AND PRIVATE UTILITIES, INCLUDING IRRIGATION LINES, AT LEAST 48 HOURS BEFORE EXCAVATING OR IN ACCORDANCE WITH STATE LAW. IN MINNESOTA, CALL GOPHER STATE ONE-CALL AT 651-454-0000 FOR FIELD LOCATION OF PUBLIC UNDERGROUND UTILITY LINES. ALL LOCATES AND ITEMS NOTED AS 'FIELD VERIFY' ON THE PLANS SHALL BE VERIFIED BY THE CONTRACTOR AT THEIR EXPENSE.
3. **PERMITS.** CONTRACTOR SHALL VERIFY WITH THE OWNER/LANDSCAPE ARCHITECT THAT THE REQUIRED PERMITS HAVE BEEN OBTAINED PRIOR TO CONSTRUCTION START. CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE CODES, REGULATIONS, AND PERMITS GOVERNING THE WORK.
4. **EXISTING ITEMS TO REMAIN.** CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING PAVEMENT, STRUCTURES, UTILITIES, TREES, SITE AMENITIES, ETC. THAT ARE TO REMAIN FROM DAMAGE DURING CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR CORRECTING ANY DAMAGE (AT CONTRACTOR'S EXPENSE) TO EXISTING ITEMS TO REMAIN.
5. **CONSTRUCTION STAGING AND ACCESS.** CONTRACTOR SHALL VERIFY THE LOCATION FOR CONSTRUCTION STAGING AND SITE ACCESS WITH THE OWNER/LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION START. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING PEDESTRIAN AND VEHICLE ACCESS WITHIN AND ADJACENT TO THE SITE THROUGHOUT THE CONSTRUCTION PERIOD UNLESS OTHERWISE NOTED. LONG-TERM STORAGE OF MATERIALS OR SUPPLIES ON-SITE WILL NOT BE PERMITTED. ALL WASTE AND/OR UNUSED MATERIAL SHALL BE PROMPTLY REMOVED FROM THE SITE.
6. **SITE REMOVALS.** REFER TO CIVIL PLANS FOR GENERAL SITE REMOVALS. ALL ITEMS NOTED TO BE REMOVED SHALL BE COMPLETED BY THE CONTRACTOR AND IMMEDIATELY DISPOSED OF OFF-SITE, IN ACCORDANCE WITH LOCAL REGULATIONS, UNLESS OTHERWISE NOTED. COORDINATE WITH OWNER/LANDSCAPE ARCHITECT FOR ANY ITEMS NOTED AS 'REMOVED BY OTHERS' OR 'REMOVE AND SALVAGE.'
7. **UTILITY COORDINATION.** REFER TO CIVIL PLAN SHEETS FOR INFORMATION RELATED TO PROPOSED UTILITIES. COORDINATE WITH ELECTRICAL CONTRACTORS FOR SITE ELECTRICAL WORK AND SITE LIGHTING.
8. **CONSTRUCTION STAKING.** UNLESS OTHERWISE NOTED, CONTRACTOR SHALL BE RESPONSIBLE FOR ESTABLISHING CONTROL POINTS AND ALL CONSTRUCTION FIELD STAKING DURING THE COURSE OF THE PROJECT.
9. **DIMENSIONS.** DIMENSIONS TAKE PRECEDENCE OVER SCALE. DIMENSIONS ARE TO FACE OF CURB, EDGE OF PAVEMENT/WALKWAY, OR OUTSIDE FACE OF BUILDING UNLESS OTHERWISE NOTED.
10. **PLAN QUANTITIES.** CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL MATERIAL QUANTITIES PER PLAN. MATERIAL SCHEDULES ARE PROVIDED SOLELY FOR CONTRACTOR'S CONVENIENCE.
11. **REFERENCE SPECIFICATIONS.** THE FOLLOWING SPECIFICATIONS SHALL GOVERN THIS PROJECT ACCORDING TO THE FOLLOWING ORDER:
 1. ADDENDA, WITH THOSE OF A LATER DATE HAVING PRECEDENCE OVER THOSE OF AN EARLIER DATE.
 2. LANDSCAPE SPECIFICATIONS.
 3. PLAN DRAWINGS.
 4. PLANT / MATERIAL SCHEDULES.
 5. CITY STANDARD SPECIFICATIONS AND DETAILS.
 6. MnDOT STANDARD SPECIFICATIONS FOR CONSTRUCTION, LATEST EDITION.



1 OVERALL LANDSCAPE PLAN
L1

CARLSON McCAIN
ENGINEERING SURVEYING ENVIRONMENTAL

3890 PHEASANT RIDGE DR NE
SUITE 100
BLAINE, MN 55449
TEL 763.489.7900
FAX 763.489.7959
CARLSONMCCAIN.COM

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Landscape Architect under the laws of the State of Minnesota

Print Name: Ryan J. Ruttger, RLA
Signature: *[Signature]*
Date: 9/23/21 License #: 56346

Drawn: RJR
Designed: RJR
Date: 9/23/21

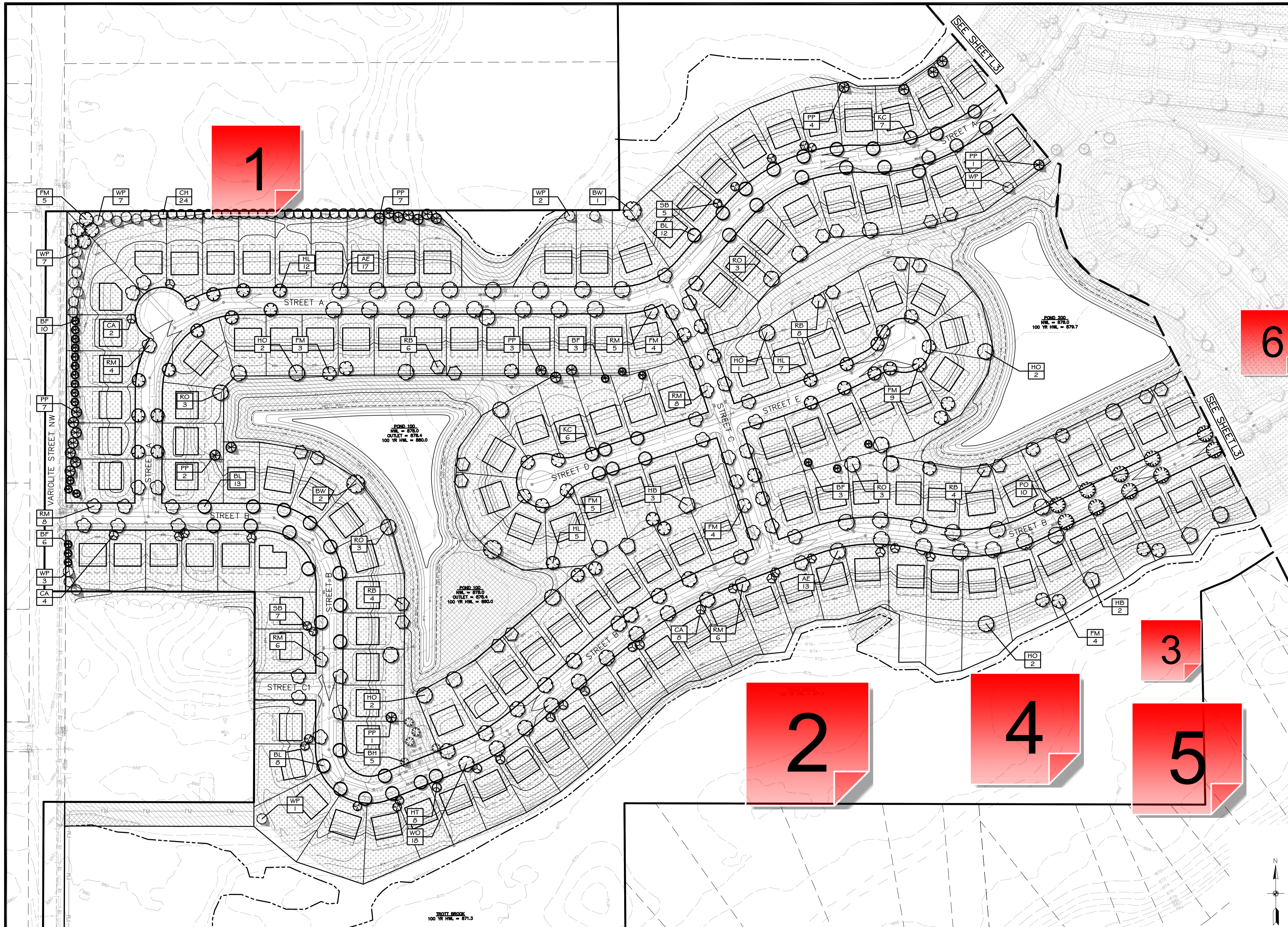
Revisions:
1.

SOTARRA, LLC
(TEG LAND HOLDINGS, LLC.)
1660 Hwy 100 South, Suite 400
St. Louis Park, Minnesota 55416

TROTT BROOK CROSSING
Ramsey, Minnesota

PRELIMINARY LANDSCAPE PLAN

L1 of 4



1

6

3

2

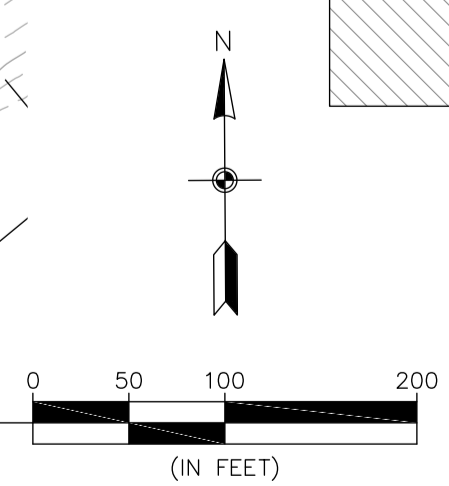
4

5

LANDSCAPE KEY

TREES	CODE	COMMON NAME
	RM	Northwood Red Maple
	FM	Sienna Glen Maple
	RB	River Birch Multi-Trunk
	HB	Common Hackberry
	HL	Northern Acclaim Thornless Honey Locust
	KC	Kentucky Coffeetree
	WO	Swamp White Oak
	PO	Northern Pin Oak
	RO	Red Oak
	HO	Heritage Oak
	BW	Black Willow
	BL	Boulevard Linden
	AE	American Elm
CONIFEROUS TREES	CODE	COMMON NAME
	BF	Balsam Fir
	BH	Black Hills Spruce
	PP	Ponderosa Pine
	WP	White Pine
	CH	Canadian Hemlock
ORNAMENTAL TREES	CODE	COMMON NAME
	SB	Autumn Brilliance Serviceberry
	HT	Thornless Hawthorn
	CA	Prairifire Crabapple
	JL	Japanese Tree Lilac
GROUND COVERS	CODE	COMMON NAME
	TI	MnDOT Seed Mix 25-151
	TII	MnDOT Seed Mix 33-261
	TIII	MnDOT Seed Mix 32-241
	TIIV	MnDOT Seed Mix 35-241

1 LANDSCAPE PLAN ENLARGEMENT
L2



1 - Density Transitioning Requirements

Created by: Chris Anderson
On: 10/08/2021 09:57 AM

Provide a 45 foot wide corridor (held in common ownership, typically done as an outlot owned by HOA) with 8 overstory trees, 8 evergreen trees, and 8 ornamental trees per 100 feet of impacted property OR provide a 35 foot wide corridor WITH a berm and 4 overstory trees, 4 evergreen trees, and 4 ornamental trees per every 100 feet of impacted property.

Additional plantings are required along this boundary. They should be in groupings and/or staggered rows.

----- 0 Replies -----

2 - Landscape Requirements for R-1 Residential (MUSA) - 80 District

Created by: Chris Anderson
On: 10/08/2021 10:14 AM

Each lot is to receive two (2) front yard trees, one (or both if there's space) can be placed in the boulevard and the other somewhere in front yard.

For the lots on cul-de-sac bulbs, where space is more limited, consideration may be given to a rear yard planting.

Revise plan accordingly.

----- 0 Replies -----

3 - Sod

Created by: Chris Anderson
On: 10/08/2021 10:17 AM

Sod is required in all boulevards. Where there is no sidewalk, sod is required within 10 feet of back of curb.

----- 0 Replies -----

4 - Topsoil

Created by: Chris Anderson
On: 10/08/2021 10:18 AM

All disturbed areas not otherwise improved with impervious surfacing (and stormwater ponds) shall receive 4 inches of topsoil. Topsoil shall not contain more than 35% sand.

----- 0 Replies -----

5 - Irrigation

Created by: Chris Anderson
On: 10/08/2021 10:19 AM

Should irrigation systems be installed, they must be equipped with a rain sensor and some form of water efficient technologies, such as a smart controller.

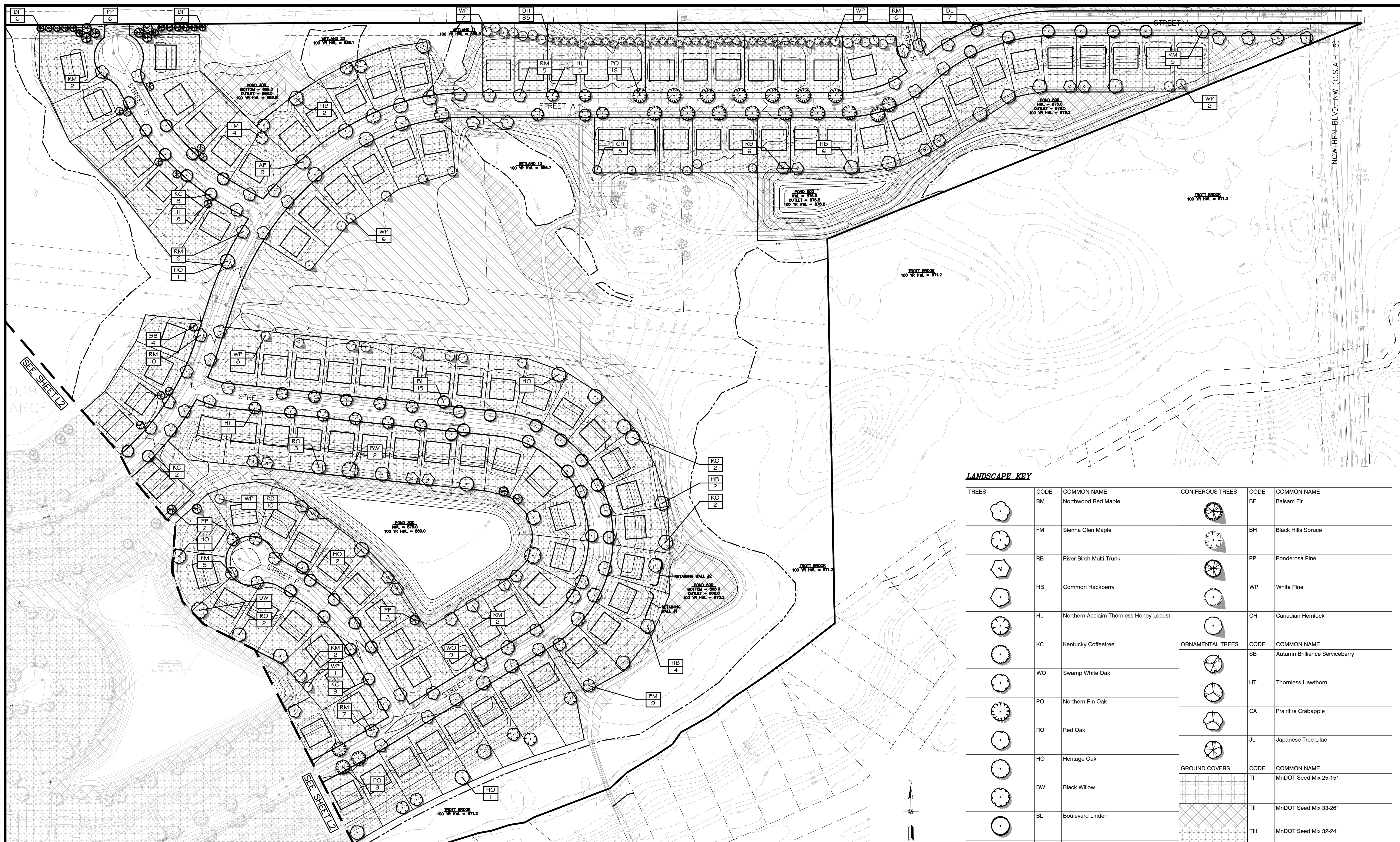
----- 0 Replies -----

6 - Plant Schedule

Created by: Chris Anderson
On: 10/08/2021 10:21 AM

Any modification to plant species requires approval of city prior to installation.

----- 0 Replies -----



SEE SHEET L2

1
L3

LANDSCAPE KEY

TREES	CODE	COMMON NAME	CONIFEROUS TREES	CODE	COMMON NAME
	RM	Northwood Red Maple		BF	Balsam Fir
	FM	Sienna Glen Maple		BH	Black Hills Spruce
	RB	River Birch Multi-Trunk		PP	Ponderosa Pine
	HB	Common Hackberry		WP	White Pine
	HL	Northern Acclaim Thornless Honey Locust		CH	Canadian Hemlock
	KC	Kentucky Coffeetree	ORNAMENTAL TREES		
	WO	Swamp White Oak		SB	Autumn Brilliance Serviceberry
	PO	Northern Pin Oak		HT	Thornless Hawthorn
	RO	Red Oak		CA	Prairifire Crabapple
	HO	Heritage Oak		JL	Japanese Tree Lilac
	BW	Black Willow	GROUND COVERS		
	BL	Boulevard Linden		TI	MnDOT Seed Mix 25-151
	AE	American Elm		TII	MnDOT Seed Mix 33-261
				TIII	MnDOT Seed Mix 32-241
				TIV	MnDOT Seed Mix 35-241

LANDSCAPE PLAN ENLARGEMENT

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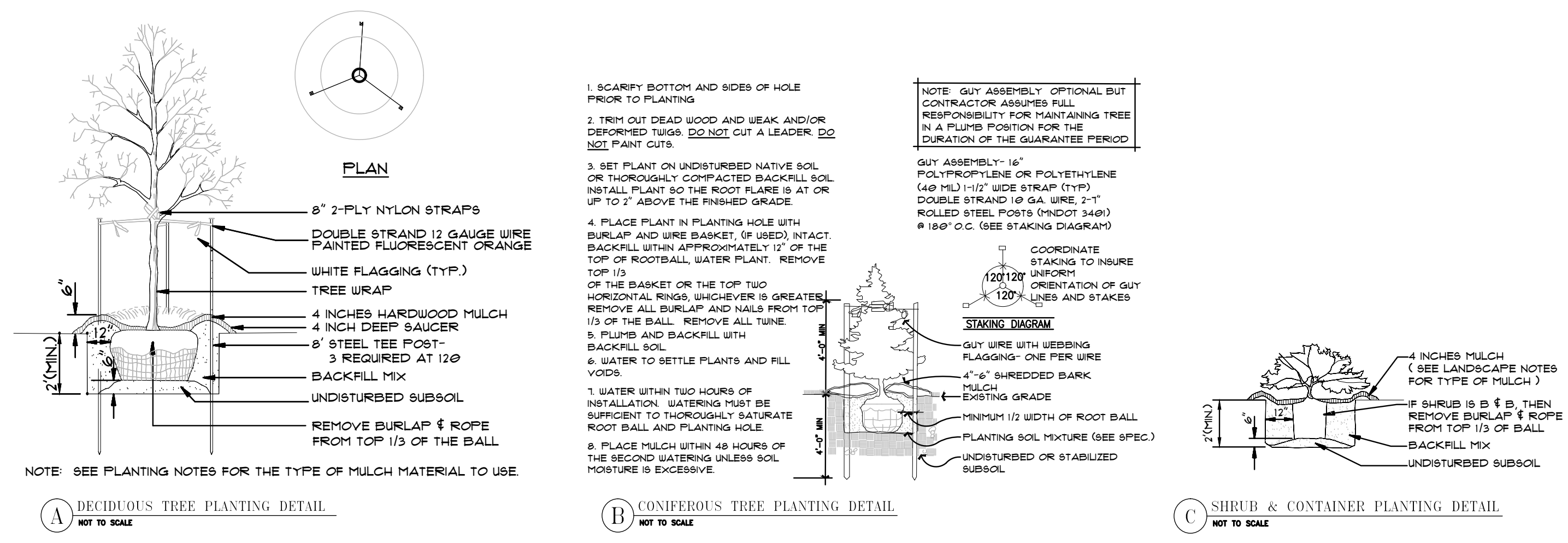
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St. Louis Park, Minnesota 55416

TROTT BROOK CROSSING
Ramsey, Minnesota

PRELIMINARY LANDSCAPE PLAN

L3 of 4



LANDSCAPE SPECIFICATIONS

- TREE PROTECTION.** ALL TREES NOT SPECIFICALLY NOTED OR MARKED ON SITE FOR REMOVAL SHALL REMAIN PROTECTED AND UNDISTURBED DURING CONSTRUCTION. TREE PROTECTION SHALL EXTEND TO THE DRIP LINE, WITHIN WHICH NO CONSTRUCTION ACTIVITY, MATERIAL STORAGE, OR VEHICLE PARKING SHALL BE PERMITTED. TREE PROTECTION FENCING SHALL BE ERRECTED PRIOR TO CONSTRUCTION START PER PLANS OR AS DIRECTED BY OWNER/LANDSCAPE ARCHITECT AND SHALL CONSIST OF 4' TALL HEAVY DUTY ORANGE CONSTRUCTION FENCING WITH 6" STEEL FENCE POSTS SPACED 6' O.C. MAX.
- EROSION CONTROL.** REFER TO CIVIL PLAN SHEETS FOR STORMWATER POLLUTION PREVENTION PLAN (SWPPP), AND TEMPORARY AND PERMANENT STORMWATER BMPs, INCLUDING SILT FENCE, BIO-RILLS, INLET PROTECTION, EROSION CONTROL BLANKETING, DUST CONTROL, SWEEPING AND ROCK CONSTRUCTION ENTRANCE. ALL DISTURBED AREAS SHALL RECEIVE PERMANENT STABILIZATION IN ACCORDANCE WITH THE LANDSCAPE PLAN WITHIN 7 DAYS AFTER CONSTRUCTION ACTIVITY IN THE DISTURBED AREA HAS CEASED. IN THE EVENT PERMANENT STABILIZATION CANNOT BE IMPLEMENTED WITHIN 7 DAYS, TEMPORARY STABILIZATION BMPs MUST BE IMPLEMENTED WITHIN 7 DAYS USING.
- CLEARING AND GRUBBING.** CONTRACTOR SHALL BE RESPONSIBLE FOR CLEARING AND GRUBBING ALL AREAS INDICATED AS BEING DISTURBED OR OTHERWISE SHOWN ON PLANS. CLEARING AND GRUBBING SHALL INCLUDE REMOVAL AND DISPOSAL OF ALL TREES, STUMPS, BRUSH, GRASS, ROOTS AND OTHER ORGANIC MATERIAL AT AN APPROVED OFF-SITE DISPOSAL LOCATION.
- SOIL PREPARATION.** REFER TO GEOTECHNICAL REPORT FOR ANY REQUIRED SOIL CORRECTIONS, AMENDMENTS OR ADDITIONAL INFORMATION (IF APPLICABLE). EXISTING TOPSOIL SHALL BE STRIPPED FROM ALL DISTURBED AREAS AND STOCKPILED IN AN APPROVED LOCATION FOR RE-SPREAD. ALL AREAS WHERE SOIL HAS BEEN COMPACTED BY CONSTRUCTION ACTIVITY AND THAT ARE INDICATED TO BE SODDED, SEEDED OR PLANTING BED SHALL BE DE-COMPACTED TO A MINIMUM DEPTH OF 12 INCHES BY SOIL RIPPING, TILLING OR OTHER APPROVED SOIL LOOSENING METHOD.
- TOPSOIL MATERIAL.** ALL EXISTING, AMENDED OR IMPORTED TOPSOIL SHALL MEET THE REQUIREMENTS OF MNDOT TOPSOIL TYPE A. A MINIMUM 4 INCH DEPTH OF TOPSOIL SHALL BE PLACED ON ALL AREAS TO BE SODDED OR SEEDDED. A MINIMUM 12 INCH DEPTH OF TOPSOIL SHALL BE PLACED WITHIN ALL PLANTING BED AREAS. ALL TOPSOIL SHALL BE FINE GRADED, RAKED AND DRAGGED TO PROVIDE A SMOOTH, UNIFORM SURFACE. TOPSOIL GRADES SHALL BE WITHIN 1 FOOT OF INDICATED FINISHED GRADE AND SHALL BE TRUE TO GRADIENTS SHOWN ON PLANS. REFER TO CIVIL PLAN SHEETS FOR FILTRATION BASIN SOIL REQUIREMENTS.
- SEEDING AND TURF ESTABLISHMENT.** CONTRACTOR SHALL OBTAIN OWNER/LANDSCAPE ARCHITECT'S APPROVAL OF FINAL GRADES AND TOPSOIL PREP PRIOR TO SEEDING. APPLY 12-12-12 GRANULAR STARTER FERTILIZER AT A RATE OF 250 LBS PER ACRE PRIOR TO SEEDING. SEEDS SHALL BE SOWN IN 2 PERPENDICULAR PASSES, EACH PASS AT ONE-HALF THE INDICATED RATE, VIA BROADCAST SPREADER, DROP SEEDER OR DRILL SEEDER. FOLLOWING SEED APPLICATION, INSTALL TYPE 3N EROSION CONTROL BLANKET ON ALL SLOPES GREATER THAN 4:1. IN ALL OTHER AREAS, APPLY HYDROMULCH COVER (MUST BE A SEPARATE OPERATION FROM SEEDING) AT A TARGETED DRY WEIGHT RATE OF 3500 LBS PER ACRE. SOIL SHALL BE KEPT MOIST DURING ESTABLISHMENT WITH ADDITIONAL RE-SEEDING AS NECESSARY TO ACHIEVE A HEALTHY, UNIFORM STAND OF GRASS, FREE OF WEEDS AND WITH COVERAGE EXCEEDING 75% IN ANY 10'x10' AREA PRIOR TO FINAL ACCEPTANCE.
- SODDING.** CONTRACTOR SHALL OBTAIN OWNER/LANDSCAPE ARCHITECT'S APPROVAL OF FINAL GRADES AND TOPSOIL PREP PRIOR TO SODDING. APPLY 12-12-12 GRANULAR STARTER FERTILIZER AT A RATE OF 250 LBS PER ACRE PRIOR TO SODDING AND ROLL TOPSOIL TO CREATE A UNIFORM SURFACE FOR LAYING SOD. SOD SHALL NOT BE CUT MORE THAN 24-HOURS IN ADVANCE OF INSTALLATION. CONTRACTOR SHALL KEEP SOD MOIST FOR A MINIMUM OF 30 DAYS AND SHALL BE RESPONSIBLE FOR MAINTAINING THE SOD UNTIL FINAL ACCEPTANCE.
- PLANT MATERIAL.** ALL PLANTING STOCK SHALL CONFORM TO THE "AMERICAN STANDARD FOR NURSERY STOCK," ANSI-Z60, LATEST EDITION, OF THE AMERICAN ASSOCIATION OF NURSERMEN, INC. AND SHALL CONSTITUTE MINIMUM QUALITY REQUIREMENTS FOR PLANT MATERIALS. OWNER/LANDSCAPE ARCHITECT RESERVE THE RIGHT TO REJECT ANY PLANTS WHICH ARE DEEMED UNSATISFACTORY BEFORE, DURING, OR AFTER INSTALLATION. NO SUBSTITUTION OF PLANT MATERIAL SHALL BE ACCEPTED UNLESS APPROVED IN WRITING BY THE OWNER/LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- PLANT MATERIAL SUBSTITUTIONS.** ALL REQUESTS FOR PLANT SUBSTITUTIONS SHALL BE MADE IN WRITING TO THE OWNER/LANDSCAPE ARCHITECT AND MUST BE APPROVED BY THE CITY.
- PLANT INSTALLATION AND ESTABLISHMENT.** REFER TO STANDARD PLANTING DETAILS. CONTRACTOR SHALL STAKE TREE LOCATIONS FOR APPROVAL BY OWNER/LANDSCAPE ARCHITECT PRIOR TO PLANTING. ANY PLANT MATERIAL WHICH DIES, TURNS BROWN, OR DEFOLIATES (PRIOR TO TOTAL ACCEPTANCE OF THE WORK) SHALL BE PROMPTLY REMOVED FROM THE SITE AND REPLACED WITH MATERIAL OF THE SAME SPECIES, QUANTITY, AND SIZE.
- MULCH MATERIAL.** DOUBLE SHREDDED HARDWOOD MULCH OR ROCK MULCH AS INDICATED ON PLANS. ALL MULCH SHALL BE CLEAN AND FREE OF NOXIOUS WEEDS, SOIL, OR OTHER DELETERIOUS MATERIAL, AND SHALL BE INSTALLED OVER A NON-WOVEN GEOTEXTILE FABRIC (INCIDENTAL) OR OTHER APPROVED WEED BARRIER TO A MINIMUM SETTLED DEPTH OF 4". MULCH SHALL BE HELD BACK FROM PLANT STEMS/TRUNKS A MINIMUM OF 3". WOOD MULCH SHALL BE PLACED AROUND INDIVIDUAL TREES TO A 4" MINIMUM DIAMETER. MULCH SHALL BE INSTALLED WITHIN 48-HOURS OF PLANT INSTALLATION.
- LANDSCAPE EDGING.** INSTALL LANDSCAPE EDGING BETWEEN ALL MULCH AREAS AND TURF. EDGING SHALL BE COMMERCIAL GRADE BLACK POLYETHYLENE OR VINYL EDGING, 0.1 INCH THICK BY 5 INCHES DEEP, V-LIPPED BOTTOM, HORIZONTALLY GROOVED, 1-1/2 INCH ROUND TOP, EXTRUDED IN STANDARD LENGTHS, WITH 9-INCH STEEL ANGLE STAKES.
- IRRIGATION DESIGN.** FURNISH AND INSTALL A COMPLETE UNDERGROUND IRRIGATION SYSTEM FROM APPROVED POINT(S)-OF-CONNECTION WITHIN THE SITE COVERING ALL TURF AND PLANTING AREAS AS SHOWN ON THE LANDSCAPE PLAN. INCLUDES FLOW/PRESSURE TESTING, PLANS WITH DESIGN CALCULATIONS, AS-BUILT DRAWINGS, LABOR, MATERIALS, EQUIPMENT, AND SERVICES FOR THE TESTING, ADJUSTING, RETESTING AND READJUSTING AS REQUIRED TO PLACE THE SYSTEM IN AN APPROVED OPERATING CONDITION. THE IRRIGATION SYSTEM SHALL INCLUDE THE DESIGN AND INSTALLATION OF THE FOLLOWING: PIPING, METER AND BACKFLOW ASSEMBLIES, SPRINKLER HEADS, CABINETS, VALVES AND VALVE BOXES, CONTROLLERS, CONTROL WIRING, FITTINGS, ELECTRICAL CONNECTIONS, QUICK-COUPERS, ALL OTHER NECESSARY ACCESSORIES, SYSTEM MANUALS, 1-YEAR MAINTENANCE PERIOD INCLUDING 1 FALL WINTERIZATION AND 1 SPRING START-UP. IRRIGATION PLANS TO BE PREPARED BY A QUALIFIED IRRIGATION DESIGNER AND SUBMITTED TO OWNER/LANDSCAPE ARCHITECT FOR APPROVAL.
- MAINTENANCE.** MAINTENANCE SHALL BEGIN IMMEDIATELY AFTER EACH PORTION OF THE WORK IS IN PLACE. PLANT MATERIAL SHALL BE PROTECTED AND MAINTAINED UNTIL THE INSTALLATION OF THE PLANTS IS COMPLETE. INSPECTION HAS BEEN MADE, AND PLANTINGS ARE ACCEPTED EXCLUSIVE OF THE GUARANTEE. MAINTENANCE SHALL INCLUDE MOWING, TRIMMING, WATERING, FERTILIZING, WEED AND PESTICIDE CONTROL, MULCHING, REMOVAL OF DEAD MATERIALS, RE-SETTING PLANTS TO PROPER GRADE AND KEEPING PLANTS IN A PLUMB POSITION. AFTER ACCEPTANCE, THE OWNER SHALL ASSUME MAINTENANCE RESPONSIBILITIES, HOWEVER, THE CONTRACTOR SHALL RETAIN RESPONSIBILITY FOR ALL PLANT MATERIAL THROUGH THE COMPLETION OF THE WARRANTY PERIOD.
- WATERING.** UPON ESTABLISHMENT OF SEED AND INSTALLATION OF PLANTS, CONTRACTOR SHALL MAINTAIN A WATERING SCHEDULE WHICH WILL THOROUGHLY WATER ALL PLANTS AND TURF AREAS A MINIMUM OF ONCE A WEEK. MORE FREQUENT WATERING MAY BE REQUIRED DURING PERIODS OF HOT, DRY WEATHER. CONTRACTOR SHALL MAKE THE NECESSARY ARRANGEMENTS FOR WATER IN THE ABSENCE OF PERMANENT IRRIGATION, TEMPORARY IRRIGATION, TREE WATERING BAGS, OR HAND-WATERING ARE ACCEPTABLE.
- NATIVE PLANT ESTABLISHMENT.** THIS PROJECT INCLUDES ONE OR MORE NATIVE PLANT SEED MIXES CONSISTING OF A VARIETY OF GRASSES, SEDGES AND FLOWERING FORBS. BECAUSE THESE PLANTS TYPICALLY HAVE A LONGER GERMINATION PERIOD, A COVER CROP SPECIES IS REQUIRED TO PROVIDE TEMPORARY COVER AND STABILIZATION. MAINTENANCE OF THESE SEEDED AREAS IS CRITICAL DURING THE FIRST SEVERAL YEARS TO ESTABLISH A SUCCESSFUL NATIVE PLANT COMMUNITY. SEEDED AREAS SHALL BE MOWED / WEED-WHIPPED TO A HEIGHT OF 6-10 INCHES IN MID-JULY AND EARLY SEPTEMBER DURING THE FIRST 2-3 YEARS OF ESTABLISHMENT. IN ADDITION, ALL NON-NATIVE SPECIES / WEEDS SHALL BE SPOT SPRAYED NO LESS THAN 3 TIMES A YEAR WITH HERBICIDE BY A LICENSED APPLICATOR. RE-SEEDING AS NECESSARY SHALL OCCUR IN MAY. A NATIVE PLANT COMMUNITY SHALL BE CONSIDERED SUCCESSFULLY ESTABLISHED NO SOONER THAN 3 YEARS AFTER INITIAL SEEDING - ONCE THE COVER CROP HAS BEEN SUFFICIENTLY REPLACED BY NATIVE PLANTS AND THE AREA IS FREE OF ALL NON-NATIVE AND INVASIVE SPECIES. AT THIS TIME, MAINTENANCE CAN BE REDUCED TO MOWING / WEED-WHIPPING TO A HEIGHT OF 6-10 INCHES ONCE A YEAR IN EARLY SEPTEMBER AND SPOT SPRAYING OF HERBACIDE ONLY AS NEEDED.
- FINAL ACCEPTANCE.** UPON SUBSTANTIAL COMPLETION OF THE WORK, CONTRACTOR SHALL REQUEST FINAL ACCEPTANCE OF THE WORK IN WRITING BY THE OWNER/LANDSCAPE ARCHITECT. IF ANY WORK IS FOUND TO BE INCOMPLETE OR UNSATISFACTORY IN THE OPINION OF THE OWNER/LANDSCAPE ARCHITECT, A WRITTEN PUNCH LIST WILL BE PREPARED LISTING ALL ITEMS THAT REQUIRE COMPLETING OR CORRECTING BEFORE FINAL ACCEPTANCE.
- WARRANTY.** ALL PLANTS, MATERIALS AND WORKSMANSHIP SHALL BE GUARANTEED FOR ONE YEAR FROM THE DATE OF FINAL ACCEPTANCE, UNLESS OTHERWISE SPECIFIED. THE GUARANTEE SHALL COVER THE FULL COST OF REPLACEMENT INCLUDING LABOR AND MATERIAL.

PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER
	RM	82	Acer rubrum 'Northwood'	Northwood Red Maple	2' Cal.	B&B
	FM	52	Acer x freemanii 'Sienna'	Sienna Glen Maple	2' Cal.	B&B
	RB	38	Betula nigra Clump Form, 2' Cal Equivalent	River Birch Multi-Trunk	7' Ht.	B&B
	HB	19	Celtis occidentalis	Common Hackberry	2' Cal.	B&B
	HL	40	Gleditsia triacanthos inermis 'Harve'	Northern Acclaim Thornless Honey Locust	2' Cal.	B&B
	KC	32	Gymnocladus dioica 'Espresso'	Kentucky Coffeetree	2' Cal.	B&B
	WO	27	Quercus bicolor	Swamp White Oak	2' Cal.	B&B
	PO	29	Quercus ellipsoidalis	Northern Pin Oak	2' Cal.	B&B
	RO	21	Quercus rubra	Red Oak	2' Cal.	B&B
	HO	15	Quercus x macdanielii 'Clemons' TM	Heritage Oak	2' Cal.	B&B
	BW	6	Salix nigra	Black Willow	2' Cal.	B&B
	BL	55	Tilia americana 'Boulevard'	Boulevard Linden	2' Cal.	B&B
	AE	39	Ulmus americana 'Princeton'	American Elm	2' Cal.	B&B
CONIFEROUS TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER
	BF	35	Abies balsamea	Balsam Fir	6' Ht.	B&B
	BH	40	Picea glauca densata	Black Hills Spruce	6' Ht.	B&B
	PP	36	Pinus ponderosa	Ponderosa Pine	6' Ht.	B&B
	WP	53	Pinus strobus	White Pine	6' Ht.	B&B
	CH	29	Tsuga canadensis	Canadian Hemlock	6' Ht.	B&B
ORNAMENTAL TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER
	SB	16	Amelanchier x grandiflora 'Autumn Brilliance' Clump Form, 1.5' Cal Equivalent	Autumn Brilliance Serviceberry	7' Ht.	B&B
	HT	8	Crataegus crus-galli 'Inermis'	Thornless Hawthorn	1.5' Cal.	B&B
	CA	14	Malus x 'Prairifire' Red Flowers	Prairifire Crabapple	1.5' Cal.	B&B
	JL	8	Syringa reticulata White Flowers	Japanese Tree Lilac	1.5' Cal.	B&B
GROUND COVERS	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER
	TI	49,980 sf	Type I - Turf Seed Mix Refer to notes for acceptable seeding methods. Seeding Rate 180 lb/ac	MnDOT Seed Mix 25-151	seed	
	TII	416,276 sf	Type II - Stormwater Seed Mix Refer to notes for acceptable seeding methods. Seeding Rate 52.0 lb/ac	MnDOT Seed Mix 33-261	seed	
	TIII	3,616,206 sf	Type III - Native Construction Seed Mix Refer to notes for acceptable seeding methods. Seeding Rate 57.0 lb/ac	MnDOT Seed Mix 32-241	seed	
	TIV	560,108 sf	Type IV - Buffer Seed Mix Refer to notes for acceptable seeding methods. Seeding Rate 55.0 lb/ac	MnDOT Seed Mix 35-241	seed	

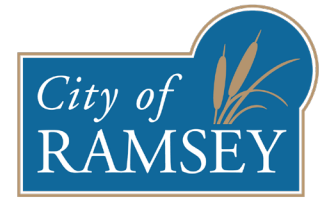
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Print Name: Ryan J. Rutiger, RLA
Signature: [Signature]
Date: 9/23/21 License #: 56346
Drawn: RJR
Designed: RJR
Date: 9/23/21

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TROTT BROOK CROSSING
Ramsey, Minnesota

PRELIMINARY LANDSCAPE PLAN
L4 of 4



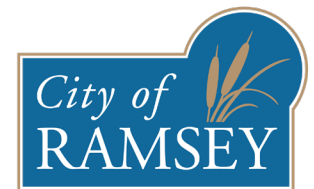
TROTT BROOK NORTH SMALL AREA PLANNING FRAMEWORK

July 9, 2020

DOCUMENT PURPOSE

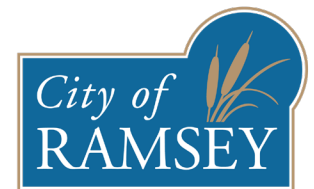
The purpose of this document is to outline high-level land use planning policy for a portion of the area generally known as Trott Brook North between Variolite Street and Nowthen Boulevard, north of Trott Brook, based on recent City Council direction. There is no obligation to change policies and plans. However, at minimum, this document will provide additional detail beyond our Comprehensive Plan and Zoning Code.

This a visionary document to help guide policy discussions. This is not the official land use plan for the area nor carries any legal entitlements. This document would be implemented through amendments to the City's Comprehensive Plan and Zoning Code, if needed.

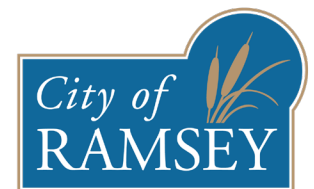


SUMMARY OF REVIEW

Meeting Date	Meeting Type
May 7, 2020	Planning Commission (Sketch Plan)
May 26, 2020	City Council (Sketch Plan)
July 9, 2020	Planning Commission Work Session and Regular Session (Policy Document)

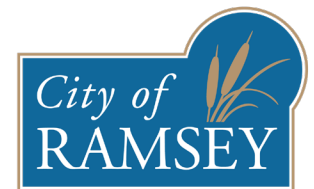


PLANNING AREA



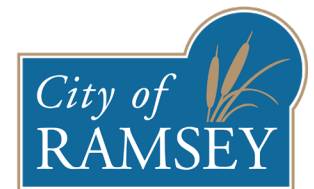
EXISTING CONDITIONS

- Variolite St (West) and Nowthen Blvd (East)
- Allowed Land Use: 80 foot wide lots
- Adjacent Land Uses
 - West, North, East: Rural Residential, Private Well/Septic
 - South: 80 foot wide lots, City Utilities
- Significant Historical Context
 - Barn and homestead
- Significant Ecological Resources
 - Tree Cover
 - Wetland
 - Trott Brook (and adjacent corridor)

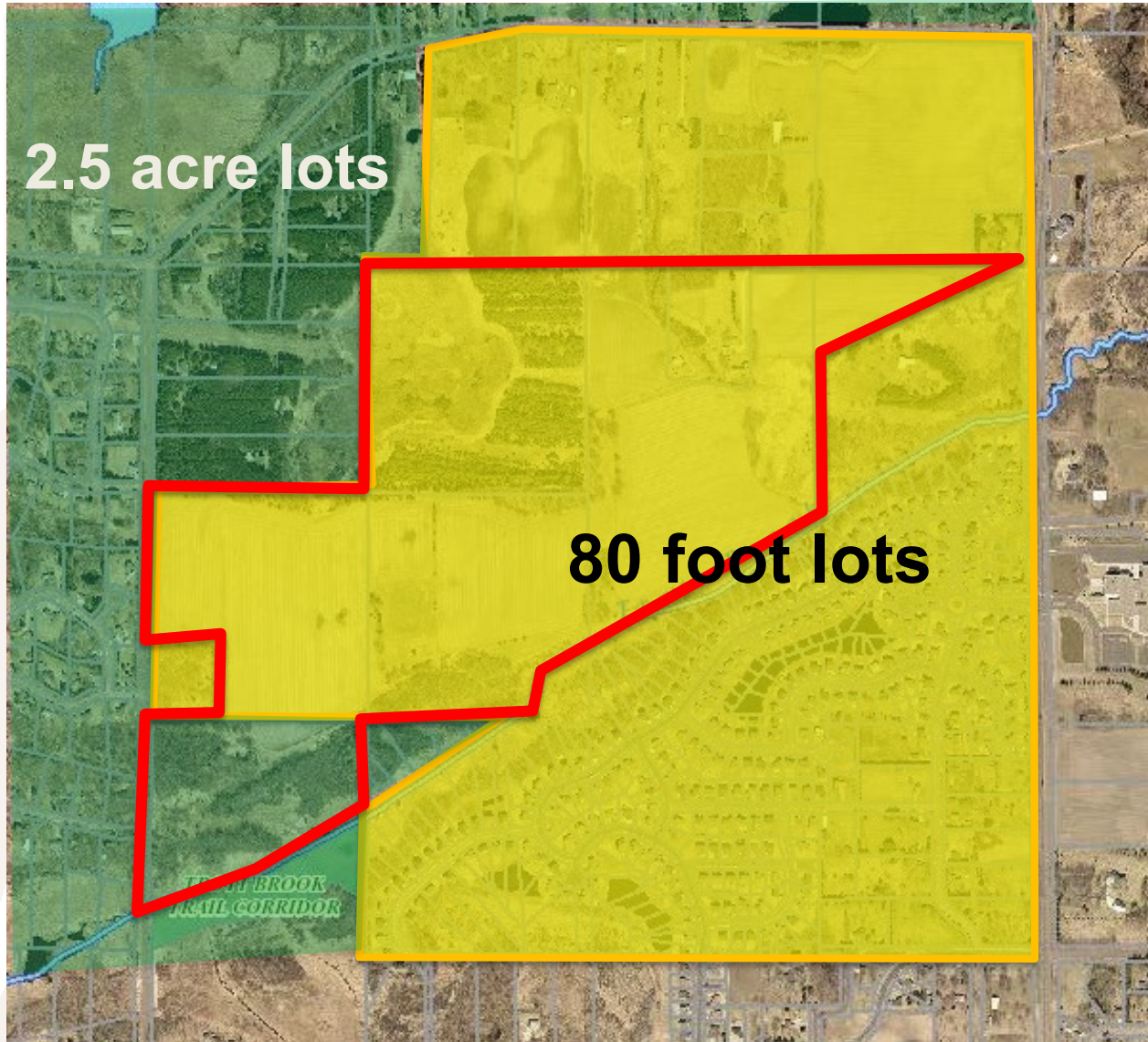


FUTURE CONDITIONS

- Hunt Property
 - Future Development Likely, Zoned for 80 Foot Lots (City Utilities)
- Nowthen Blvd Plan
 - City-Directed Plan
- Tree Preservation Plan
- Public Park
 - Opportunity to Preserve Barn for Public Park Space
- Density Transitioning
 - Adjacent to Existing Residential



FUTURE LAND USE



**Density
transitioning
required**

**No density
transitioning
required but
recommended**



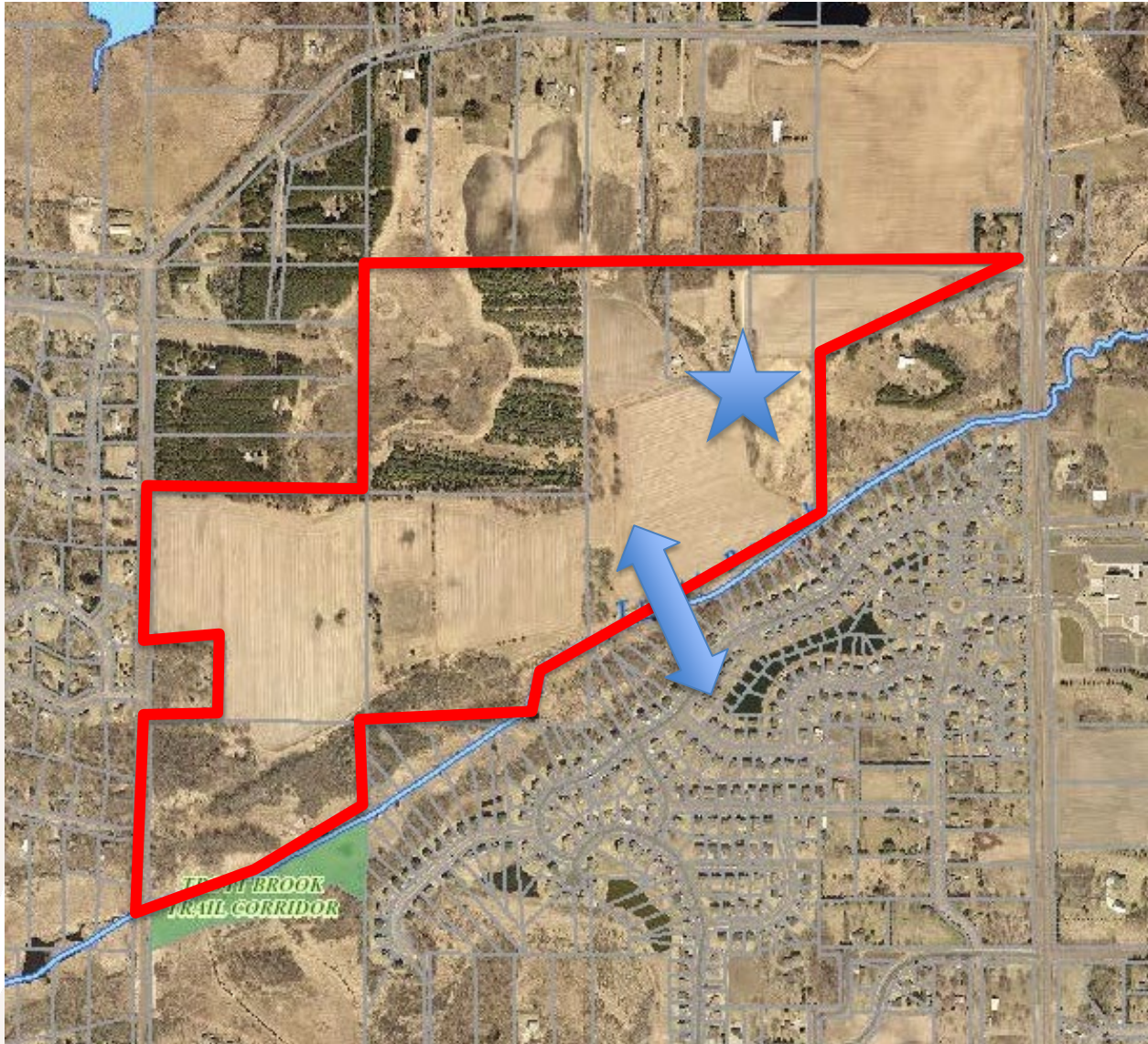
DEVELOPER/OWNER REQUEST TO DISCUSS: POTENTIAL COMPROMISE



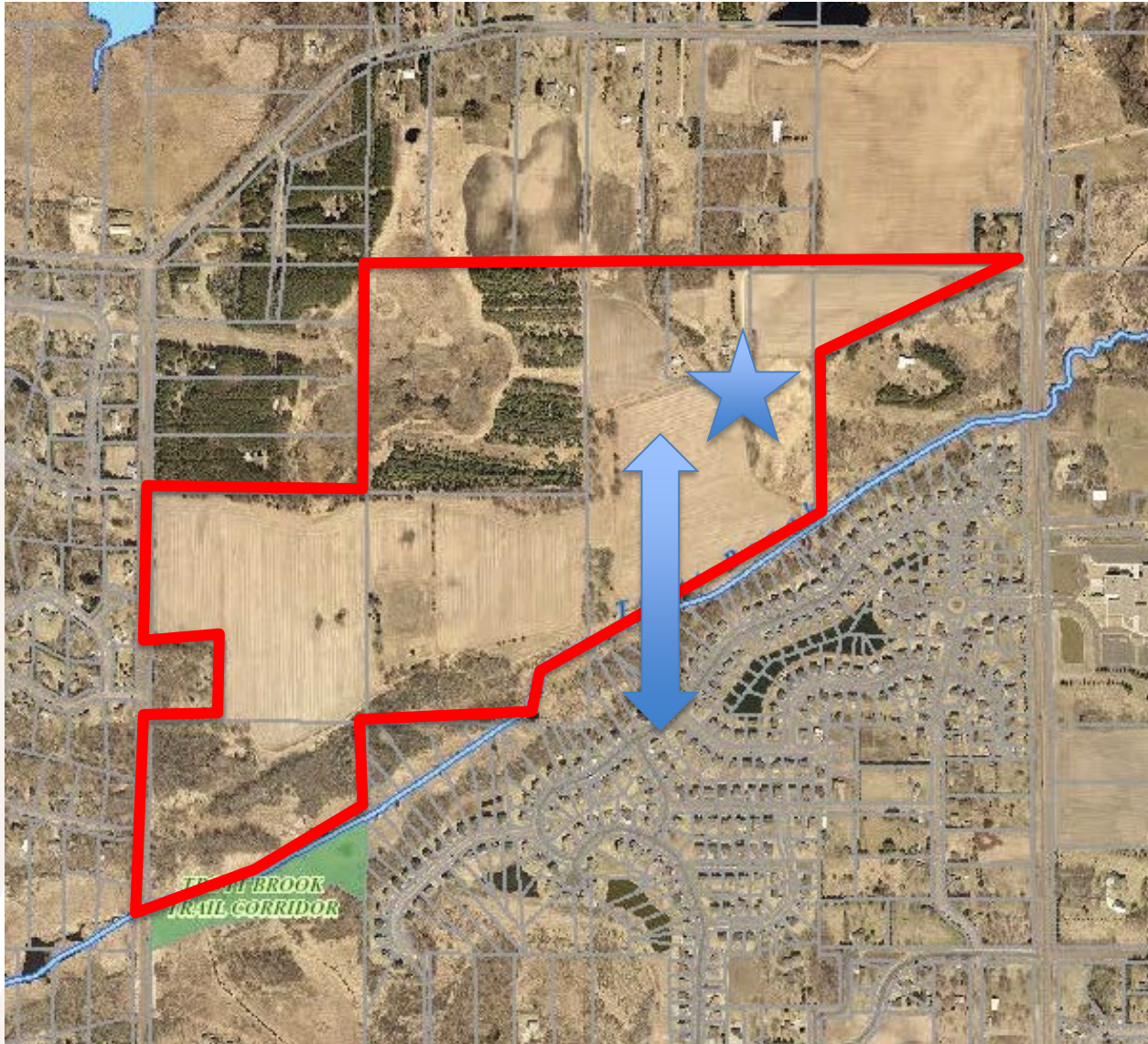
HISTORICAL CONTEXT/PARK PLAN



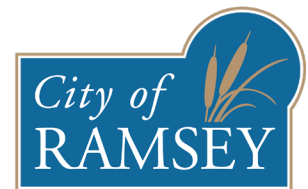
TRAIL CONNECTION



HISTORICAL CONTEXT/PARK PLAN



**Connect
Existing
Brookfield
Neighborhood
with New Park
via Walking
Path**

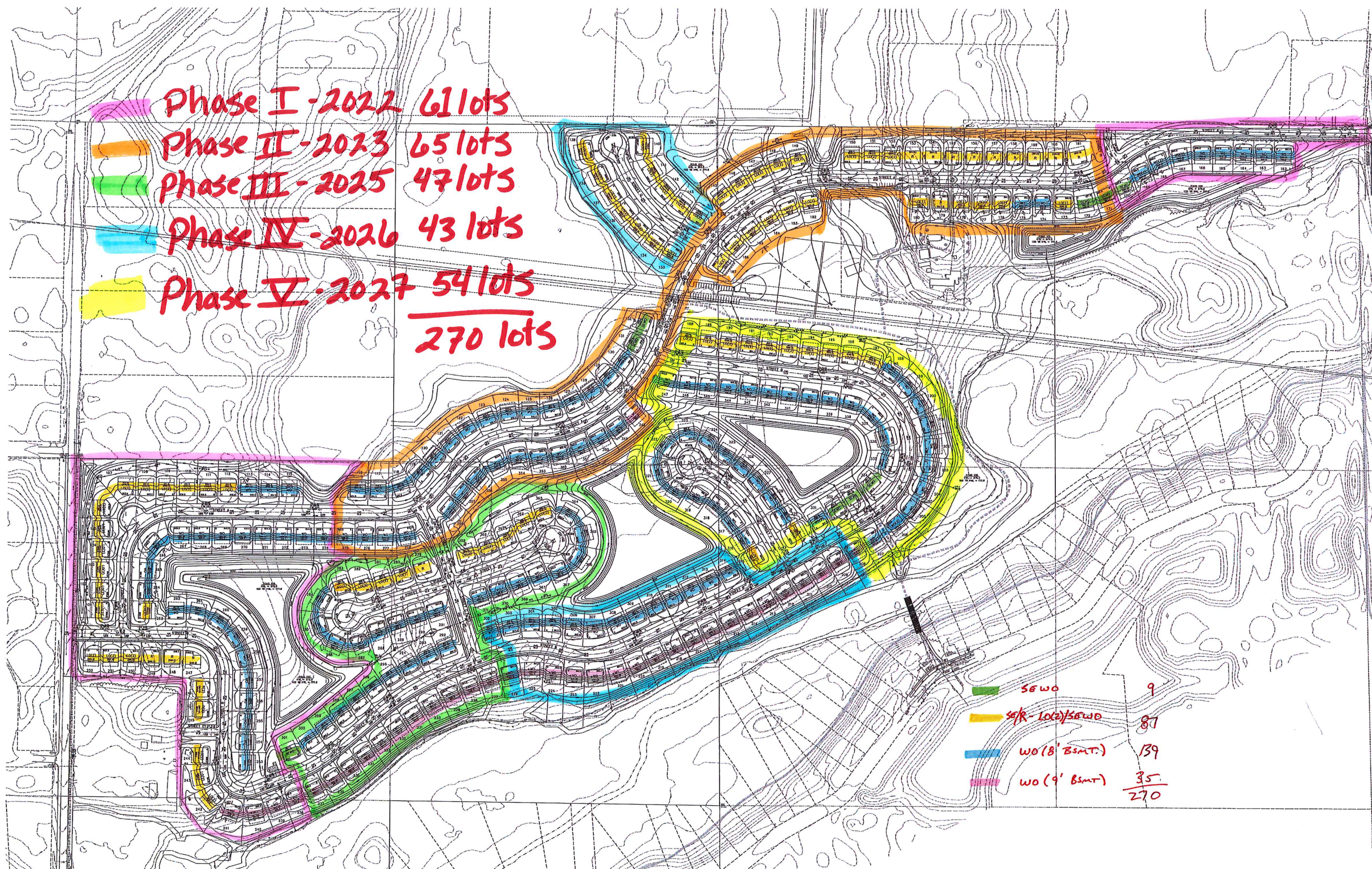


IMPLEMENTATION PLAN

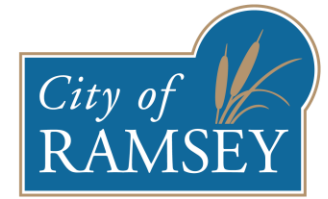
1. [Park Planning] Create high quality public park onsite utilizing existing historical buildings in NE section of site
 - Trails throughout site and connecting to existing Brookfield neighborhood that is lacking park amenities
2. Land Use Planning
 1. Alternative 1: City Council Direction
 1. All 80 foot wide lots
 2. Alternative 2: Applicant request to allow mix of lot sizes in exchange for the following:
 - 80 foot lots around entirety of site
 - Medium-sized lots only internal to site, not adjacent to any existing residential
 - No lots that don't fall into R-1 regulations – no lots smaller than 65 foot wide (current R-1 minimum)



Phase I - 2022 61 lots
 Phase II - 2023 65 lots
 Phase III - 2025 47 lots
 Phase IV - 2026 43 lots
 Phase V - 2027 54 lots
270 lots



SEWO	9
SE/R - Local/SEWO	87
WO (8' BSMT.)	139
WO (9' BSMT.)	<u>35</u>
	270



TROTT BROOK CROSSING PRELIMINARY PLAT

October 28, 2021



SUBDIVISION PROCESS



SUBDIVISION STEPS

1. Sketch Plan

- High level idea
- Identification of red flags and required steps

2. Preliminary Plat

- Engineering documents
- Gives land “entitlement” to project
- Formal public hearing



3. Final Plat

- Construction documents
- Legal subdivision of land

SUBDIVISION TIMELINE

1. Sketch Plan → Planning Commission

- Min: 60 – 90 Days
- Max: 120 Days

2. Preliminary Plat → Planning Commission + Council

- Min: 60 – 90 Days
- Max: 120 Days

3. Final Plat → City Council only

- Max: 60 Days

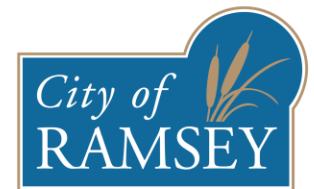


MINNESOTA STATUTES

CHAPTER 15.99 (60 DAY RULE)

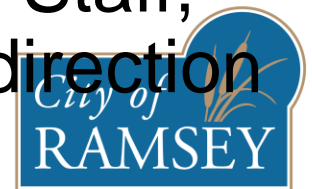
State Statute requires that the City of Ramsey respond to an Application within 60 days of submittal.

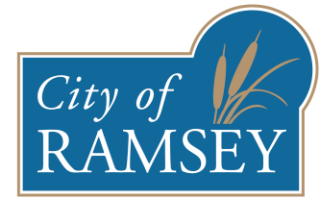
The City of Ramsey is allowed one 60 day extension in order to respond, allowing a total of 120 days. After 120 days, the Applicant must agree to further extensions.



SKETCH PLAN REVIEW

- Planning Commission
 - March 24, 2020, May 7, 2020, September 3, 2020, January 7, 2021, August 26, 2021
- City Council Review
 - April 2, 2020, May 7, 2020, May 26, 2020, February 11, 2020, June 4, 2020, May 11, 2021
- Applicants have revised sketch plan and developed preliminary plat to reflect City Staff, Planning Commission and City Council direction





CURRENT PROPOSAL

TROTT BROOK CROSSING

- Approximately 200 acres
- 270 single family homes
 - All will be detached “traditional” single family home
 - No attached products, such as attached townhomes or apartment buildings)
 - (Previous proposal of 343 homes denied.)
- Is there a demand for this type of product?
 - The City is seeing a demand for this type of product
 - Recently completed housing study shows demand for small lot, single family homes (young families, empty nesters downsizing, etc.)
 - Price point for first-time buyers

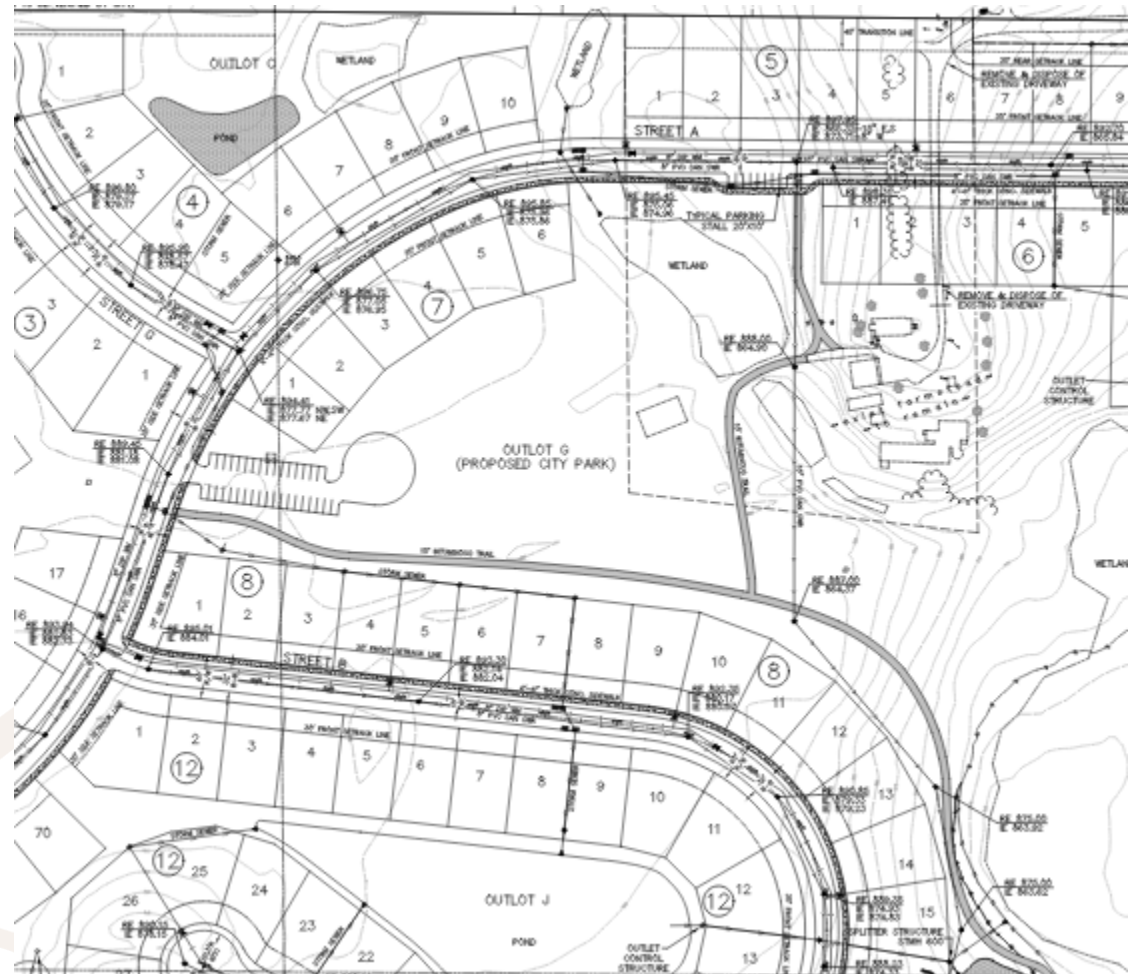


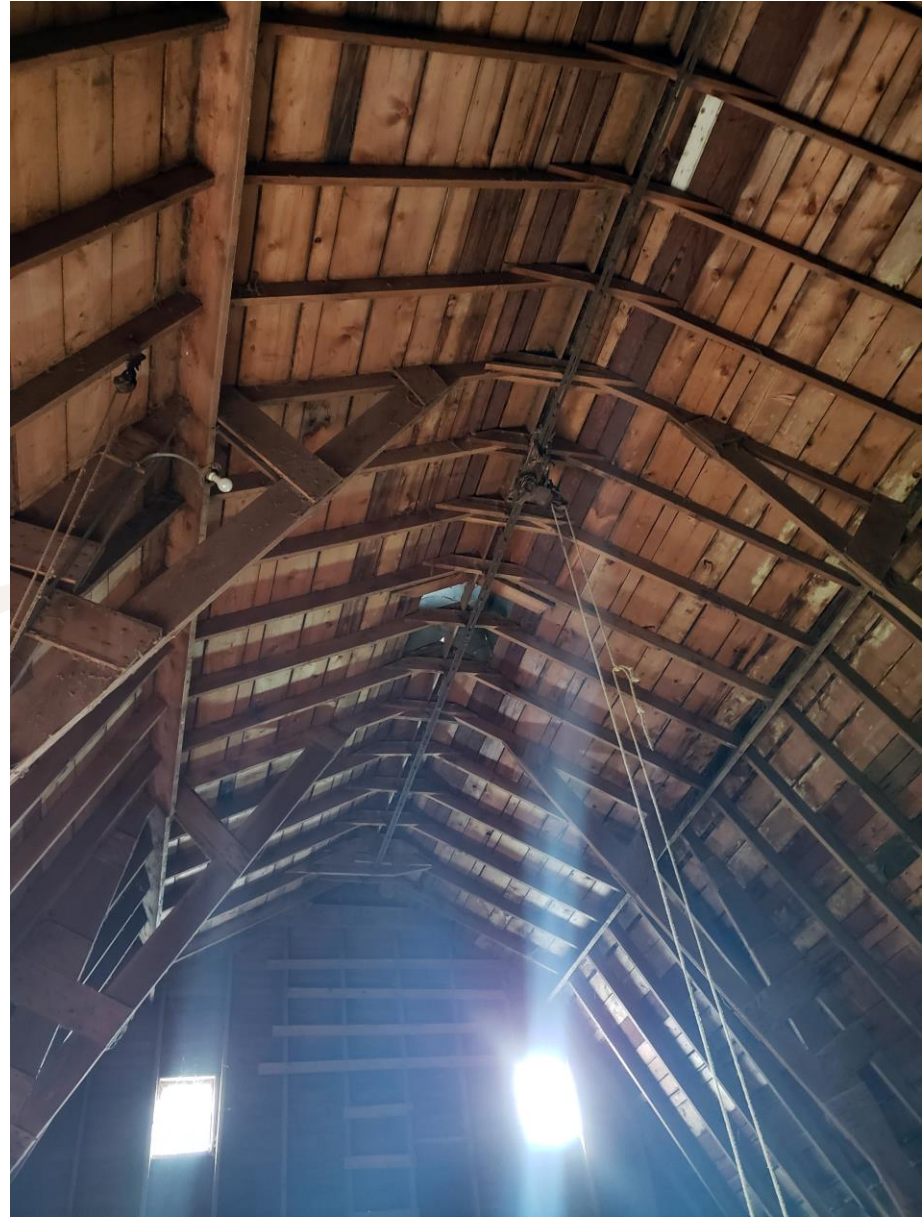
SUMMARY

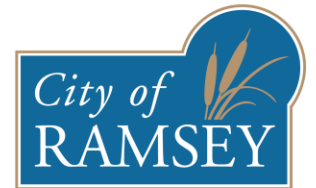
- Site Acreage: 200 Acres
- Proposed lots: 270 Lots
- Gross Density: 1.35 units/acre
- Net Density: ~2.2 units/acre
- Average lot size: 12,644 sq ft.
 - Required lot size: 10,800 sq ft

PARKS

- City will be deeded and maintain historic homestead and barn buildings for future large public park
- Applicant proposing both on and off-street parking
- Trail connections to large park

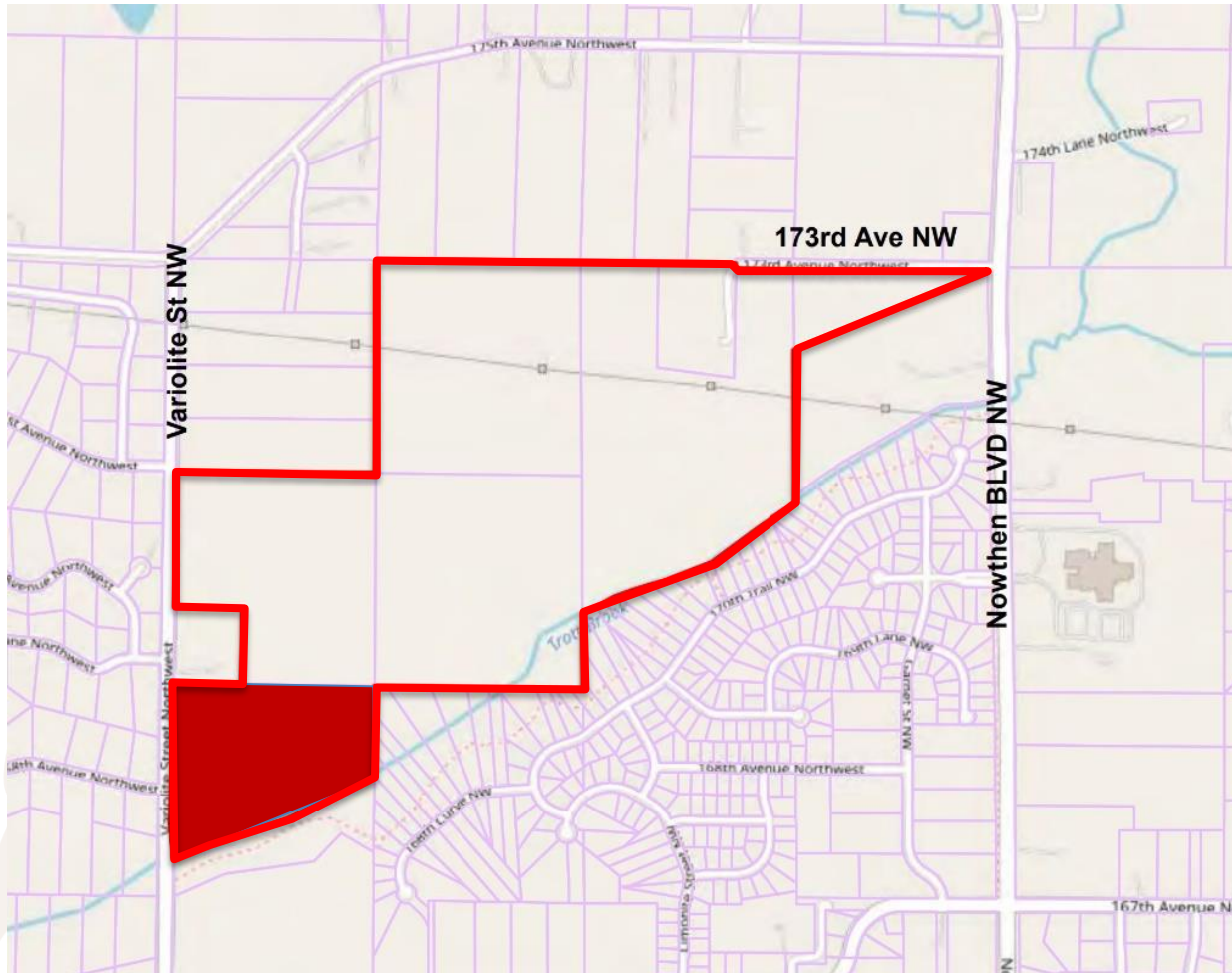




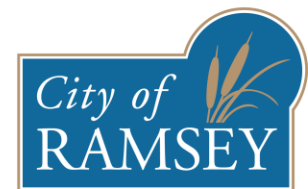
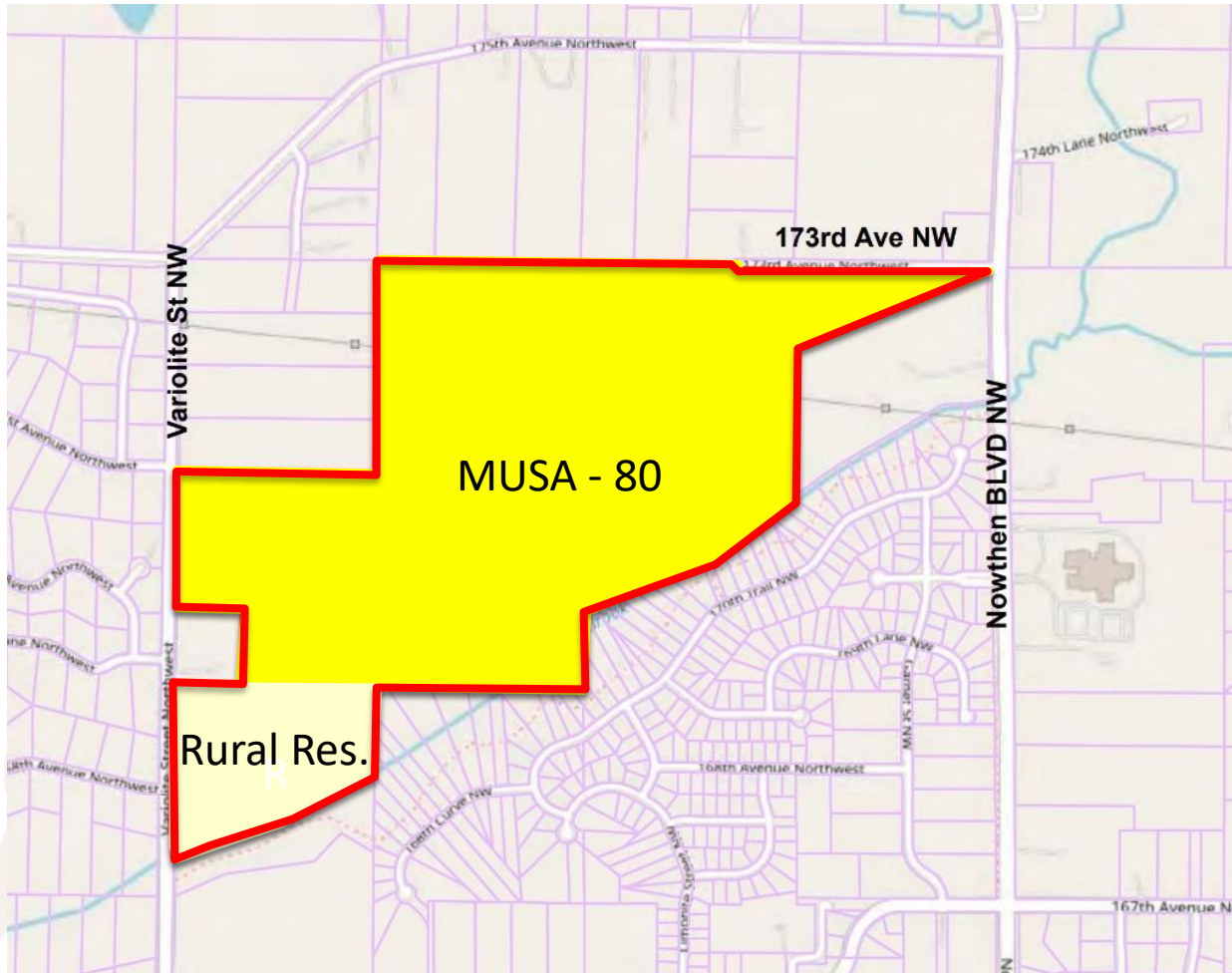




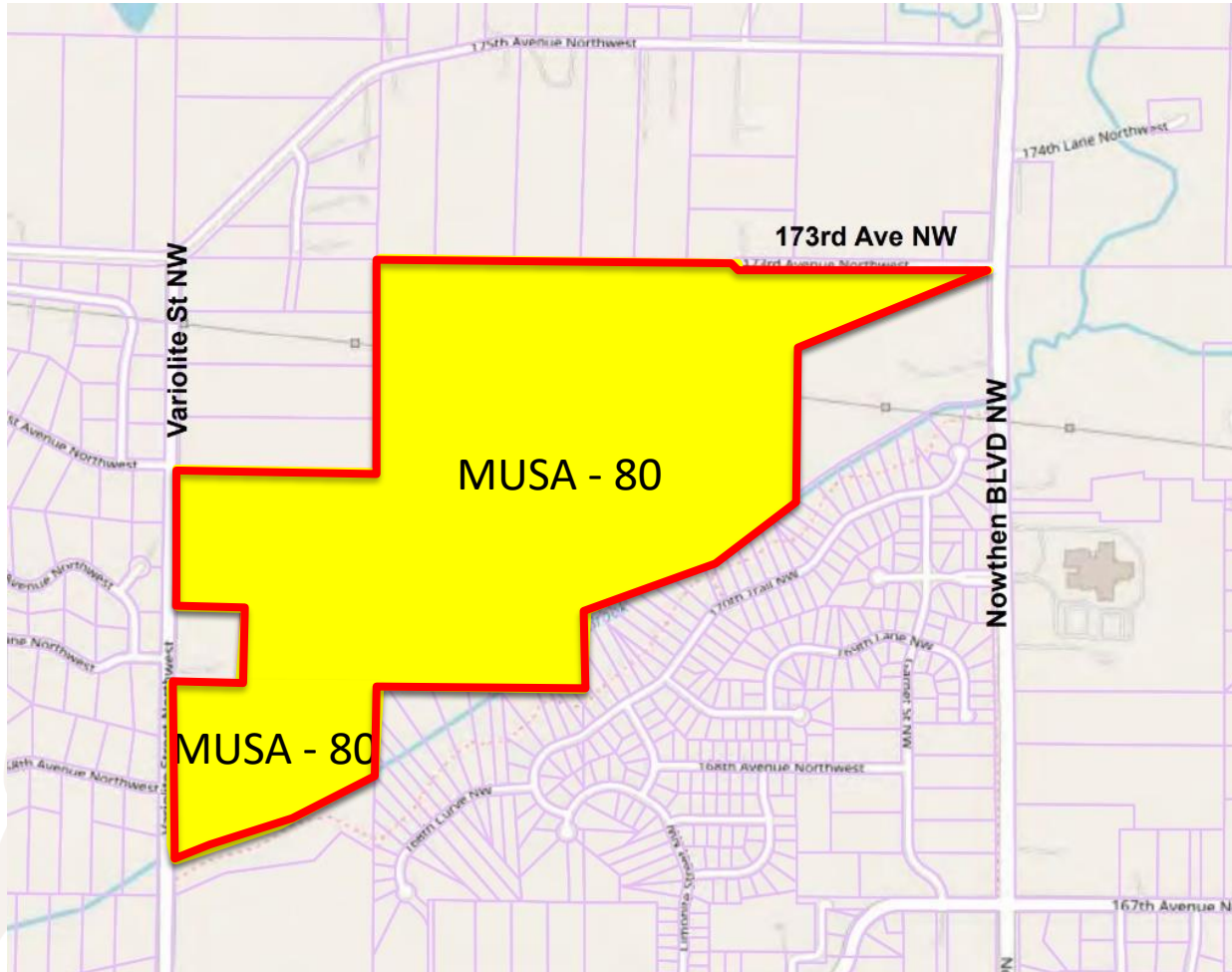
PARCEL D (SW PARCEL)



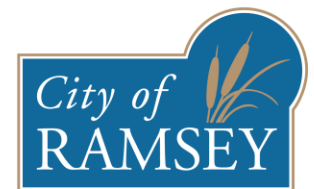
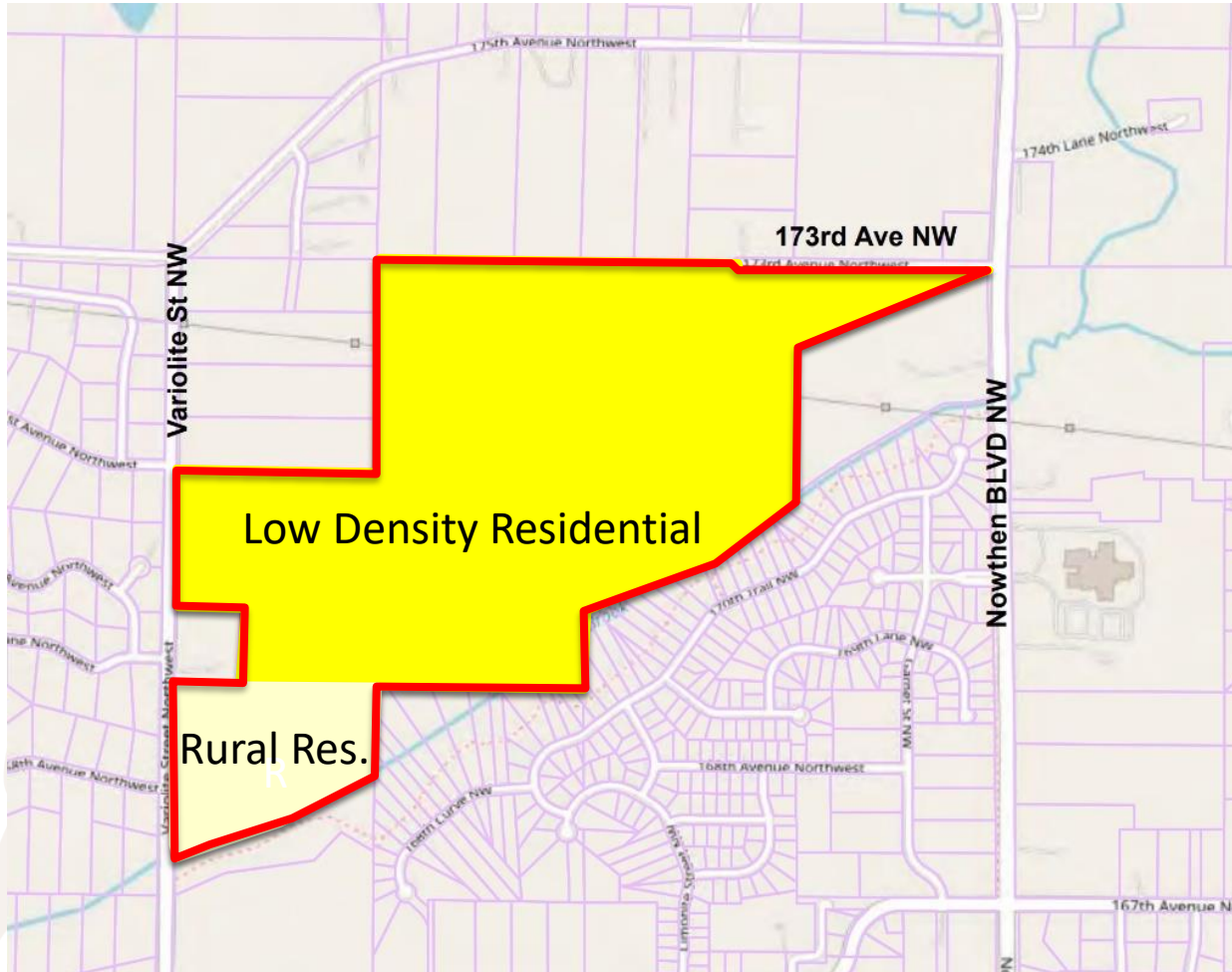
ZONING - EXISTING



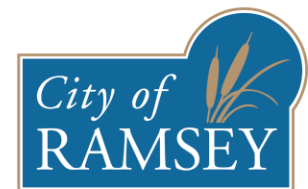
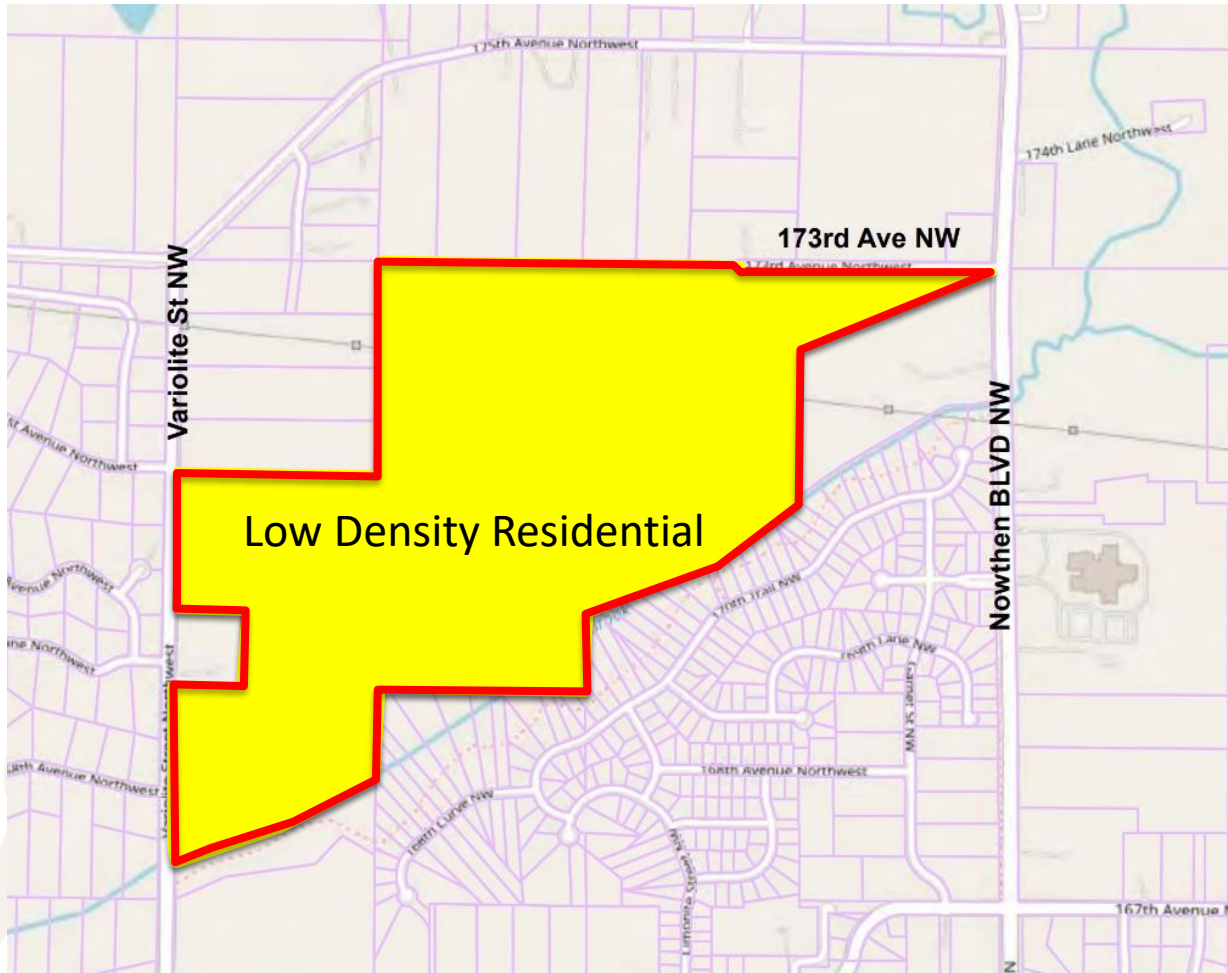
ZONING - EXISTING

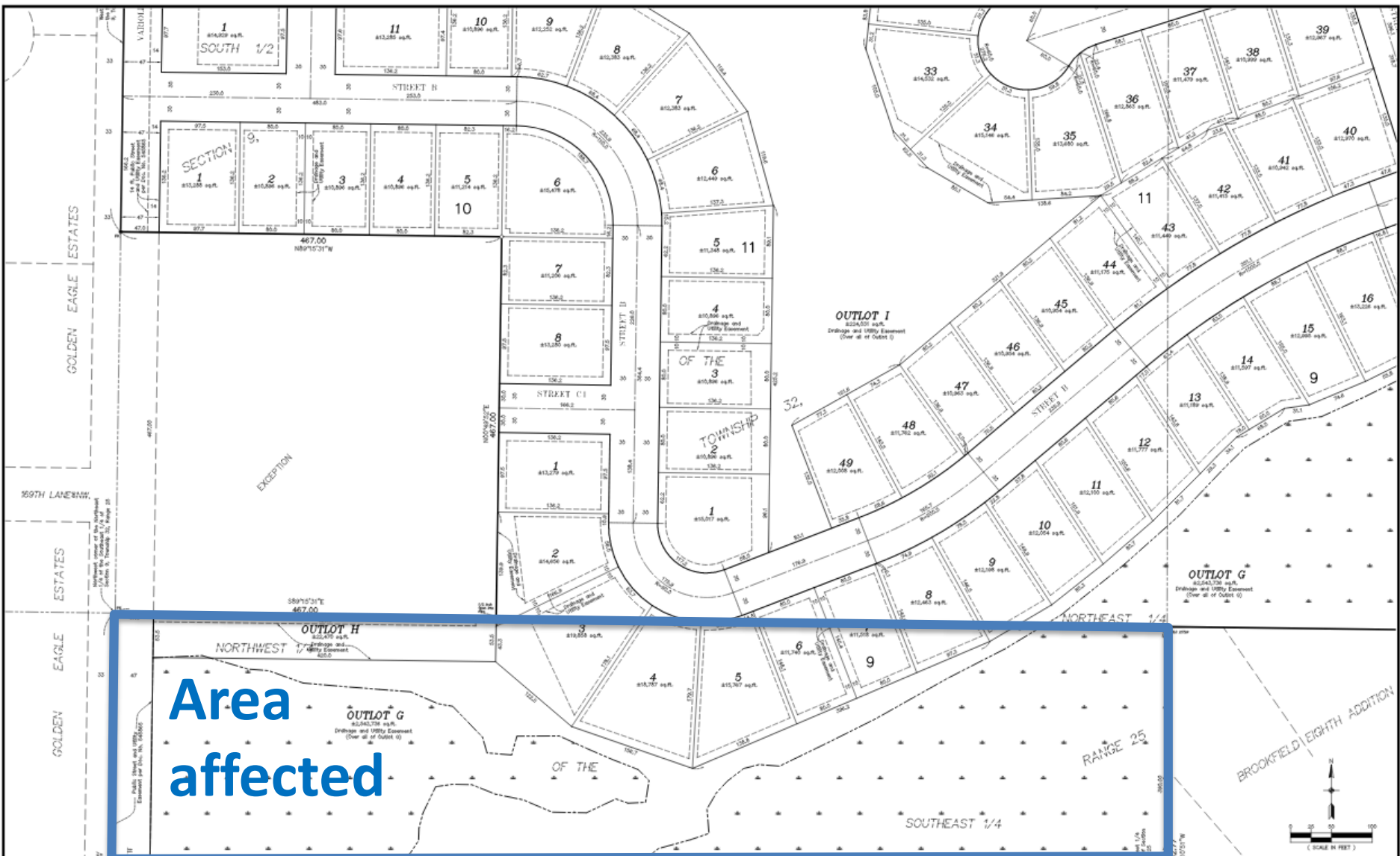


COMPREHENSIVE PLAN AMENDMENT

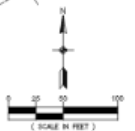


COMPREHENSIVE PLAN AMENDMENT





**Area
affected**



CARLSON McCAIN
 ENGINEERING
 SURVEYING
 ENVIRONMENTAL
 2890 PHEASANT RIDGE DR NE
 SUITE 200
 SHANE, MN 55449
 TEL 763.488.7900
 FAX 763.488.7910
 CARLSONMCCAIN.COM

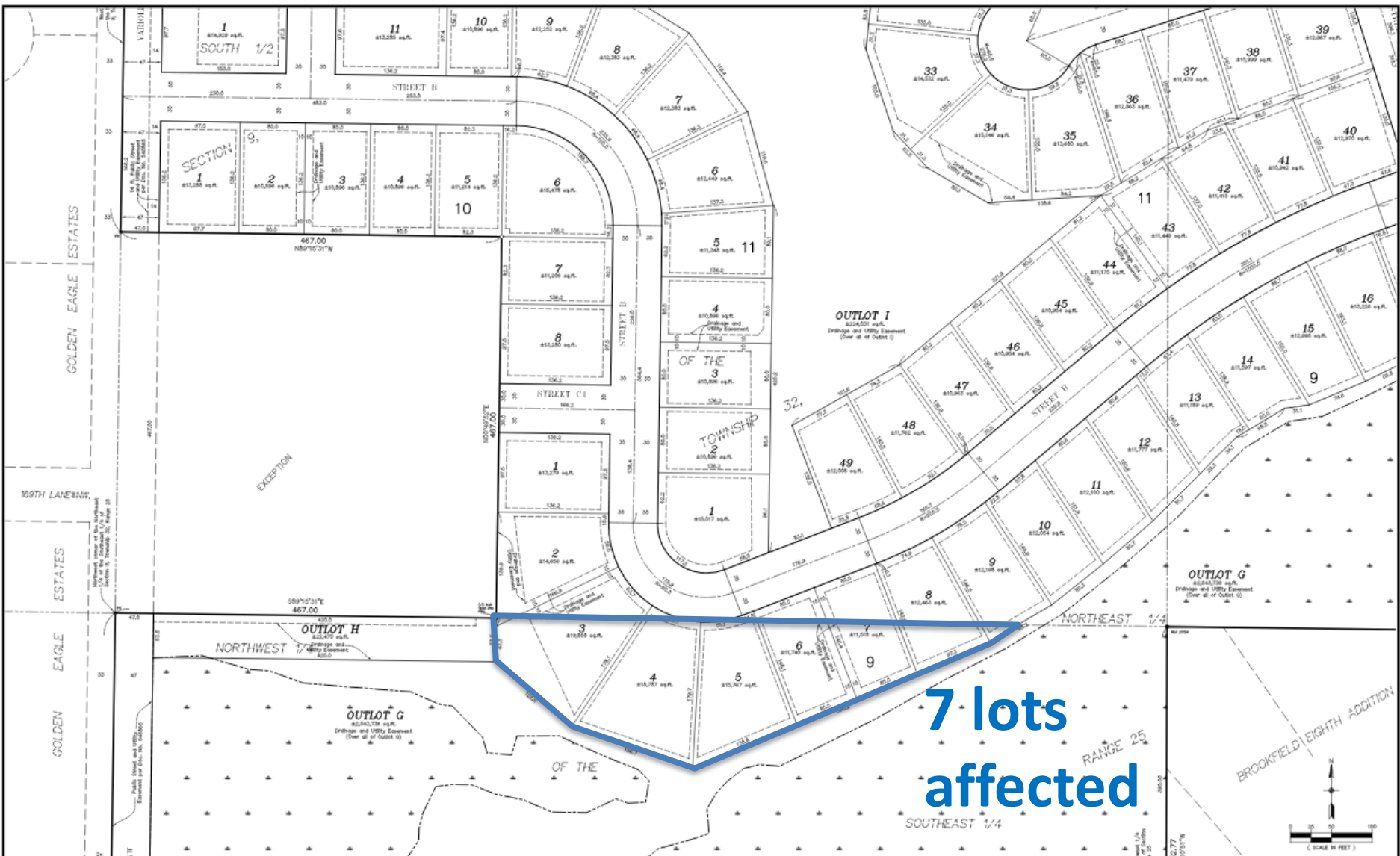
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.
 Date: 10/23/21 License #: 20211

Drawn by: [Signature] Scale: [Blank] Elevation: [Blank]

SOTARRA, LLC
 (TEG LAND HOLDINGS, LLC.)
 1660 Hwy 100 South, Suite 400
 St. Louis Park, Minnesota 55416

TROTT BROOK CROSSING
 Ramsey, MN

PRELIMINARY PLAT



**7 lots
affected**

CARLSON MCCAIN
ENGINEERING
SURVEYING
ENVIRONMENTAL

2260 PHEASANT RIDGE DR NE
SUITE 200
SHANE, MN 55449
TEL 763.488.7900
FAX 763.488.7910
CARLSONMCCAIN.COM

I hereby certify that the survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Paul A. Carlson, L.S. 5261
Signed on: *[Signature]*
Date: 03/23/21 License # 5261

PROJECT NO. 2020
SHEET DATE: 03/23/21
SHEET NO. 08

ESKINOSKI

SOTARRA, LLC
(TEG LAND HOLDINGS, LLC.)
1660 Hwy 100 South, Suite 400
St. Louis Park, Minnesota 55416

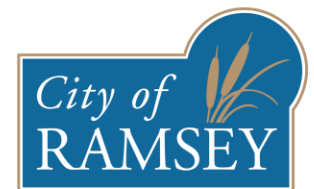
TROTT BROOK CROSSING
Ramsey, MN

PRELIMINARY PLAT

8 of 33

STAFF COMMENTS

- Wetlands and Floodplain
 - Floodplains must be shown on plat
 - Wetland delineation and permit approval required from LRRWMO
 - Wetlands need 16.5 easement, as-builts also required
- Utilities
 - Infrastructure Study (Bolton and Menk)
 - Development in tandem with Trott Brook North development
- Sidewalks and Trails
 - Sidewalks along public streets
 - Trails along 173rd, 175th, and Nowthen Blvd
 - Pedestrian crossing at 173rd

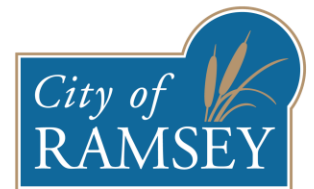


ADDITIONAL STAFF COMMENTS

- Roads
 - 173rd will become a full public road
- Lot Sizes and Alignments
 - 80 foot wide lots
- Timing
 - Phasing plan

RECOMMENDED ACTION

Motion to recommend City Council adopt Resolution #21-309 and Ordinance #21-13 approving the Preliminary Plat and associated items.





Real People. Real Solutions.

City of Ramsey

Trott Brook North Infrastructure Study

September 2021

Analysis and Report

Submitted by:

Bolton & Menk, Inc.
7533 Sunwood Drive NW
Suite 206
Ramsey, MN 55303
P: 763-433-2851

I. INTRODUCTION

The City of Ramsey has identified the need to prepare for the development of an area generally located north of Trott Brook, south of 175th Avenue, between Nowthen Boulevard and Variolite Street (see Figure 1). The proposed development area is not serviced with municipal utilities, therefore a general review of the entire service area north of Trott Brook was performed. In addition, transportation improvements were reviewed for the intersection of 173rd Avenue and County Road 5/Nowthen Boulevard, which will serve as the primary access point for the proposed development area.

Based on the current zoning map (January 2020), the area is zoned R-1 MUSA.

II. PRELIMINARY CONSIDERATIONS

Required public utility improvements are based on information contained in the City's Sanitary Sewer (Figure 2) and Water System (Figure 3) Comprehensive Plans. The trunk sanitary sewer and water system improvements are considered as base requirements for development of this area.

The roadway improvements reviewed are consistent with concept plans received for the developments. The anticipated roadway improvements along Nowthen Boulevard are also consistent with Anoka County standards. The roadway geometrics may require additional analysis if the proposed land uses change.

III. DESIGN CONSIDERATIONS

The design of the trunk sanitary sewer system is based on flow projections and rates detailed in the Comprehensive Sanitary Sewer Plan and the current City Zoning Map (dated January 2020). See Figure 4 for the City Zoning Map used for this analysis. Capacity limitations were analyzed at key points in the system.

IV. DEVELOPMENT CONCEPTS

Two potential developments are being considered for the area north of Trott Brook, west of Nowthen Boulevard. The specific properties being evaluated for this study include:

Hunt Addition: A 35.5-acre parcel between 173rd Avenue and 175th Avenue, west of Nowthen Boulevard. The Hunt Addition currently proposes to include 77 single family lots with the development traffic using both 173rd Avenue and 175th Ave NW to access Nowthen Boulevard.

Makowsky Addition: An approximate 200-acre parcel directly north of Trott Brook between Nowthen Boulevard and Variolite Street. The Makowsky Addition currently proposes to include 270 single family lots with development traffic accessing Nowthen Boulevard at 173rd Avenue, with an additional site access along Variolite Street approximately 1800 feet north of Trott Brook.

Three development scenarios were reviewed:

- The Hunt Addition develops as a stand-alone project (Figure 5A),
- The Hunt Addition and a portion of the Makowsky Addition develop simultaneously (Figure

5B), and

- The Hunt Addition and all of the Makowsky Addition develop simultaneously (Figure 5C).

In relation to proposed infrastructure improvements, it appears that the trunk facility extensions will be similar whether part or all of the Makowsky property develops.

V. TRUNK & LATERAL SANITARY SEWER SYSTEM

The primary area of analysis is depicted in the City's Comprehensive Sanitary Sewer Plan as District R22 (see Figure 2). Based on the City's Sanitary Sewer Comprehensive Plan, the area will be served by the 21-inch main line located south of Trott Brook in the Variolite Street right of way. The Comprehensive Plan depicts the flows being directed to an existing lift station located in the Brookfield Estates Addition, along 168th Circle, just west of Olivine Street.

Lift Station Considerations

The City has indicated that alternative means of conveyance to the Variolite system should be analyzed, as the existing lift station appears to be at or near capacity. A review of the Comprehensive Plan indicates the lift station was initially sized for a portion of the sewer district, with upgrades required in the future if larger areas were to be serviced.

Pumping data received from the City for June of 2021 indicates the existing duplex pumping station experiences an average of 44 starts per day, with the average run time being 2.59 minutes per start. Based on the pumping data, the lift station has adequate capacity to accommodate flows from undeveloped properties located east of Nowthen Boulevard, along with flows from the new developments.

Rather than upgrade the lift station to serve the entire area north of Trott Brook, the City indicated their preference is to construct a new lift station on the north side of Trott Brook. The new lift station would serve the area located north of Trott Brook as shown in green on Figure 2. There are several reasons to consider construction of a new lift station rather than continuing to add flows to the existing facility:

- The depth of the existing lift station makes it difficult to maintain with the City's equipment. The City has expressed concern with adding more flow to the station, which may result in more frequent maintenance of the facility.
- Installation of a new lift station limits the number of impacted properties if the existing facility failed due to flooding, lightning strikes, etc.

For these reasons, we have assumed new developments would be directed away from the existing lift station to the extent practical.

Hunt Addition Only

Sanitary sewer service for the Hunt Addition was analyzed based on the proposed concept plan for the site. When fully developed, the flows from the site will be approximately 18,000 GPD average daily flow and approximately 67,000 GPD peak flow. The flow will ultimately be connected to a gravity system that is proposed to traverse the Makowsky property. An interim system will be required until such time as the Makowsky property develops.

The interim service is anticipated to be routed to the same manhole that serves the new

elementary school, located east of Nowthen Boulevard. A gravity line along Nowthen Boulevard was analyzed and found to be not feasible due to a large culvert located at Trott Brook. Although alternative means, such as an inverted siphon could be used to cross the creek via gravity, the capital costs and resulting potential maintenance costs, made this option not feasible.

The interim service is recommended to include a lift station with a forcemain discharging to the manhole south of Trott Brook located along Nowthen Boulevard.

We reviewed the gravity sewer along 170th Trail, Olivine Street and 168th Circle. Based upon both existing and future flows from the area, adequate capacity in the gravity main exists to allow for the Hunt Addition connection to occur. As reviewed previously, the existing lift station has capacity to accommodate the additional flows on a temporary basis.

See Figure 6A for anticipated improvements.

Hunt Addition and Makowsky Addition

With the Hunt Addition and the Makowsky Addition developing simultaneously, a new lift station and forcemain would be required. This would be required if either a portion or all of the Makowsky property develops. The lift station is assumed to be located near the southwest portion of the Makowski property, with the forcemain then installed along Variolite Street.

The gravity sewer through the Makowsky Addition should be placed at an adequate depth to allow for the Hunt Addition to be served by the system. The main line should also be sized to account for areas north of Trott Brook, east of Nowthen Boulevard. The lift station should also be sized to accommodate the ultimate service area, which includes all areas north of Trott Brook.

See Figures 6B and 6C for anticipated improvements.

VI. WATERMAIN

Based on the City's Comprehensive Plan, a trunk 12-inch watermain loop is proposed to extend along Nowthen Boulevard to 175th Avenue, along 175th Avenue to Variolite Street, and along Variolite Street. The watermains are a portion of the North Central Loop.

Hunt Addition

For the Hunt Addition, we assumed the trunk watermain would extend along Nowthen Boulevard to 175th Street and along 175th Street to the westerly edge of the Hunt Addition. The lateral watermains within the development will provide the interim looping of the system.

See Figure 6A for anticipated improvements.

Hunt Addition and Makowsky Addition

If both properties develop, we assumed the watermain would be installed along Nowthen Boulevard from south of Trott Brook to 175th Avenue, along 175th Avenue to the westerly edge of the Hunt Addition. The trunk line along Variolite Street was installed as a portion of the recently completed roadway reconstruction project. The lateral watermains within the developments will provide the interim looping of the system.

There will be a segment of watermain along 175th Avenue to be installed to complete the North Central Loop. This could be completed in conjunction with these improvements or completed

separately at a future date.

The watermain improvements are shown on Figures 6B and 6C.

VII. ROADWAY IMPROVEMENTS

The majority of the internal site roadways will be constructed as the developments are constructed. The primary access point will be 173rd Avenue at Nowthen Boulevard.

Supplemental access points will be along 175th Avenue for the Hunt Addition and along Variolite Street for the Makowsky Addition. These supplemental accesses are anticipated to have low traffic volumes and will access onto roadways with less than 1,000 ADT per 2019 traffic count data. Additionally, sight distances are adequate for turning movements into and out of the developments. The supplemental access points appear adequate from both roadway capacity and safety perspectives.

Hunt Addition

A traffic analysis was completed which includes requirements for the ultimate improvements needed assuming both properties develop. Considering recommendations from the analysis, if the Hunt property develops independently, the following improvements will be required:

- Construction of a left turn lane along Nowthen Boulevard,
- Construction of 173rd Avenue to the internal access road for the development,
- Construction of a right turn lane and left turn lane for eastbound traffic at Nowthen Boulevard, and
- Construction of a temporary cul-de-sac at the west end of 173rd Avenue.

Hunt Addition and Makowsky Addition

If the developments occur simultaneously, the improvements are anticipated to include:

- Construction of a left turn lane along Nowthen Boulevard, and
- Construction of a right turn lane and left turn lane for eastbound traffic at Nowthen Boulevard.

EAW Process

The developer for the Makowsky property is completing a traffic study as a portion of the EAW process. The traffic study they are completing may identify and recommend additional roadway improvements within the general project area.

The roadway improvements are depicted on Figure 7. The traffic analysis is also attached for reference.

VIII. ASSUMPTIONS

a. Right-of-Way Requirements

We have assumed that most of the required improvements will be development driven and right of way will be secured through the platting process. During the development review process, the City should review the right of way required and secure needed easements. Various other utility easements may also be required, depending upon how the combined sites develop.

b. Jurisdictional Authority/Approvals/Permits

As the project moves from the planning stages to design and construction, permits will be required from various agencies. The following agencies will be permitting entities for considered improvements:

- Minnesota Department of Transportation State Aid: Variolite Street is a State Aid route,
- Anoka County: Nowthen Boulevard is a county roadway,
- Minnesota Pollution Control Agency: NPDES Storm Water Permit,
- Minnesota Pollution Control Agency: Sanitary Sewer Extension Permit,
- Minnesota Department of Health (MDH): Watermain Extension,
- Minnesota Department of Natural Resources (MNDNR): Dewatering, and
- Lower Rum River Watershed Management Organization: Storm Water related.

IX. ADDITIONAL IMPROVEMENT CONSIDERATIONS

Street Lighting

No costs are included in this report for street lighting.

Trails/Sidewalks

No trails or sidewalks are included in this analysis.

Landscaping

The improvements considered with this report include a very utilitarian landscaping approach to the area. Features, such as trees, shrubs, decorative features, and monuments are not included in the estimated project costs.

Right of Way and Easements

We assumed that required rights of way would be dedicated as a portion of the development process, and no costs are included in the project costs for acquisitions.

X. COST CONSIDERATIONS

The estimated project costs are summarized below. Costs were developed based upon similar types of projects completed previously, with adjustments for inflation.

Improvement	Hunt Addition	Hunt Addition plus ½ Makowsky Addition	Hunt Addition plus Makowsky Addition
Road & Storm (173 rd Street Perm)	\$251,000	\$251,000	\$251,000
Road & Storm (173 rd Street Temp)	\$156,000	\$0	\$0
Roadway & Storm (County Road)	\$312,000	\$312,000	\$312,000
Sanitary Sewer	\$219,000	\$1,250,000	\$1,455,000
Lift Station	\$585,000	\$975,000	\$975,000
Force main	\$386,000	\$387,000	\$387,000
Water System	\$811,000	\$811,000	\$811,000
TOTAL	\$2,720,000	\$3,986,000	\$4,191,000

The costs shown above are considered project costs and include 30% contingencies and project development costs. Project development costs include administrative, engineering, and fiscal related costs.

Future watermain improvements will be required to complete a loop along 175th Avenue. The costs associated with completing the loop are estimated at \$745,000.

XI. CONCLUSION

The information presented in this report is intended to allow for discussions with property owners and developers, as well as allow the City to begin considering funding options.

XII. ATTACHMENTS

Several attachments are included in the appendix of this report. The attachments are meant to serve as discussion documents related to assumptions made in preparation of the report.

Appendix A: Figures

Figure 1: Study Area

Figure 2: Sanitary Sewer Comprehensive Plan Update

Figure 3: Water System Comprehensive Plan Update

Figure 4: City Zoning Map

Figures 5A, 5B, and 5C: Development Scenarios

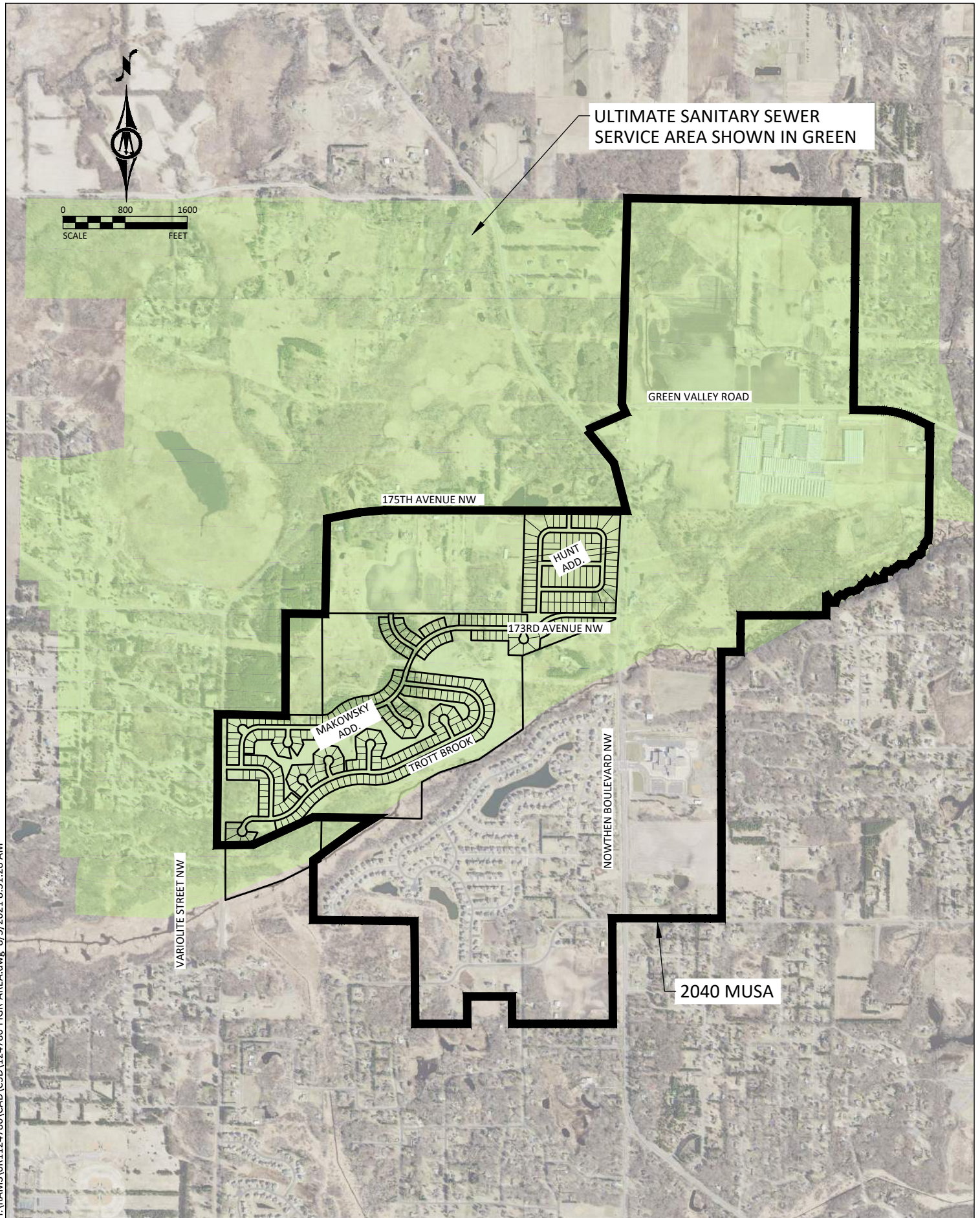
Figures 6A, 6B, and 6C: Sanitary Sewer and Water Improvements

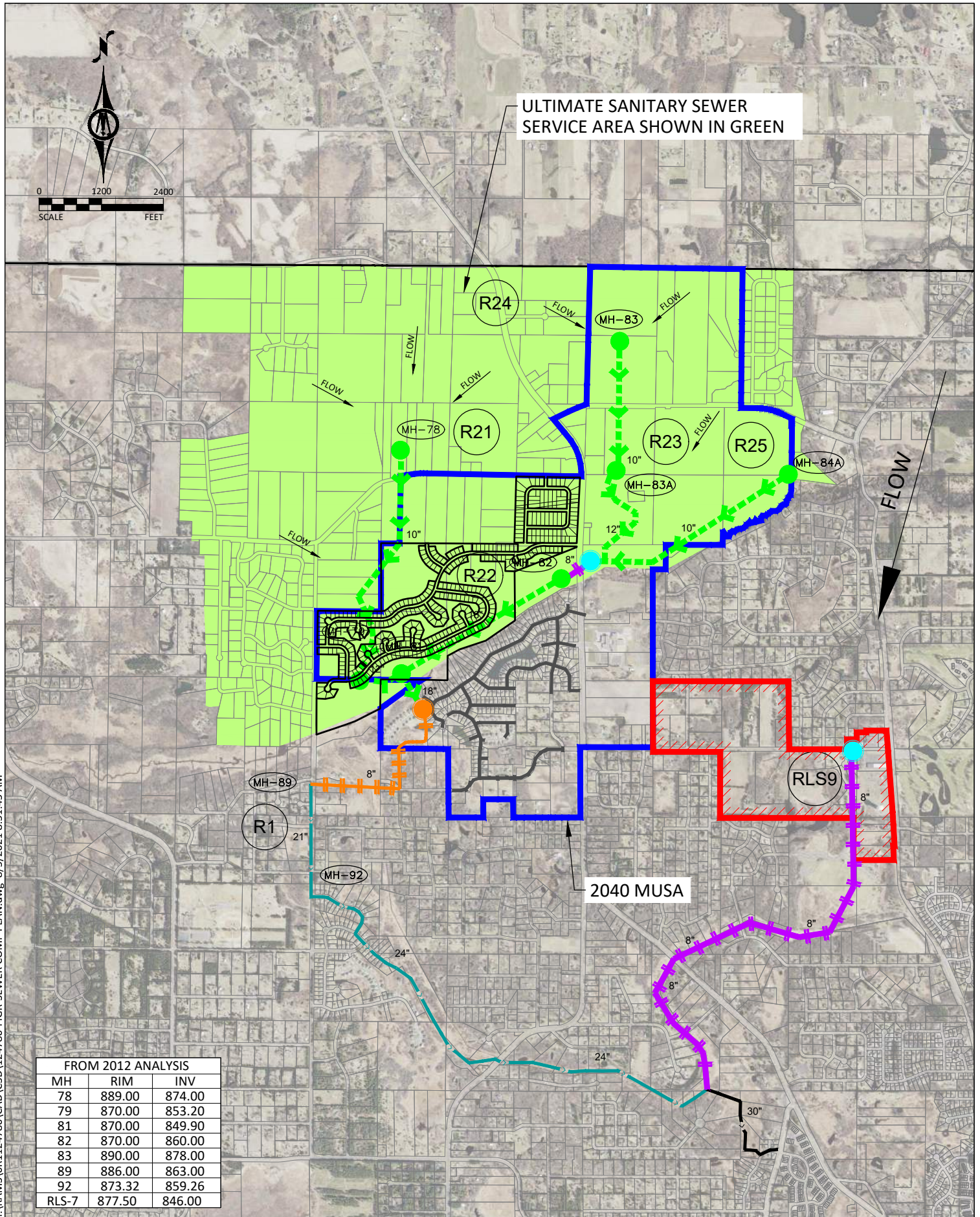
Figure 7: Roadway Improvements

Appendix B: Traffic Report

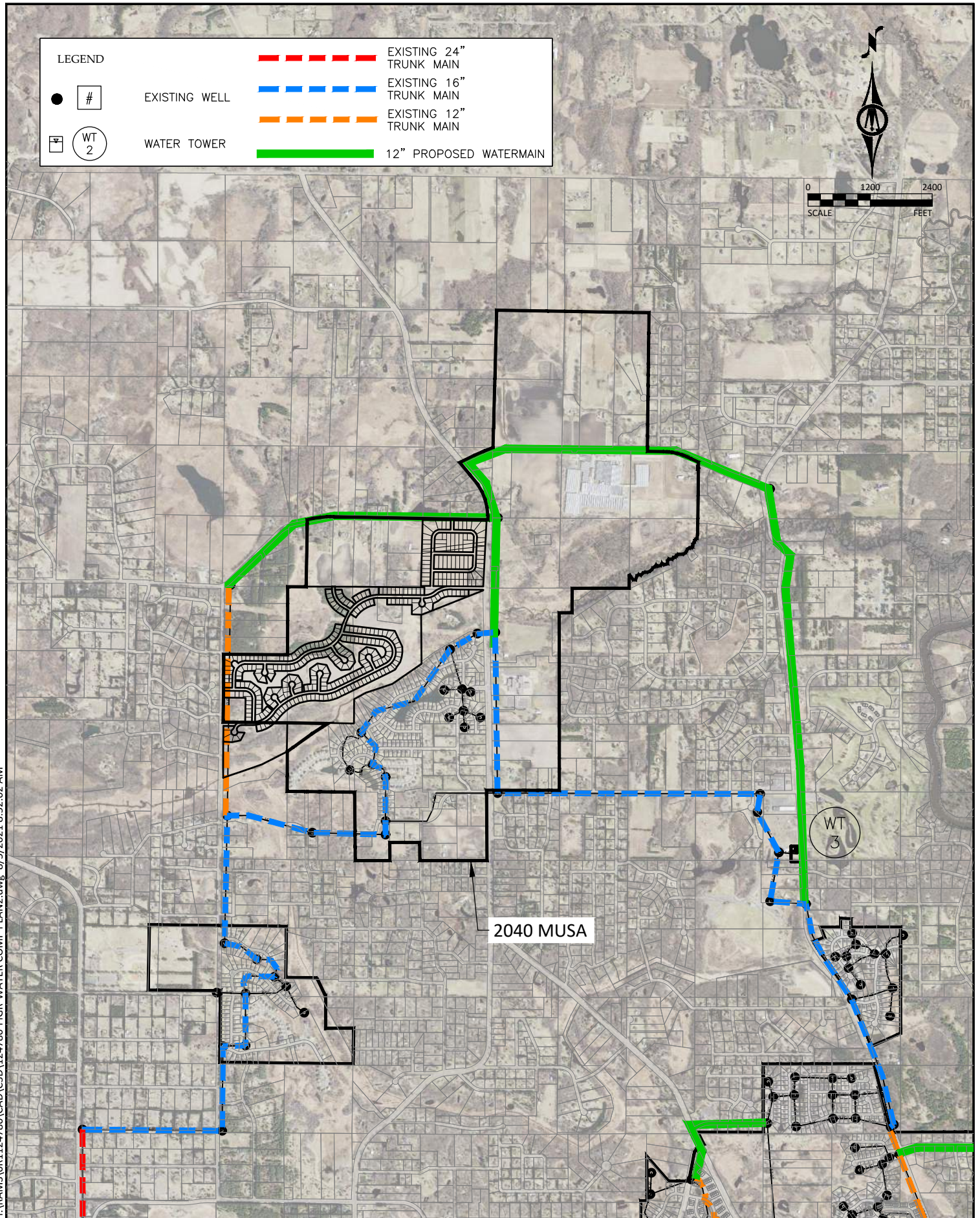
Trott Brook Traffic Analysis, Dated June 21, 2021

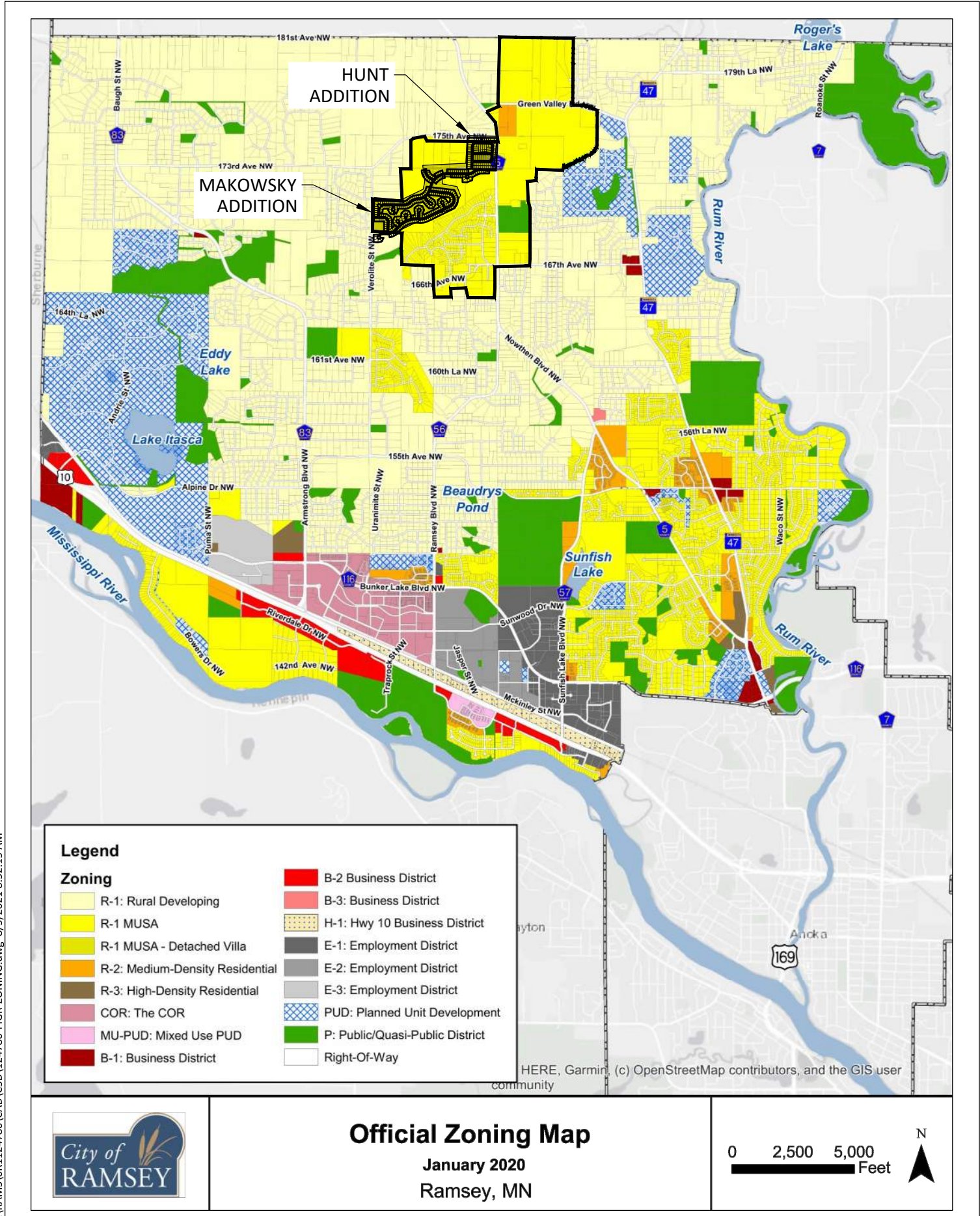
Appendix A: Figures



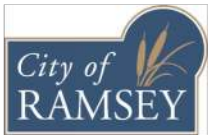


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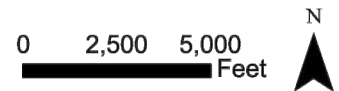


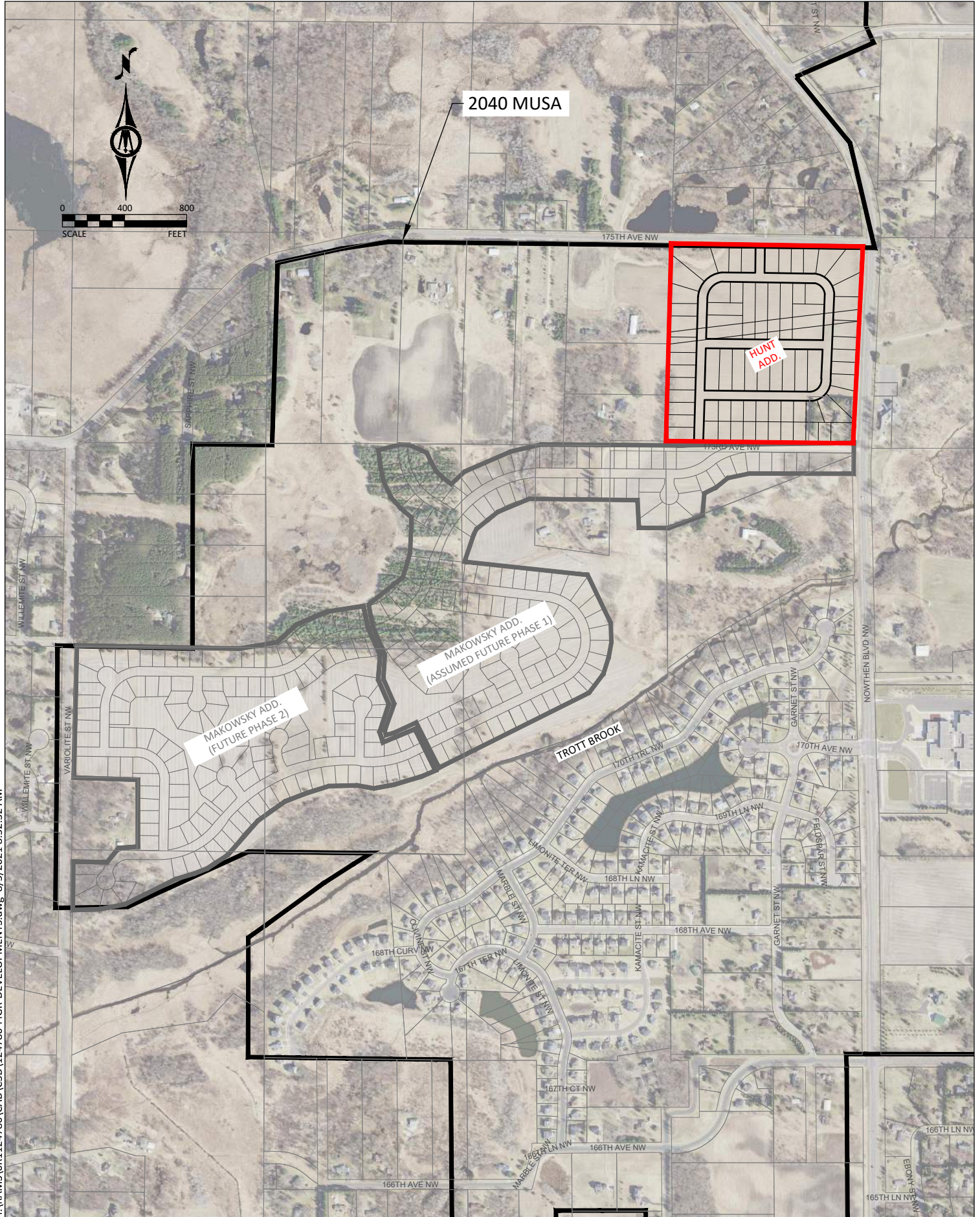


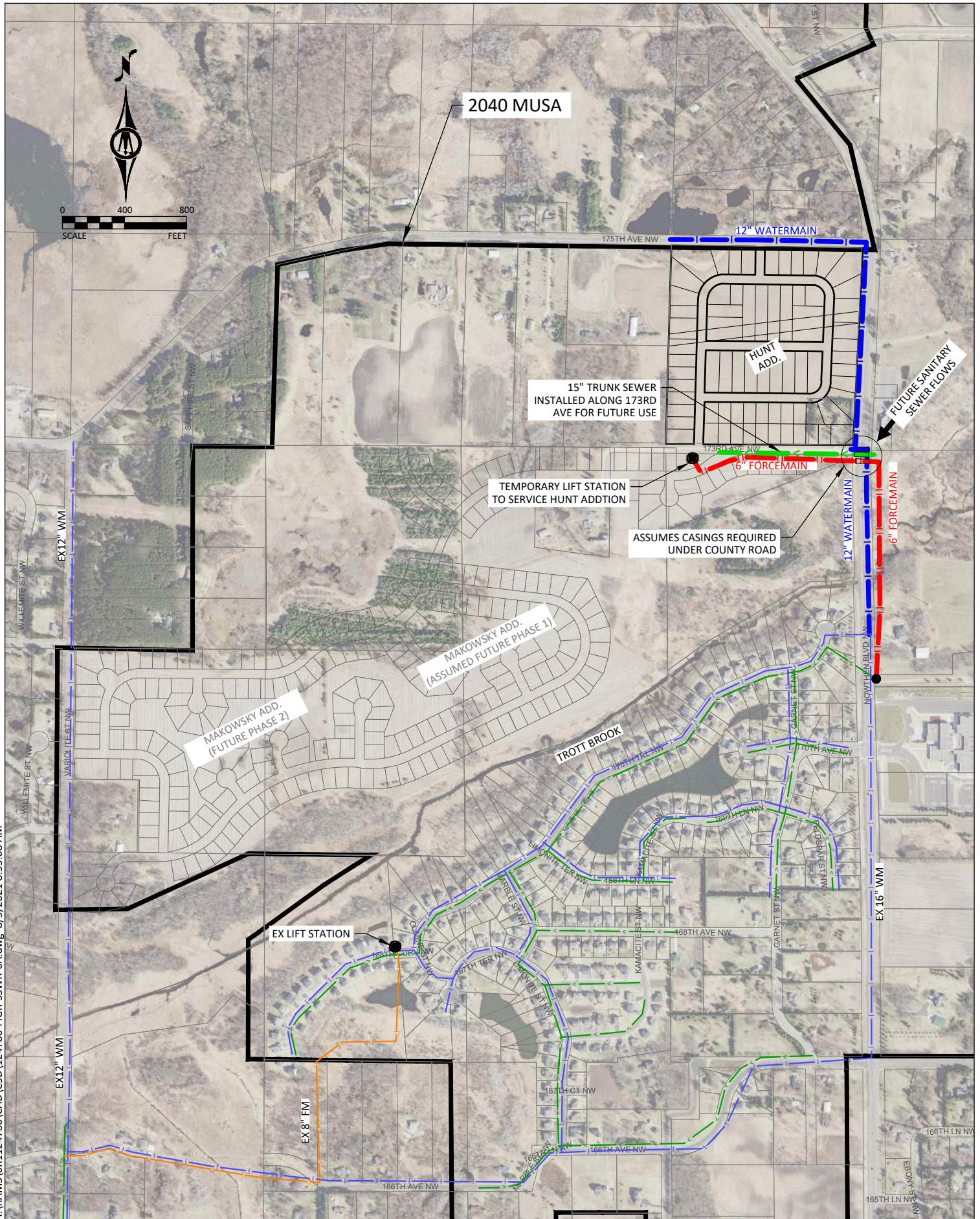
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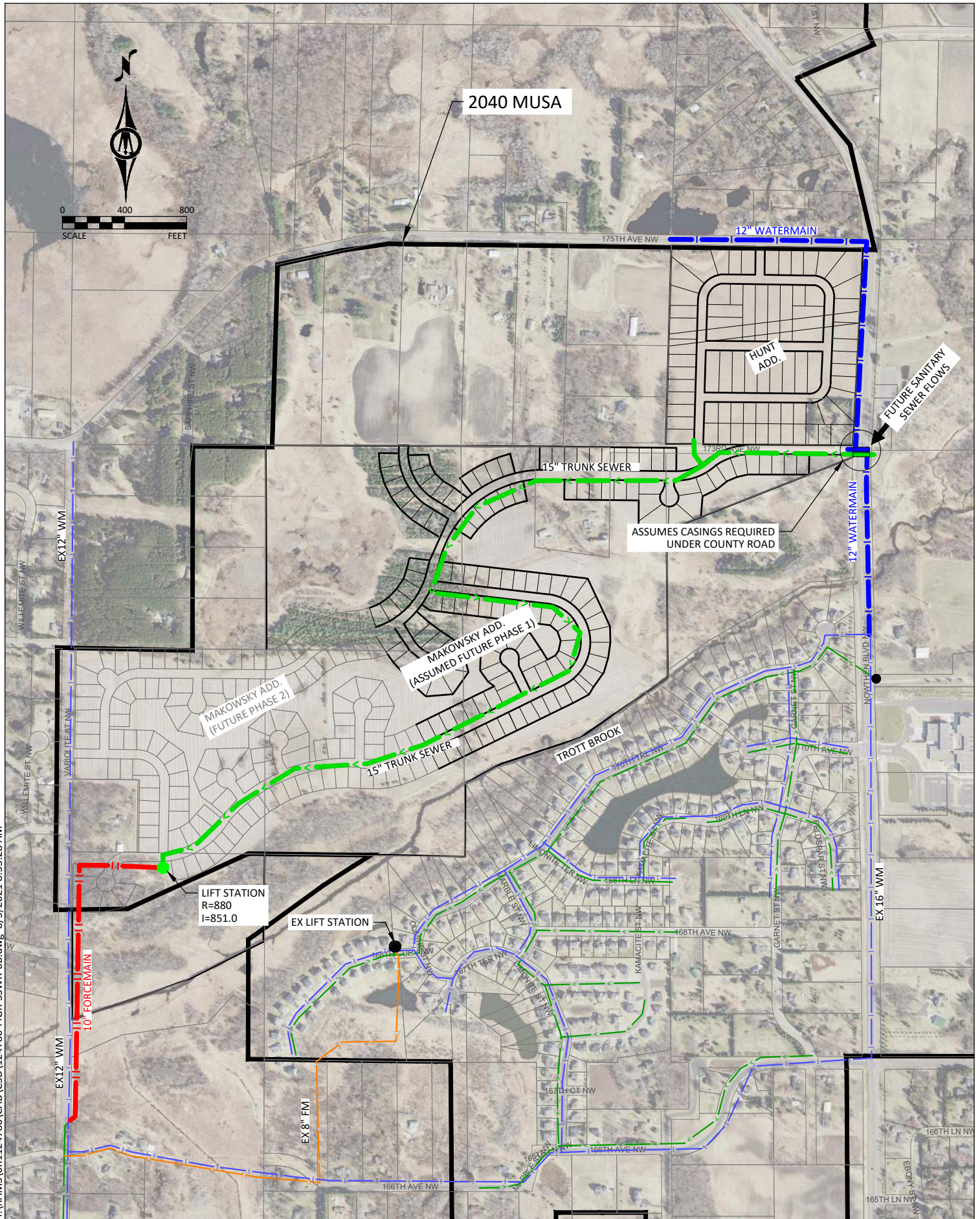
Official Zoning Map
 January 2020
 Ramsey, MN



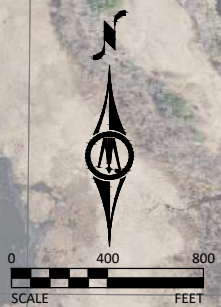
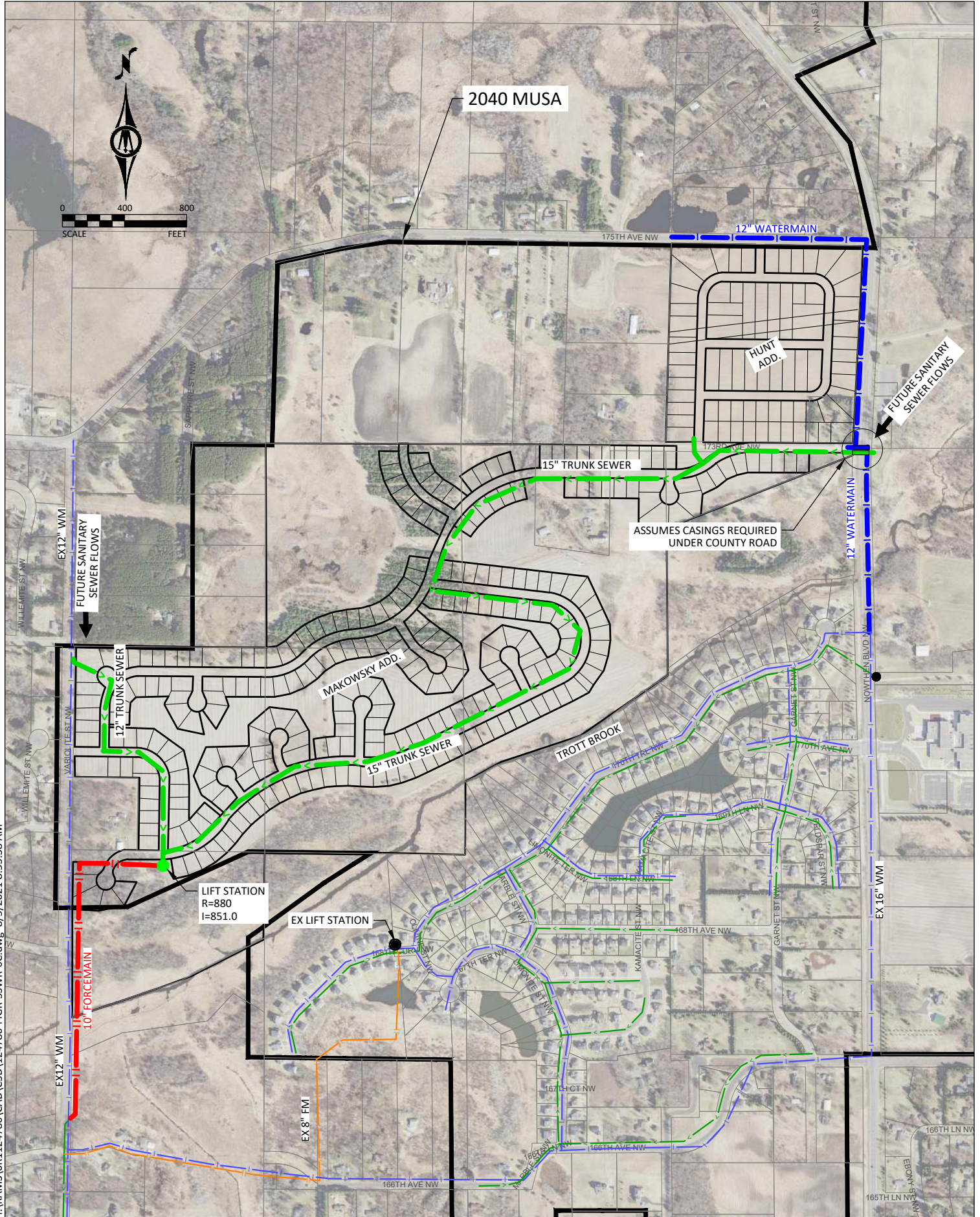




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2040 MUSA

12" WATERMAIN

HUNT ADD.

FUTURE SANITARY SEWER FLOWS

15" TRUNK SEWER

ASSUMES CASINGS REQUIRED UNDER COUNTY ROAD

12" WATERMAIN

FUTURE SANITARY SEWER FLOWS

12" TRUNK SEWER

MAKOWSKY ADD.

15" TRUNK SEWER

TROTT BROOK

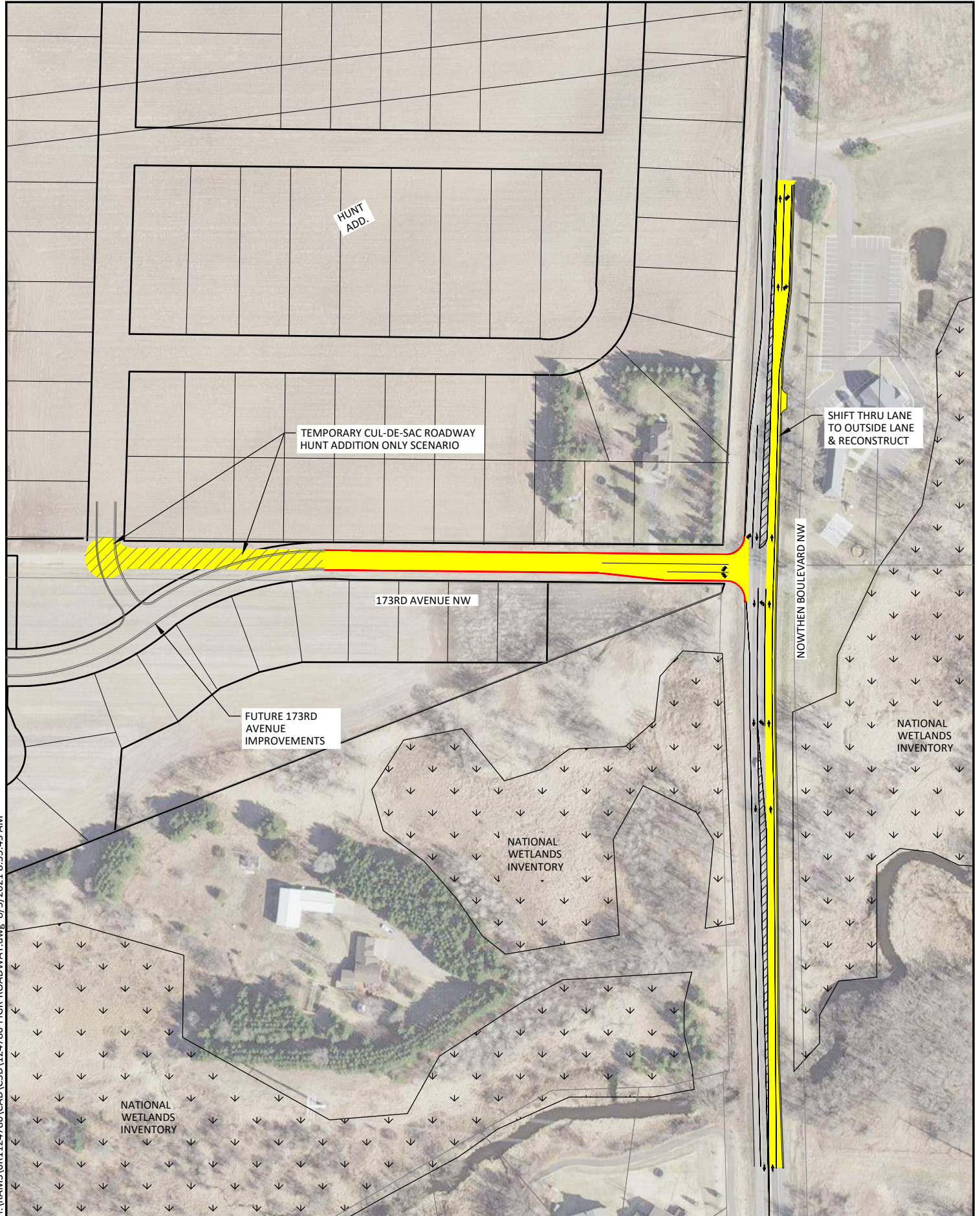
LIFT STATION
R=880
I=851.0

EX LIFT STATION

10" FORCEMAIN

EX 8" FM

EX 16" WM



H:\RAMS\OR1124780\CAD\C3D\124780-FIGR-ROADWAY.dwg 8/5/2021 8:53:45 AM

Appendix B: Traffic Report



**BOLTON
& MENK**

Real People. Real Solutions.


12224 Nicollet Avenue
Burnsville, MN 55337-1649

Ph: (952) 890-0509
Fax: (952) 890-8065
Bolton-Menk.com

MEMORANDUM

Date: June 21, 2021
To: Kevin Kielb, P.E.
From: Bryan Nemeth, P.E.
Subject: Trott Brook Traffic Analysis
City of Ramsey
Project No.: 0R1.124780

I hereby certify that this report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the State of Minnesota.



Bryan T. Nemeth, P.E., PTOE

43354 June 21, 2021
Reg. No. Date

Introduction

A high-level traffic review was conducted on the proposed developments off of 173rd Avenue West, west of CSAH 5 (Nowthen Boulevard) in the City of Ramsey. The purpose of the review was to identify potential traffic impacts and/or additional considerations.

Site Considerations

- The proposed Makowsky Addition development is located southwest of the 173rd Ave NW and CSAH 5 (Nowthen Blvd) intersection. Additionally, there is another proposed residential development (Hunt Addition) located on the northwest corner. The two lot concepts/site plans are attached.
- The Makowsky Addition development currently proposes to include 270 single family lots with all of the development traffic accessing Nowthen Blvd at 173rd Ave NW (at least until more development occurs to the north).
- The Hunt Addition currently proposes to include 79 single family lots with the development traffic using both 173rd Ave NW and County Road (CR) 63 (175th Ave NW) to access Nowthen Blvd.
- CSAH 5 (Nowthen Blvd) is classified as an A-Minor Arterial Expander with a 55 mile per hour speed limit. It is a two-lane undivided roadway with no curb and gutter. At 173rd Ave NW, there is a 180-foot southbound right turn lane, while the northbound approach includes a left turn bypass lane.
- With a speed limit of 55 mph, the required sight distance for a left turn out from 173rd Ave NW is 610 feet and the required sight distance for a right turn out is 520 feet. Sight lines are considered to be acceptable due to no horizontal and minimal vertical curves within the sight triangles.

- With the roadway designated as a minor arterial, the current access spacing for full access intersections is 1/2 mile. 173rd Ave NW is located ¼ mile south of 174th Lane NW and 0.35 miles north of 170th Ave NW. No changes to access spacing or movements is anticipated at this time due to property access considerations.

Safety Review

- Three crashes have been reported at or near the intersection of 173rd Ave NW and Nowthen Blvd in the last ten years. One was a run-off road crash, one involved a collision with a deer, and the final was a collision with some construction equipment. Another crash involving a collision with a deer occurred south of the intersection. None of the crashes indicate a need for intersection modifications.

Trip Generation

- The ITE Trip Generation 10th edition manual was used to estimate the trips generated from the developments. According to the proposed plan there are a total of 270 residential units from Makowsky Addition and 79 units as part of the Hunt Addition. ITE code 210, Single Family Homes is the most similar category to describe the development. The calculated trips generated from the site are provided below.

270 Units	Trip Rate	Entering	Exiting	Total
Daily	9.44	1,274	1,274	2,550
AM Peak	0.74	50	150	200
PM Peak	0.99	168	99	267

79 Units	Trip Rate	Entering	Exiting	Total
Daily	9.44	373	373	746
AM Peak	0.74	15	44	58
PM Peak	0.99	49	29	78

- The existing travel pattern is primarily to the south in the morning and from the south in the afternoon/evening. For estimation purposes, it is estimated that 80% of traffic goes to/comes from the south. The following details the estimated turning movements based off of the information at 173rd Ave NW/Nowthen Blvd. It is estimated that 27 units from the Hunt Addition use 175th Ave NW instead. Traffic is estimated with a 70/30 split on CSAH 5.

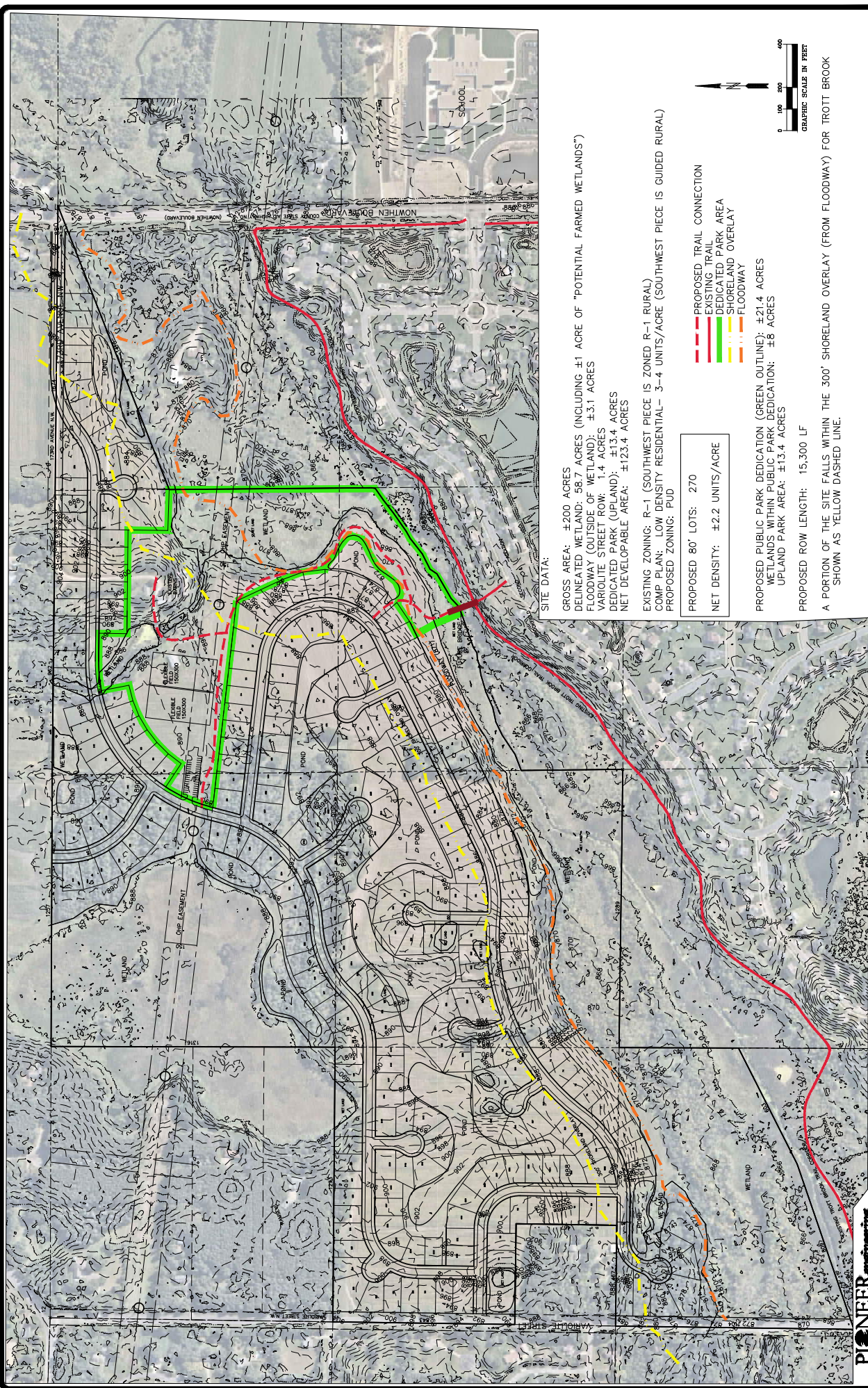
	ENTERING		EXITING		ON CSAH 5	
	SB Right	NB Left	EB Right	EB Left	NB Through	SB Through
AM Peak Hour	12	48	143	36	149	347
PM Peak Hour	40	161	94	24	521	223
Weekday	304	1,216	1,216	304	3,100	3,100

Turn Lanes

- Right turn lanes may be justified based on traffic volumes in the direction of the turning movement, roadway speed, daily volume, and in the interest of traffic safety. Since there is already a southbound right turn lane, analysis of need was not determined.
- Left turn lanes may be justified based on traffic volumes in each direction, the number of lanes, and the number of left turns during the peak hour of the day. Based on NCHRP 457: Evaluating Intersection Improvements: An Engineering Study Guide, a left turn treatment would be warranted. The MnDOT Road Design Manual indicates that a left turn lane should be provided on a rural highway when the access is to a public road. A left turn lane is also considered to be warranted on a rural, three-leg intersection, with two lanes on a major roadway according to NCHRP 745: Left-Turn Accommodations at Unsignalized Intersections, given the volume of left turns and the traffic on CSAH 5 during the peak hour.
- Given the size of the development and the volume of opposing traffic, left turn storage should be provided for approximately two vehicles.
- With a 12-foot left turn lane, the roadway speed limit at 55 mph, the storage need, and the preference to not have traffic in the through lane impacted by a slowing left turn vehicle given the two-lane roadway, a left turn lane is recommended to be 565 feet long (385' turn lane plus 180' taper).
- Given the constraints due to Trott Brook, it is recommended that any roadway widening to form a left turn lane be developed north of Trott Brook, approximately 750 feet to the south. Given these constraints, a left turn lane may not be properly developed even if traffic slows by 10 mph in the through lane (50' for vehicles, 170' full width turn lane for deceleration, 180' taper, plus 660' to develop turn lane at speed:1) which would match the design for the southbound right turn lane.
- The current southbound right turn lane of 360 feet (full lane plus taper) is considered to be appropriate for 55 mph given a 10-mph slowdown in the through lane.
- Separate turn lanes for the eastbound left and right turns on 173rd Ave NW are not required to provide acceptable service levels (LOS C, 16 sec/vehicle average delay in the PM peak), but the separation of turn movements would be recommended due to driver impatience with the amount of right turning vehicles that could potentially be impacted by one left turning vehicle.

Conclusions

- A northbound left turn lane should be provided if the design can be accommodated since it is justified based on multiple factors, guidance, and manuals.
- If a northbound left turn lane cannot be provided due to environmental or other constraints the current bypass lane may be considered acceptable, but an exclusive left turn lane is “the most effective and safe way to separate the left-turning for the through traffic streams” according to the MnDOT Road Design Manual.
- An eastbound left and eastbound right turn lane approaching CSAH 5 (Nowthen Blvd) is recommended.



SITE DATA:
 GROSS AREA: ±200 ACRES
 DELINEATED WETLAND: 58.7 ACRES (INCLUDING ±1 ACRE OF "POTENTIAL FARMED WETLANDS")
 FLOODWAY (OUTSIDE OF WETLAND): ±3.1 ACRES
 VARIOLITE STREET ROW: 1.4 ACRES
 DEDICATED PARK (UPLAND): ±13.4 ACRES
 NET DEVELOPABLE AREA: ±123.4 ACRES

EXISTING ZONING: R-1 (SOUTHWEST PIECE IS ZONED R-1 RURAL)
 COMP PLAN: LOW DENSITY RESIDENTIAL- 3-4 UNITS/ACRE (SOUTHWEST PIECE IS GUIDED RURAL)
 PROPOSED ZONING: PUD

PROPOSED 80' LOTS: 270
 NET DENSITY: ±2.2 UNITS/ACRE

- PROPOSED TRAIL CONNECTION
- EXISTING TRAIL
- DEDICATED PARK AREA
- SHORELAND OVERLAY
- FLOODWAY

PROPOSED PUBLIC PARK DEDICATION (GREEN OUTLINE): ±21.4 ACRES
 WETLANDS WITHIN PUBLIC PARK DEDICATION: ±8 ACRES
 UPLAND PARK AREA: ±13.4 ACRES

PROPOSED ROW LENGTH: 15,300 LF

A PORTION OF THE SITE FALLS WITHIN THE 300' SHORELAND OVERLAY (FROM FLOODWAY) FOR TROTT BROOK
 SHOWN AS YELLOW DASHED LINE.

PIONEER Engineering
 1000 University Ave., Suite 1000, St. Louis, MO 63102
 Phone: (636) 661-9014
 Fax: (636) 661-9088
 www.pioneereng.com

These plans and data were prepared by
 the undersigned professional engineer
 in accordance with the laws and
 regulations of the State of Missouri.

Project: Trot Brook Property
 Date: 10/20/2016
 Drawn: J. Thompson
 Checked: J. Thompson
 Date: 10/20/2016

CONCEPT PLAN 9

EXCELSIOR GROUP
 1660 HIGHWAY 160 SOUTH SUITE 400
 SAINT LOUIS PARK, MINNESOTA 55416

Site Data

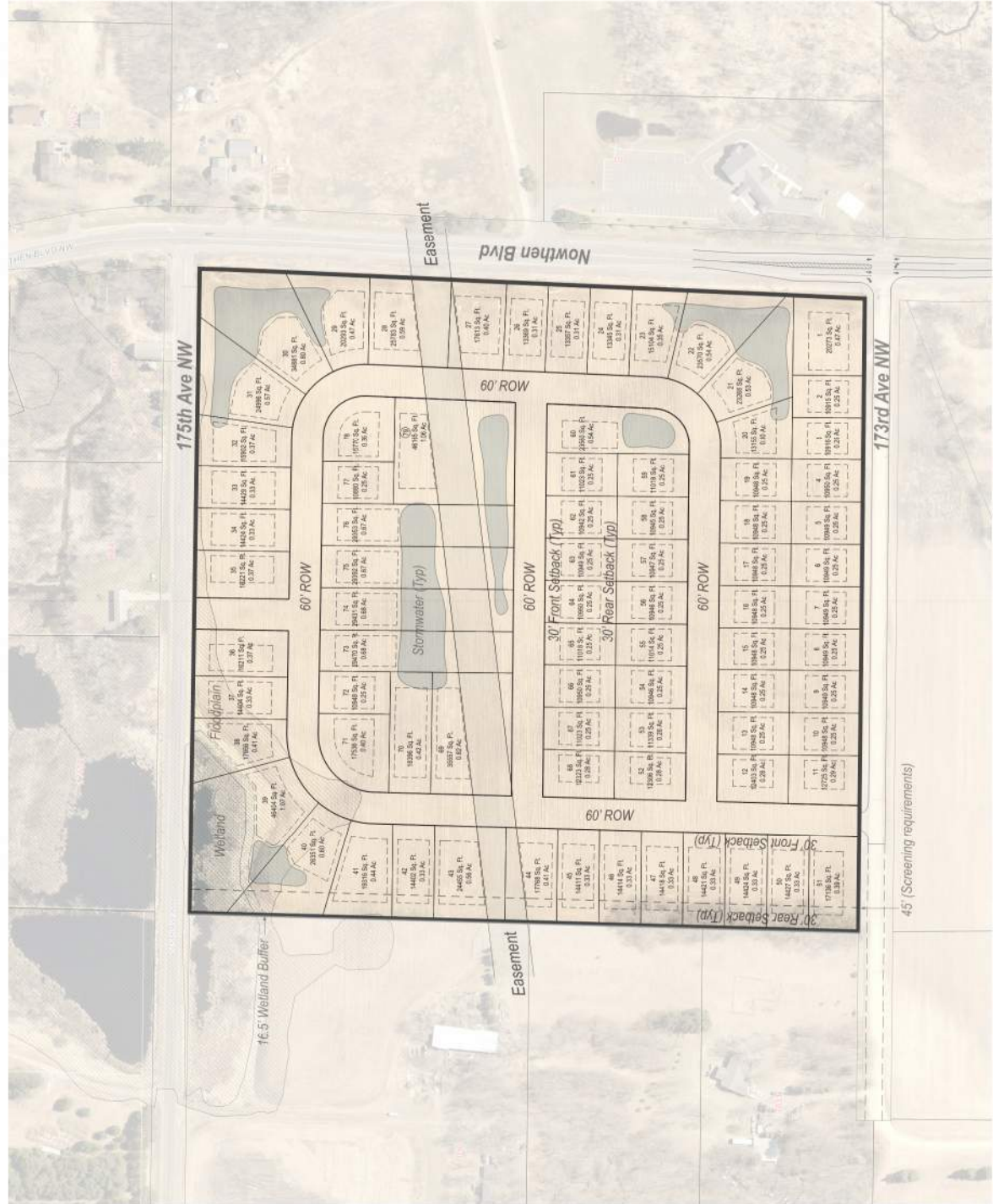
Site Area - Gross	35.5 Acres
Wetland	0.7 Acres
Wetland Buffer	0.2 Acres
Site Area - Net <i>(less wetland & wetland buffer)</i>	34.7 Acres
Easement <i>(not buildable)</i>	2.1 Acres
Buildable Area <i>(less wetland, wetland buffer, & easement)</i>	32.6 Acres
Floodplain Area to Mitigate	1.5 Acres

Concept Data

Unit Count	79
Density - Gross / Net	2.2 / 2.3
Minimum lot size	10,890 Sq. Ft.
Minimum lot width / Corner lot	80' / 90'
Front Building Setback	30'
Rear Building Setback	30'
Side Setback Street / Interior	30' / 10'
Wetland Buffer	16.5'
Buffer Requirements <i>(required along existing residential properties)</i>	45' no berm 35' berm

Legend

-  Floodplain (FEMA)
-  Wetland and Wetland Buffer (NWI)
-  Stormwater



ORDINANCE #21-23

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

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

AN ORDINANCE AMENDING SECTION 117-90 "MAP" OF CHAPTER 117 OF THE CITY CODE OF RAMSEY, MINNESOTA.

SECTION 1. AMENDMENT

The following legally described properties, generally known as Anoka County PID 09-32-25-42-0003 are hereby rezoned from R-1 Rural Developing to R-1 Residential (MUSA - 80) District:

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

(The "Subject Property")

SECTION 2. MAP

The City is hereby instructed to cause this amendment to be shown on the "City of Ramsey Zoning Map", which map was adopted pursuant to Section 117-90 of the Ramsey City Code.

SECTION 3. 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 23rd day of November, 2021.

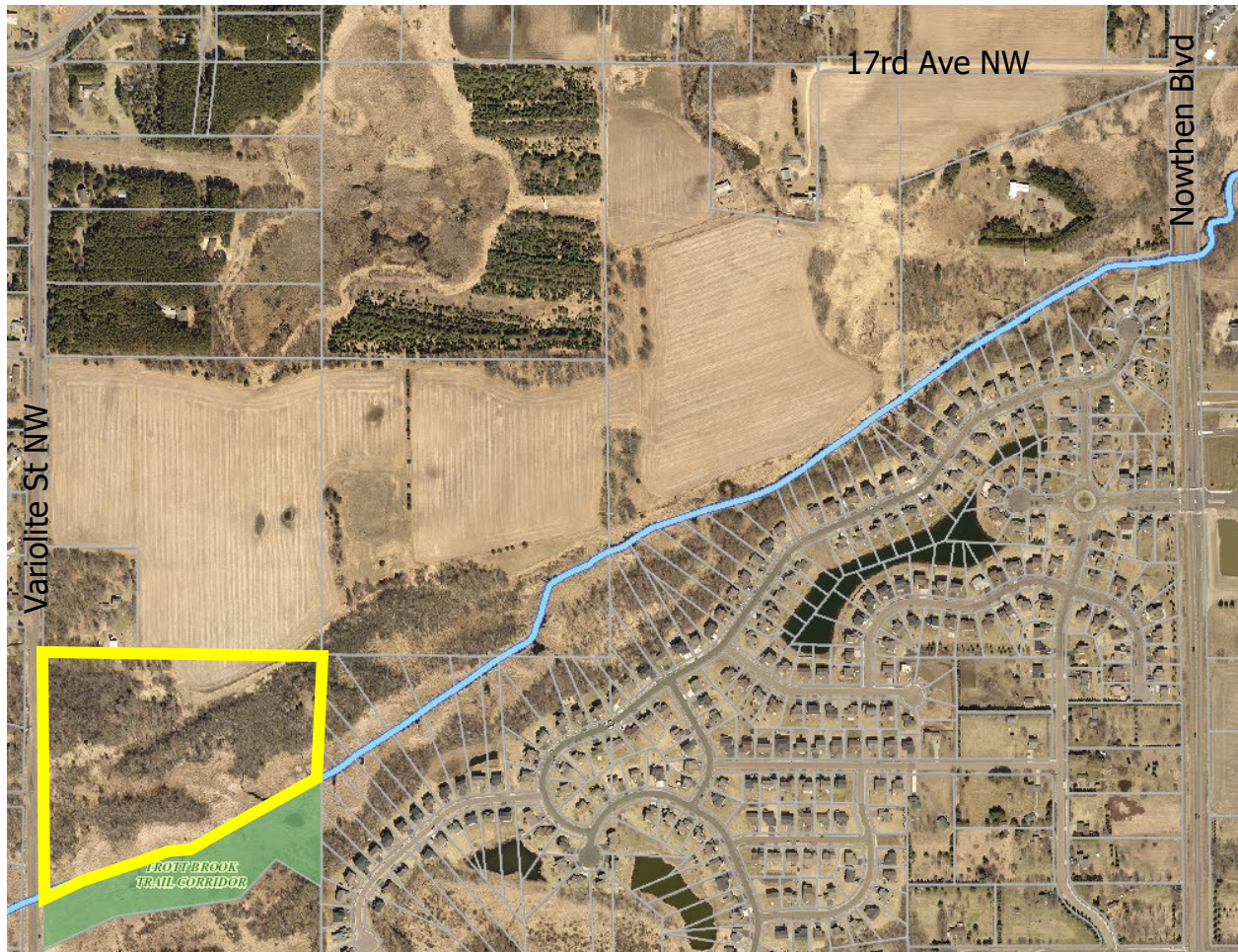
Mayor

ATTEST:

City Clerk

Introduction date:
Posting dates:
Adoption date:
Publication date:
Effective date:

Exhibit A: Map of Subject Property



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

RESOLUTION #21-309

RESOLUTION GRANTING PRELIMINARY PLAT APPROVAL, AMENDING THE CITY'S 2040 COMPREHENSIVE PLAN, AND DETERMINING THAT AN ENVIRONMENTAL IMPACT STATEMENT (EIS) IS NOT NECESSARY FOR TROTT BROOK NORTH

WHEREAS, Sotarra, hereafter referred to as “Developer”, properly applied for Preliminary Plat approval of the property located in the City of Ramsey legally described in Exhibit A (the ‘Subject Property’);

WHEREAS, the City and Developer have been working on a long-range land use plan for the Subject Property since the end of 2019; and

WHEREAS, the City reviewed the Sketch Plan for the project on August 6, 2020; and

WHEREAS, the City received an Application for Preliminary Plat Approval for Trott Brook Crossing on September 23, 2021, which includes 270 detached single-family homes; and

WHEREAS, Parcel D (as legally described in Exhibit A), is approximately 24 acres and requires rezoning from R-1 Rural Developing to R-1 (MUSA – 80), and a comprehensive plan amendment from Rural Residential to Low Density Residential, to allow for portions of lots on City utilities; and

WHEREAS, Minnesota Rules 4410.4300, Subp. 19.C, requires that an EAW be prepared for this project; and

WHEREAS, the EAW comment period was properly noticed and held from September 28, 2021 to October 28, 2021; and

WHEREAS, the Planning Commission held a Public Hearing and reviewed the Preliminary Plat on October 28, 2021; and

WHEREAS, the City Council met on November 9, 2021 and approved of the project with contingencies as listed below.

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

1. That the Ramsey City Council hereby grants preliminary plat contingent approval of Trott Brook Crossing in accordance with relevant City Codes, contingent upon the following conditions:
 - a. Address any comments contained within the Official EAW Review Record when available.
 - b. Plans subject to current Staff Review Comments and final approval by City Engineer and City Planning Department, including but not limited to Approval of the Grading, Landscape, Lighting, Street, Trail, and Utility Plans.
 - c. Approval of a contract for the 173rd Ave NW street reconstruction along with Cost Share Agreement if applicable.
 - i. If applicable, road improvements shall include an Assessment/Petition and Waiver Agreement to assess the Property Owner and Developer shares back to benefiting properties.

- ii. 173rd Ave NW shall be a full public road at public road standards, complete with a crosswalk on 173rd Ave NW.
 - iii. Improvements to 173rd Avenue as recommended in the traffic study.
 - d. Improvements to Nowthen Boulevard as a shared cost with the adjacent property to the south, currently known as North Brook Meadows, as recommended in the traffic study.
 - e. Post-Preliminary Plat Approvals Required
 - i. Comprehensive Plan Amendment Approval by Metropolitan Council
 - ii. City Approval of Zoning Amendment
 - iii. Approval of the Environmental Assessment Worksheet (EAW)
 - iv. The Developer entering into a Development Agreement with the City.
 - v. Deeding the Park area and future park buildings to the City, contingent upon Parks Department approval.
 - f. Approved floodplain designated on plan sheets and individual surveys.
 - g. As-builts for each property containing floodplain or along Trott Brook will be required prior to issuance of certificate of occupancy.
 - h. Review and Approval of Final Legal Form by City Attorney.
 - i. Trunk utilities being brought to the Subject Properties as recommended in the Infrastructure Study.
 - j. Density Transitioning requirements must be met.
 - i. City Council approval on the method of ownership for density transitioning area.

2. That the Ramsey City Council accepts the EAW and determines that an Environmental Impact Statement (EIS) is not needed.
3. That the Ramsey City Council hereby grants a Comprehensive Plan Amendment from Rural Residential to Low Density Residential for Parcel D only.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____, 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 City Council this 9th day of December, 2021.

Mayor

ATTEST:

City Clerk

Exhibit A

Parcel A:

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

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

Parcel B:

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

Parcel C:

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

Parcel D:

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

Parcel E:

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

Parcel F:

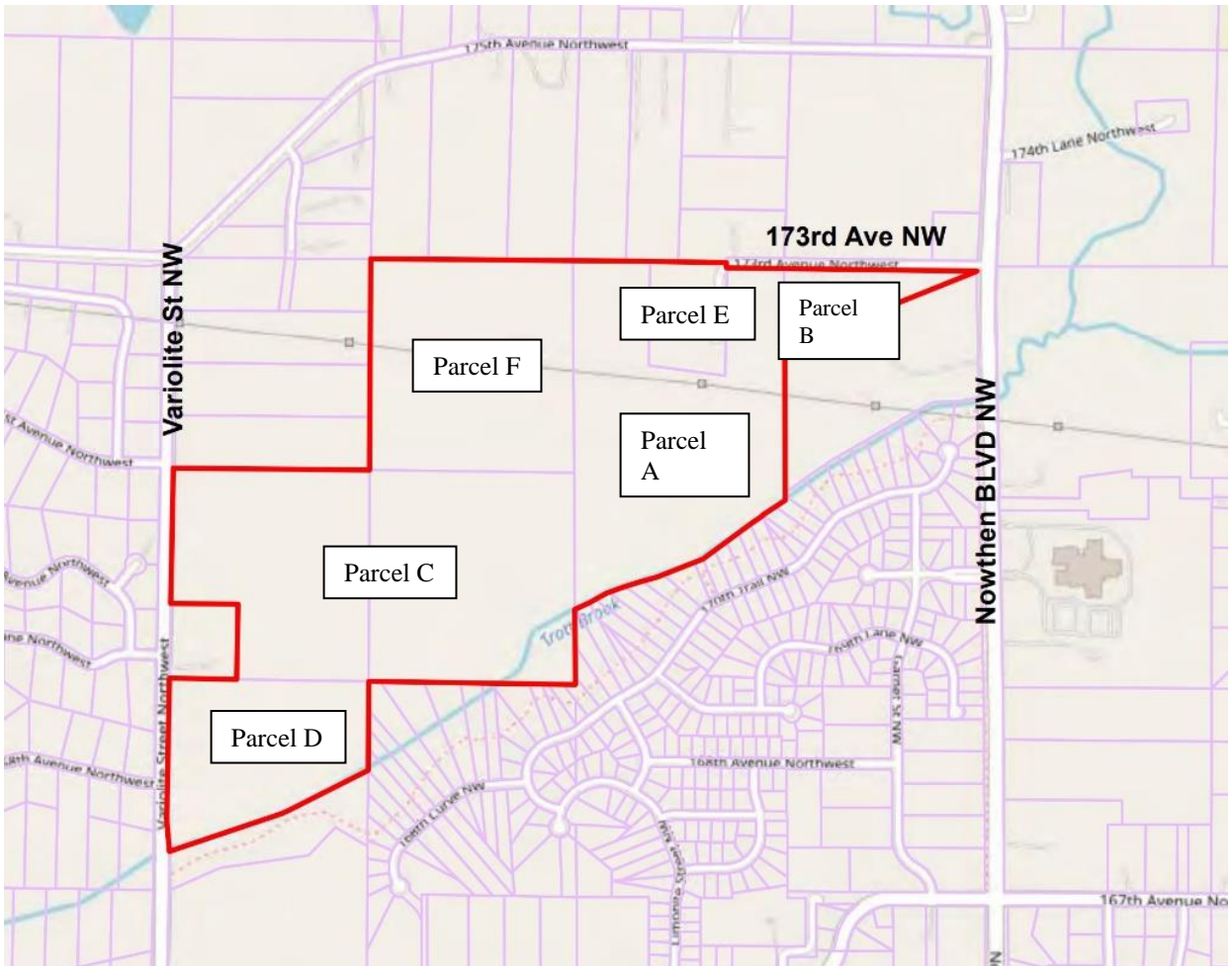
The Northeast Quarter of the Northeast Quarter (NE 1/4 of NE 1/4) of Section 9, Township 32, Range 25, Anoka County, Minnesota.

Together with an easement for driveway purposes over the South 33 feet of the Southeast Quarter of the Southeast Quarter of Section 4, Township 32, Range 25, Anoka County, Minnesota.

Together with an easement for driveway purposes over the South 66 feet of the West 330 feet of the Southwest Quarter of the Southwest Quarter of Section 3, Township 32, Range 25, Anoka County, Minnesota.

Together with an easement for driveway purposes over the East 66 feet of the West 396 feet of the Southwest Quarter of the Southwest Quarter of Section 3, Township 32, Range 25, Anoka County, Minnesota.

Abstract property.



Regular Planning Commission

6. 2.

Meeting Date: 10/28/2021

By: Chris Anderson, Community
Development

Information

Title:

PUBLIC HEARING: Consider Request for a Variance to Front Yard Setbacks for the Single Family Lots in Lynwood Subdivision, Located West and South of 15050 Armstrong Boulevard (Project No. 21-122); Case of Lennar

Purpose/Background:

Lennar (the "Applicant") has requested a variance to the minimum front yard setback for the twelve (12) single family lots proposed in the Lynwood Subdivision. The project is located on PID # 20-32-25-44-0003 (the "Subject Property"), which is located south and west of Fire Station #1 (15050 Armstrong Boulevard). Per the direction of the City Council, the Applicant modified their Preliminary Plat to provide 80-foot wide lots (originally had proposed 65-foot wide lots). Additionally, at the direction of City Staff and City Council, the Applicant has incorporated an outlot for the density transitioning plantings between the proposed single family lots and the existing R-1 Residential (Rural Developing) lots to the north and west. This modification leaves very little 'usable' backyard area for the twelve (12) single family residential lots.

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 stated that the five (5) foot reduction to the front yard setback will provide more flexibility in siting typical homeowner improvements (e.g. sheds, pools, etc.), which are common in rear yards. The direction from both City Staff and City Council was to create an outlot for the density transition corridor, rather than an easement over each of the individual lots, which could create potential obstacles for future homeowners when trying to make property enhancements. Furthermore, the proposed townhomes on both sides of these single family lots, as well as the townhomes directly across from these single family lots, will have a minimum setback of twenty-five (25) feet. Thus, if approved, the variance would provide a consistent setback from the public street.

The reduced setback would not have any direct impact to existing homes to the north and west. In fact, it would actually create slightly greater separation of the new homes from the existing homes, enhancing the goal of density transitioning. As was noted with the previous variance for this project (related to lot size), shifting everything south slightly to achieve the standard front yard setback, would likely result in impacts to the linear wetland complex that bisects the Subject Property.

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

1. Reasonableness - The project requires density transitioning and the Applicant has been directed to provide that corridor in a separate outlot owned by the HOA. Creating an outlot, rather than an easement over each of the lots, impacts the size of rear yards. Shifting the homes five (5) feet closer to the front property line will not only provide more separation from the existing residential parcels, but will also provide a bit more flexibility for future, common homeowner improvements. Moreover, this reduced setback would actually align with the setback of the attached townhomes, creating a consistent appearance from the public road.
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 to accommodate the

minimum required front yard setback of thirty (30) feet, 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 front yard setback will not. Unless driving on the public road serving this neighborhood, it would not be noticeable (even from the road, it would be consistent with the townhome setback). Furthermore, this will actually create slightly more separation from the existing residential lots.

Alternatives

Alternative 1: Approve the requested variance for a reduced front yard setback. A twenty-five (25) foot front yard setback creates slightly greater separation from the existing homes to the north and west, enhancing the City's goal of density transitioning. Furthermore, this would also provide for a bit more flexibility for siting of future homeowner improvements, such as sheds, pools, etc. Finally, this would create one consistent setback for both the townhomes and single family homes. Staff supports this alternative.

Alternative 2: Do not approve the requested variance. This would require modifications to the Preliminary Plat to demonstrate that the single family lots can all meet the thirty (30) foot front yard setback. This would also move the proposed homes slightly closer to the existing residential parcels to the north and west. Staff does not support this alternative.

Funding Source:

All costs associated with this request are the Applicant's responsibility.

Recommendation:

Staff recommends approving the variance for a twenty-five (25) foot front yard setback for the single family lots in the Lynwood Subdivision.

Action:

Motion to adopt Resolution #21-296 approving a variance to front yard setbacks on Lots 1-12, Block 1 Lynwood Addition.

Attachments

Site Location Map

City Council Meeting Minutes Dated September 28, 2021

Exhibit Showing 25 Foot Front Setback

Resolution #21-296

Form Review

Inbox

Bruce Westby

Form Started By: Chris Anderson

Final Approval Date: 10/21/2021

Reviewed By

Bruce Westby

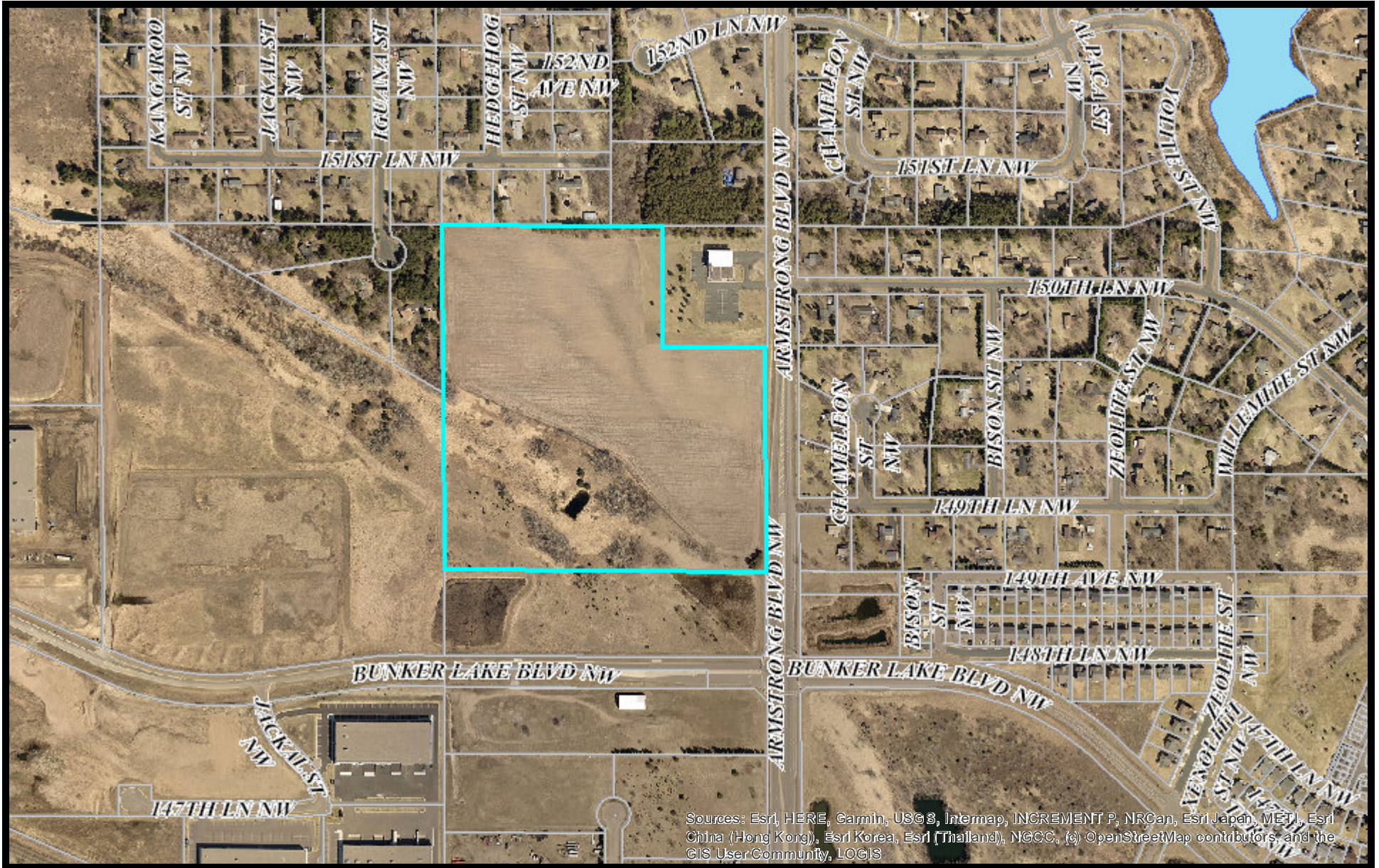
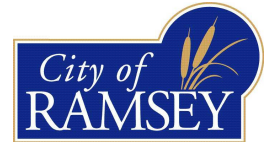
Date

10/21/2021 05:57 AM

Started On: 10/18/2021 08:40 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

7.04: Consider Preliminary Plat and Zoning Amendment for Lynwood Subdivision Located West and South of 15050 Armstrong Boulevard (Project #21-122); Case of Lennar

Senior Planner McGuire Brigl reviewed a proposal for a 34-acre site with 12 single-family homes on 80-foot-wide lots and 119 attached townhome units, for which a Comprehensive Plan amendment was approved by the City Council in August 2021. A second access into the site was approved by the Anoka County Highway Department. The developer is proposing a 45-foot density transitioning buffer along the northern and western boundary.

Senior Planner McGuire Brigl stated the applicant is requesting that the 30-foot front yard setbacks be reduced to 25 feet to allow additional backyard space and increase the distance of the proposed homes from existing residential properties.

Senior Planner McGuire Brigl stated the Planning Commission recommends City Council adoption of Ordinance 21-19 approving a Zoning Amendment to rezone a portion of the property from R-3 to R-2; and adopt Resolution #21-252 approving the Preliminary Plat with the contingencies outlined in Alternative #1.

Councilmember Woestehoff asked whether the proposed 25-foot front yard setback would be for all single-family lots.

Senior Planner McGuire Brigl confirmed this.

Councilmember Woestehoff stated he supports the request in this case since there will be townhomes in the development, and there is an interest in keeping the buffer.

Councilmember Riley requested feedback from City Staff on the 25-foot setback.

Senior Planner McGuire Brigl stated City Staff is generally supportive of the request as it meets the City's goals of density transitioning.

Councilmember Riley stated the request makes sense as it fits with the townhomes in the neighborhood, but he would not want to hear this again in another situation.

Councilmember Riley asked whether Public Works has weighed in on the mix of public and private streets. He expressed concern about snow removal at the intersections.

Senior Planner McGuire Brigl stated this case was reviewed by the Development Review Committee. She added the City will plow the public roads.

Motion by Councilmember Riley, seconded by Councilmember Woestehoff, to waive the Charter requirement and Adopt Ordinance #21-19 approving a Zoning Code Amendment to Rezone a Portion of the Property Located West and South of 15050 Armstrong Boulevard from R-3 to R-2.

Further discussion:

Paul Tabone, representing Lennar Homes, stated he appreciates the City's support on this project, and willingness to consider the 25-foot setback. He asked whether the City Council would consider having the density transition zone as an easement rather than an outlot, which would eliminate the need for a variance. He added this development will have an HOA as there will be townhomes. He noted he is still requesting the 25-foot variance.

Councilmember Woestehoff stated he will not support an amendment to change the outlot to an easement in this case. He added the HOA owns the parcel as opposed to deeding it out to the properties, and it makes sense to keep it as an outlot.

Councilmember Heineman agreed.

Mr. Tabone requested feedback and comment from the City Council regarding the 25-foot setback request.

Councilmember Musgrove stated there seems to be a consensus from the City Council to support that request, which must be reviewed by the Planning Commission.

City Administrator Ulrich stated it would not be appropriate to include a variance for setback in the motion, which is a request for rezoning. He added proposed setbacks would be addressed in the preliminary plat.

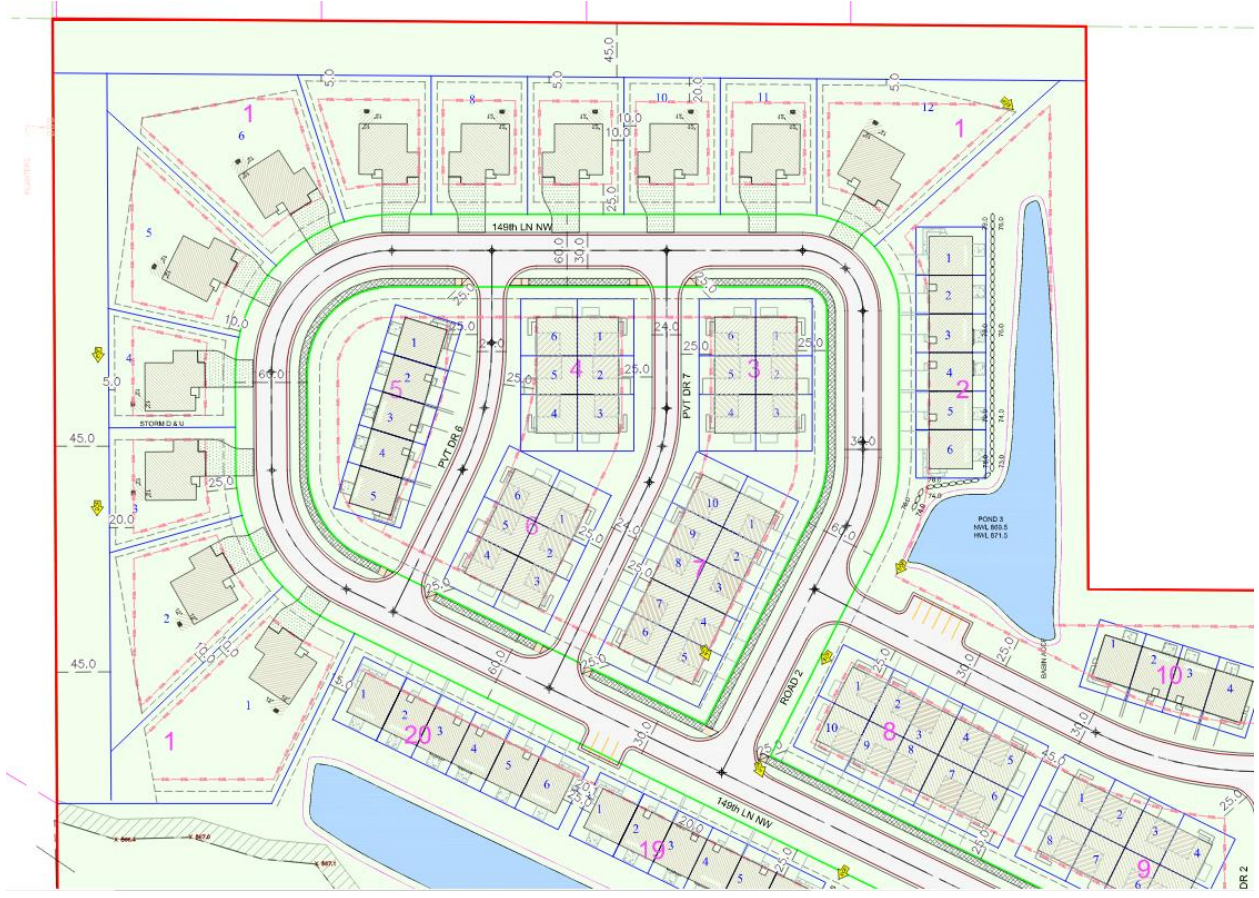
Roll call vote:

Councilmember Heineman	aye
Councilmember Howell	aye
Councilmember Musgrove	aye
Councilmember Riley	aye
Councilmember Specht	aye
Councilmember Woestehoff	aye
Mayor Kuzma	aye

Motion carried.

Motion by Councilmember Woestehoff, seconded by Councilmember Musgrove, to Adopt Resolution #21-252 Approving Preliminary Plat of Lynwood Subdivision Located West and South of 15050 Armstrong Boulevard with Contingencies as listed in the Staff Report, and Designating the Density Transition Zone as an Outlot.

Motion carried. Voting Yes: Mayor Kuzma, Councilmembers Woestehoff, Musgrove, Heineman, Howell, Riley, and Specht. Voting No: None.



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

RESOLUTION #21-296

A RESOLUTION APPROVING THE ISSUANCE OF A VARIANCE TO THE FRONT YARD SETBACK FOR THE TWELVE SINGLE FAMILY RESIDENTIAL LOTS IN LYNWOOD ADDITION 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 the minimum front yard setback length prescribed in Section 117-111 (R-1 Residential District) Subdivision (d) of the Ramsey City Code on portions of the property legally described as:

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

Or upon platting and recording:

Lots 1-12 (inclusive), Block 1 Lynwood Addition

(the "Subject Property"); and

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 October 28, 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 zoned R-1 Residential (MUSA) – 80.
4. That the minimum front yard setback in the R-1 Residential (MUSA) – 80 District is thirty (30) feet.
5. That other portions of the Subject Property (not subject to this variance request) are zoned R-2 Residential (Medium Density), which requires a minimum front yard setback of twenty-five (25) feet.
6. 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).
7. That based on the different zoning designations, density transitioning is required along the north and west boundaries of the Subject Property and, per the direction of the City, an outlot is proposed to create greater separation between the Subject Property lots and existing homes.

8. That the outlot is forty-five (45) feet wide, includes berming throughout much of it, and includes a mixture of overstory, evergreen, and ornamental trees per City Code.
9. That creating a separate outlot for the proposed forty-five (45) foot wide density transitioning corridor reduces the usable area of the rear lots.
10. That the Applicant has requested a five (5) foot reduction to the front yard setback to provide slightly more 'usable' rear yard space while also creating greater separation between the proposed dwellings and existing homes.
11. That the reduced front yard setback will create a consistent setback pattern throughout the development.

FINDINGS OF FACT

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

10. That the reduced front yard setback on the Subject Property 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 front yard setback on the Subject Property, subject to review and approval as to legal form and contingent upon the following conditions:

CONDITIONS

1. That this **Variance** shall allow a twenty-five (25) foot front yard setback on the **Subject Property**, contingent upon receiving approval of Final Plat 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 October 28, 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:

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 28th day of October, 2021.

Chairperson

ATTEST:

City Clerk

Regular Planning Commission

6. 3.

Meeting Date: 10/28/2021

By: Brian McCann, Community
Development

Information

Title:

PUBLIC HEARING: Consider Resolution #21-287 Granting a Conditional Use Permit for Auto Sales at 6957 Highway 10 NW and Declaring Terms of Agreement; Case of Laws Auto Connection

Purpose/Background:

The purpose of this case is to consider a request from Laws Auto Connection (the "Applicant") for a Conditional Use Permit (CUP) for auto sales at 6957 Highway 10 NW (the "Subject Property"). The Applicant is proposing an online sales method with scheduled showings at the Subject Property. The property is zoned H-1 Highway 10 Business District and is guided for Commercial in the comprehensive plan. Motor vehicle, implement, and recreation equipment sales and service are allowed as a Conditional Use in the H-1 District.

Notification:

Staff attempted to notify all property owners within 350 feet of the Subject Property of the requested Conditional Use Permit via standard U.S. mail and published the Notice of Public Hearing in the Anoka County UnionHerald.

Observations/Alternatives:

Section 117-115 (B-2 Highway Business District) states that motor vehicle sales is a conditional use in this district. Laws Auto Connection ("the Applicant") is currently licensed and operating at 6957 Highway 10 NW (the "Subject Property") and plans on opening his own office in the same building. The applicant has provided a site plan of proposed parking locations for both sales and customers on the Subject Property.

Section 117-356 (Off-Street Parking Standards) states that one (1) customer space must be provided for each ten (10) automobiles displayed one (1) space for each full time employee. The applicant's site plan provides five (5) customer parking spaces with a stall width of nine (9) feet with the remainder of the space for sales parking, as required by the State for a Motor Vehicle Dealer's License. The Subject Property has a paved surface lot. The new use will not create a shortage of parking on the Subject Property, and with minimal customers coming to and from the Property, Staff is supportive of the request.

Alternatives

Option 1: Recommend City Council adopt Resolutions #21-287 approving a Conditional Use Permit for auto sales in a B-2 Highway Business District. Auto sales is a conditional use in this district, the applicant currently is licensed and operating at this location, and the Subject Property will adequately function as a site for auto sales. Staff supports this option.

Option 2: Recommend that City Council deny the request. The City would need to find that the property does not adequately function as a site for auto sales due to outdoor parking and storage constraints or other conflicts with City Code provisions. Staff does not support this option.

Funding Source:

The Applicant is responsible for all costs associated with review.

Recommendation:

Staff recommends the Planning Commission recommend adoption of Resolution #21-287 Granting a Conditional Use Permit to Laws Auto Connection for auto sales at 6957 Highway 10 NW

Action:

Motion to adopt Resolution #21-287 granting a Conditional Use Permit for auto sales at 6957 Highway 10 NW

Attachments

[Site Location Map](#)

[Site Plans](#)

[Narrative](#)

[Resolution #21-287](#)

Form Review

Inbox

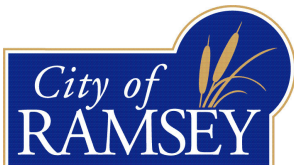
Brian McCann (Originator)
Bruce Westby
Form Started By: Brian McCann
Final Approval Date: 10/21/2021

Reviewed By

Brian McCann
Bruce Westby

Date

10/19/2021 01:52 PM
10/21/2021 05:46 AM
Started On: 10/01/2021 10:34 AM



Site Location Map

6957 Highway 10 NW

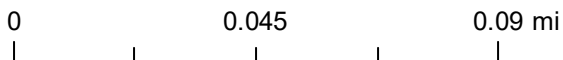
Laws Auto Connection CUP

Legend

-  Site
-  Parcels



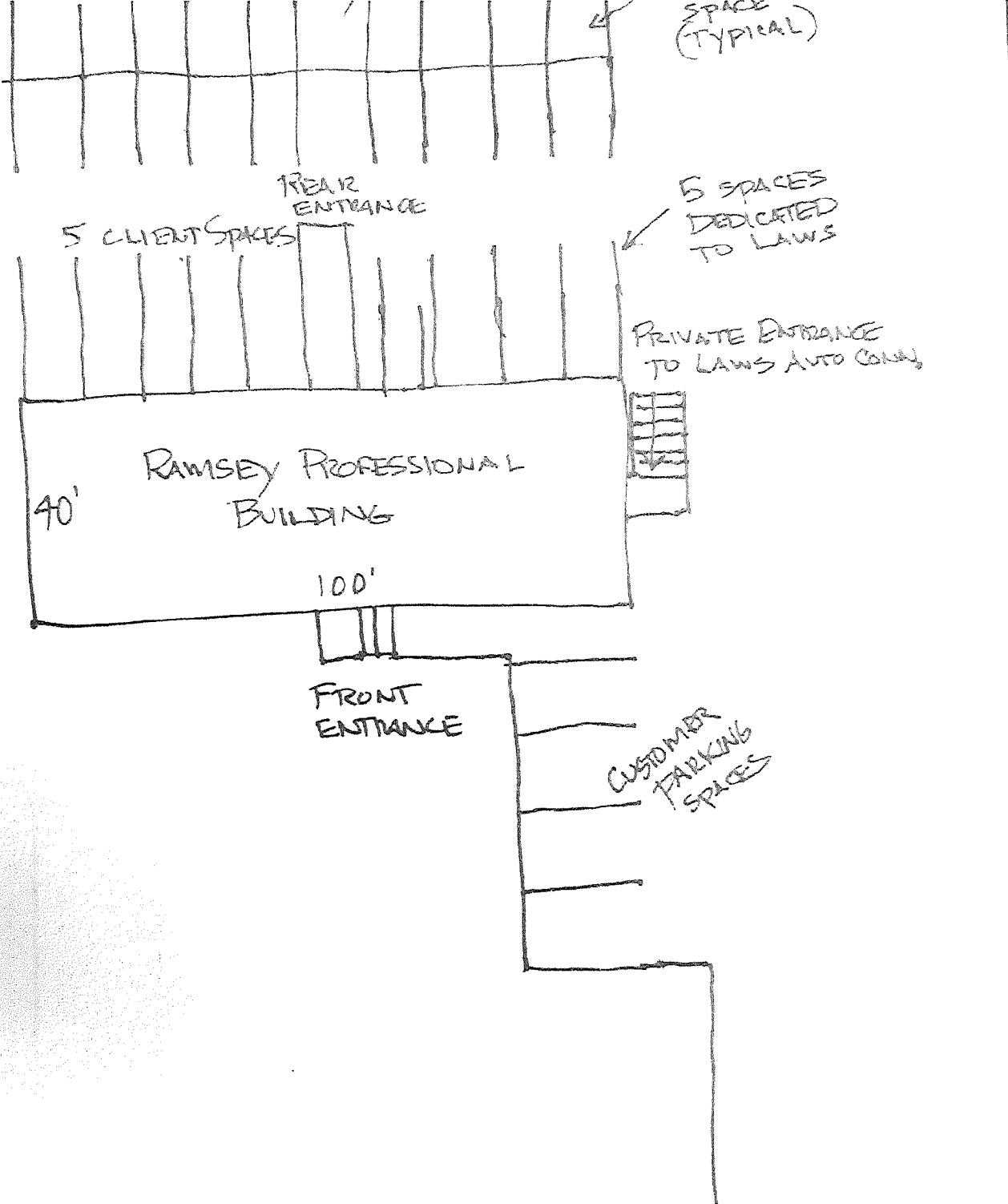
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4904.87 Square Feet

XXX'



GARAGE

2 CLIENT SPACES

5 SPACES DEDICATED TO TC AUTO

4 CLIENT SPACES

20 CUSTOMER/CLIENT SPACES

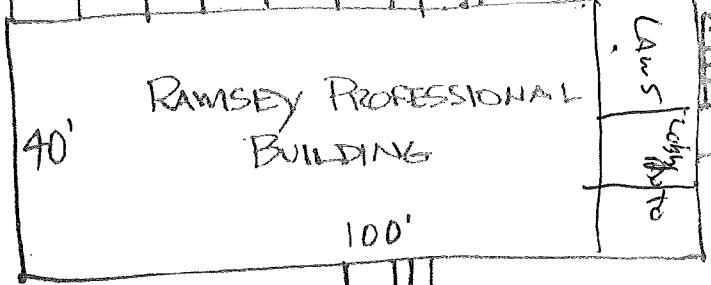
9x18 SPACE (TYPICAL)

REAR ENTRANCE

5 CLIENT SPACES

5 SPACES DEDICATED TO LAWS

PRIVATE ENTRANCE TO LAWS AUTO CONAL



RAMSEY PROFESSIONAL BUILDING

40'

100'

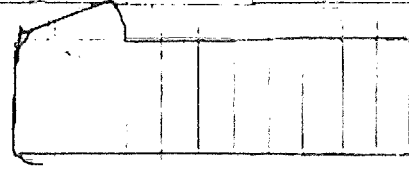
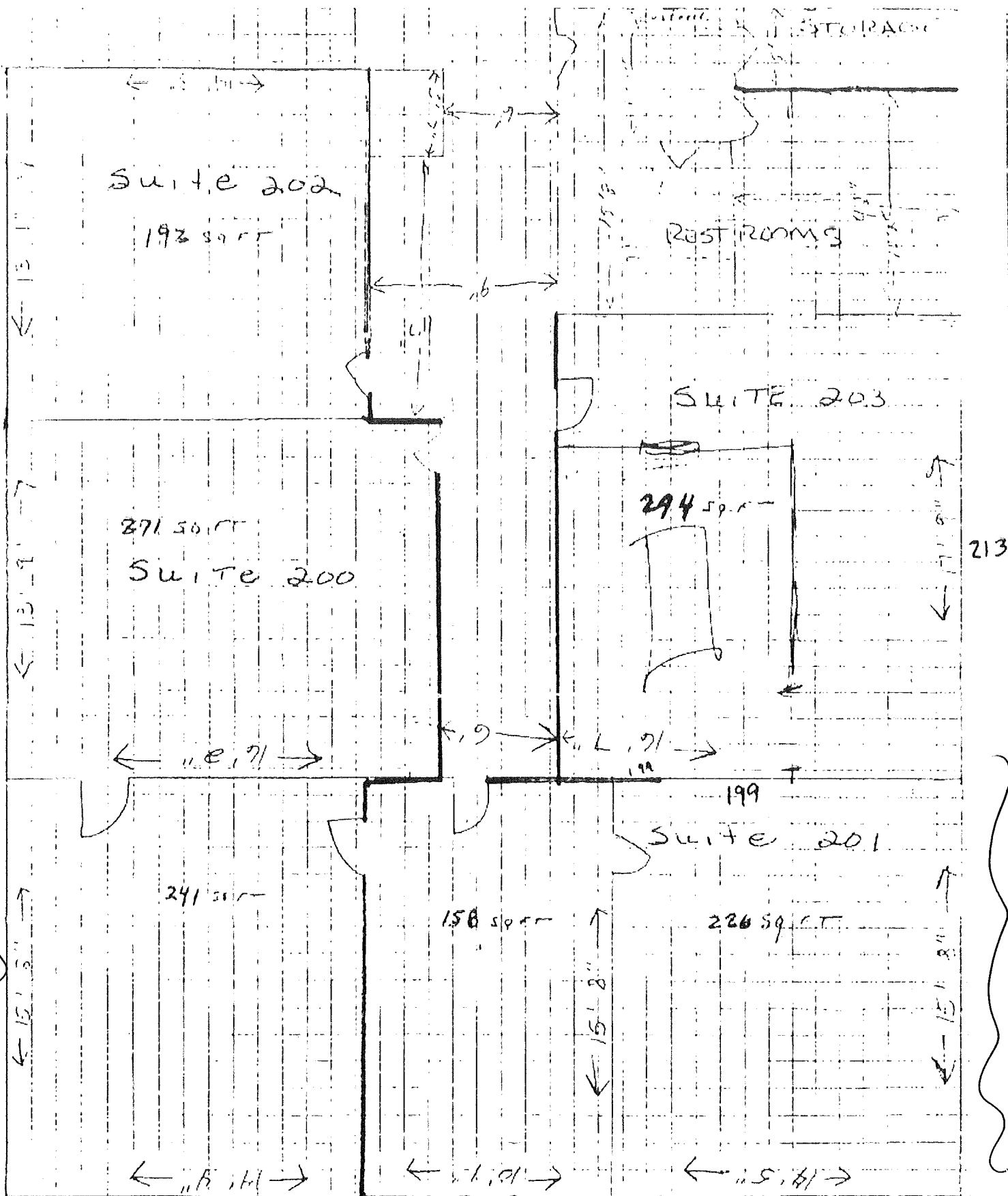
FRONT ENTRANCE

CUSTOMER PARKING SPACES

XXX'

XXX'

SCALE 1/4" = 20'



TE
RY
201

Laws Auto Connection

My plan is simple. I will be placing 1 vehicle in the front of the building for sale with up to 5 more in the back of the building on hand. My business model is not a traditional car lot model. I will keep a handful of vehicles on hand that will be serviced off site and offered to the public online. I have a virtual lot online thru Facebook marketplace and various other online platforms to advertise my vehicles and abilities to procure new and used vehicles for current and potential clients. I will set appointments to view the vehicles at the site in question. I will also be brokering new and used vehicles using other dealer's facilities and inventories along with wholesaling vehicles form dealer to dealer. I will not be stacking up the lot with vehicles and salespeople waiting for clients. I will be setting appointments for clients to show them vehicles on hand and to meet with them to go over their automotive needs. The process of buying a vehicle in my humble opinion is often horrible and time consuming. The car sales environment is often selfish and toxic. That environment was a serious strain on my health and family life which pushed me and my 30-years of automotive owner and sales experience to help people get the vehicle they need and want at a fair price in the easiest, friendliest, and personalized manner possible.

Sincerely,

Jay Laws

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

RESOLUTION #21-287

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR AUTOMOTIVE SALES AT 6957 HIGHWAY 10 NW AND DECLARING TERMS OF AGREEMENT

RECITALS

1. Jay Laws, on behalf of Laws Auto Connection, hereafter referred to as “**Permittee**”, has properly applied for a Conditional Use Permit to allow motor vehicle sales on the property generally known as 6957 Highway 10 NW and legally described as:

LOT 4 AUDITORS SUBDIVISION NO 31 DESC AS FOL: COM AT SE COR OF SD LOT, TH NWLY ALG SWLY LINE OF SD LOT 520 FT TO POB, TH CONT NWLY ALG SD SWLY LINE 155 FT, TH DEFL TO RT AT ANG OF 88 DEG 335 FT +OR- TO NELY LINE OF SD LOT, TH SELY ALG SD NELY LINE 155 FT +OR- TO INTER/W A LINE EXTD NELY FROM POB AT ANG OF 88 DEG, TH SWLY ALG SD LINE 338 FT +OR- TO POB, EX SLY 42 FT THEREOF, Anoka County, Minnesota

(the ‘**Subject Property**’);

2. That the **Subject Property** is zoned H-1 Highway 10 Business District and is approximately 1.04 acres in size.
3. That motor vehicle, implement, and recreation equipment sales and service is a conditional use in the H-1 Highway 10 Business District.
4. That the **Subject Property** abuts Highway 10 NW to the south, and parcels to the east and west of the **Subject Property** are zoned H-1 Highway 10 Business District.
5. That the **Permittee** has submitted a site plan indicating five (5) parking spaces dedicated to the business in the north existing parking lot, and a private entrance to their office.
6. That Section 117-120 of the City Code requires all parking and pavement (including maneuvering, sales, and display areas) be setback from the street right-of-way a distance of at least twenty (20) feet.
7. That City Code Section 117-356 (Commercial and Industrial Development Off-Street Parking) requires one (1) dedicated customer parking space for every ten (10) vehicles displayed; three (3) dedicated customer parking spaces for each enclosed bay; and one (1) dedicated parking space for each full time employee.
8. That vehicles displayed for sale shall be restricted to bituminous or concrete surfaces only.
9. That the Planning Commission met on October 28, 2021, and conducted a public hearing and recommended **approval/denial** of the request.
10. That the City Council met on November 9, 2021 and **approved/denied** the request.

FINDINGS OF FACT

1. That motor vehicle sales will not be unduly dangerous or detrimental to persons residing or working in the vicinity of the use, or to the public welfare.
2. That motor vehicle sales will not substantially adversely impair the use, enjoyment or market value of any of the surrounding properties.
3. That the motor vehicle sales operation will be maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will/will not change the essential character of the area.
4. That motor vehicle sales will not be hazardous to existing or future neighboring uses.
5. That motor vehicle sales will not impact essential public facilities and services, such as highways, streets, police and fire protection.
6. That motor vehicle sales will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
7. That motor vehicle sales will not involve uses, activities and equipment that would be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

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

That the Ramsey City Council hereby grants approval of a Conditional Use Permit (the “**Permit**”) for motor vehicle sales on the **Subject Property** contingent upon the following conditions:

CONDITIONS

1. That this **Permit** allows for motor vehicle sales to occur on the **Subject Property**.
2. That this **Permit** is contingent upon site plan review and site plan approval by the Ramsey City Council.
3. That there shall be no parking or maneuvering on any unpaved area at any time.
4. That the Permittee shall ensure that any new or upgraded parking and pavement onsite comply with Section 117-120 of the City Code requiring all parking and pavement (including maneuvering, sales, and display areas) require at least a twenty (20) foot setback from adjacent street right-of-way.
5. That the striping of the paved areas area shall be in compliance with the City Code; the **Permittee** shall submit plans to the City of Ramsey prior to any paving or striping for proper permitting.

The **Permittee** shall stripe all required customer parking stalls and those stalls shall not be used for any use other than customer parking.

6. That the **Permittee** shall maintain the **Subject Property** in compliance with City Code Section 117-356 (Commercial and Industrial Development Off-Street Parking) and Chapter 30 (Nuisances) at all times.
7. That there shall be no salvaging of parts from inoperable motor vehicles on site to be used to repair other motor vehicles.
8. That there shall be no outside storage of parts or cannibalized vehicles on the **Subject Property**.
9. That the **Permittee** shall obtain all necessary permits to complete any required building modifications or site modifications.
10. That the **Permittee** (or any other tenants) shall obtain all necessary licenses to lawfully operate motor vehicle sales operations on the **Subject Property**.
11. That the **Permittee** shall maintain all required drive aisle widths in accordance with City Code Section 117-356.
12. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.
13. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this Permit.
14. That the City Administrator, or his/her designee, shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request.
15. That this **Permit** shall automatically expire if the use is not initiated within one (1) year of the date of this approval.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____, 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 City Council this 9th day of November, 2021.

Regular Planning Commission

6. 4.

Meeting Date: 10/28/2021

By: Brian McCann, Community
Development

Information

Title:

PUBLIC HEARING: Consider Resolution #21-288 Granting a Conditional Use Permit for Auto Sales at 6740 Highway 10 NW and Declaring Terms of Agreement

Purpose/Background:

The purpose of this case is to consider a request from Sang Huynh and Toan Danh (the "Applicants") for a Conditional Use Permit (CUP) for commercial auto sales as well as outdoor storage of vehicles, trucks, and trailers attendant to this business located at 6740 Highway 10 NW (the "Subject Property"). The Applicant is proposing operation hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, 8:00 a.m. to noon on Saturday, and being closed on Sundays. The property is zoned B-2 Highway Business District and is guided for Commercial in the comprehensive plan. Motor vehicle, implement, and recreation equipment sales and service are allowed as a Conditional Use in the B-2 District. The Applicants are proposing two motor vehicle dealers operating from this location.

Notification:

Staff attempted to notify all property owners within 350 feet of the Subject Property of the requested Conditional Use Permit via standard U.S. mail and published the Notice of Public Hearing in the Anoka County UnionHerald.

Observations/Alternatives:

Summary

In addition to auto sales, the Applicants are proposing to fully enclose the Subject Property with a privacy fence to ensure security and a presentable view from Highway 10. Another proposed change to the Subject Property is an expansion to the property's parking lot. The expansion is proposed for the southwestern portion of the property and will connect existing bituminous pavement up to the property line. The proposed expansion will add approximately 6,000 square feet of impervious surface to the Subject Property.

They anticipate the number of vehicles on site to fluctuate based on business volume and number of customers. They plan for the average number of vehicles to be consistent with approximately 80% of the total number of marked parking stalls that the Applicant intends to paint, with adequate allowance for movement of the vehicles as well as for traffic generated by customers and staff. This will not include building areas and customer/staff parking.

An onsite inspection of the Subject Property was made on October 7, 2021 with Planning Staff and the Building Official. The inspection revealed non-compliant ADA bathrooms, no striping for customer parking and only enough office space for a single automotive salesperson. There was brief discussion into the feasibility of the Applicant's desire to convert some of the mini storage units into an automotive repair facility, but the Applicants are no longer pursuing that and it was not deemed feasible by the Building Official.

Alternatives

Alternative 1: Recommend approval of the CUP to the City Council with conditions as proposed by City Staff. Staff is supportive of this alternative.

Alternative 2: Recommend approval of the CUP to the City Council with additional conditions, as well as the conditions proposed by City Staff. Staff also supports this alternative.

Alternative 3: Recommend denial of the CUP to the City Council. Staff does not recommend this alternative.

Funding Source:

The Applicant is responsible for all costs associated with review.

Recommendation:

Staff recommends the Planning Commission recommend adoption of Resolution #21-288 granting a Conditional Use Permit for commercial auto sales and outdoor storage of vehicles and trucks at 6740 Highway 10 NW.

Action:

Motion to adopt Resolution #21-288 granting a Conditional Use Permit for commercial auto sales at 6740 Highway 10 NW.

Attachments

Narrative

Site Plan

Site Location Map

Resolution #21-288

Form Review**Inbox**

Brian McCann (Originator)
Bruce Westby
Form Started By: Brian McCann
Final Approval Date: 10/21/2021

Reviewed By

Brian McCann
Bruce Westby

Date

10/19/2021 01:53 PM
10/21/2021 05:52 AM
Started On: 10/01/2021 10:36 AM

September 28, 2021

Sang Huynh and Toan Danh
9700 University Ave NW
Blaine, MN 55448

City of Ramsey
7550 Sunwood Drive NW
Ramsey, MN 55303

Dear City of Ramsey:

We submitted a Land Use Application, and received your request that we deliver this letter explaining our intentions regarding the proposed usage of the commercial lot located at 6740 Hwy 10, Ramsey, MN 55303.

We would like to use the location for a business engaged in commercial auto sales, as well as outdoor storage for vehicles, trucks, and trailers attendant to this business. The area will be delimited by a privacy fence to ensure security and a clean view from the road. Business will be operated Monday to Friday from 8:00 am to 5:00 pm, and Saturday from 8:00 am to noon, and closed on Sundays.

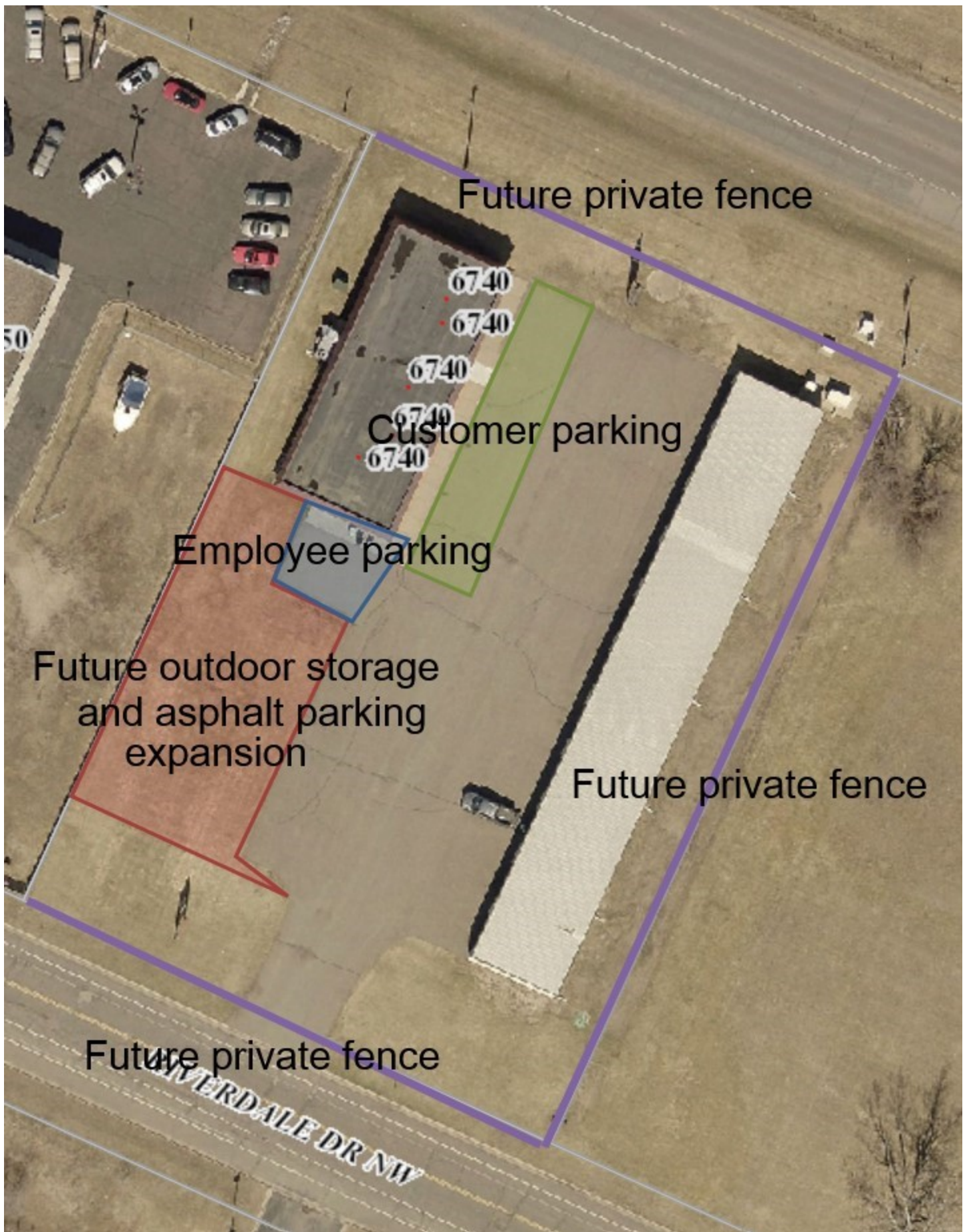
You asked how many vehicles we intend to park or store. We anticipate that the number of vehicles will fluctuate from time to time based on our business volume and customer action. We plan that the average number of vehicles will be consistent with approximately 80% of the maximum number of marked parking stalls that we intend to paint in the parking area, with suitable allowance for movement of the vehicles as well as for traffic by customers and staff. This will not include the area of the building and customer/staff parking. We look to the City for guidance on rules regarding marking such parking areas, and it is our intention to comply with same.

We are proud to be a diversely owned Minnesota small business with strong community values. We are very keen on safety and the environmental impact of our work.

Thank you for your attention and consideration,

Sincerely,

Sang Huynh and Toan Danh



Future private fence

6740

6740

6740

6740

6740

Customer parking

Employee parking

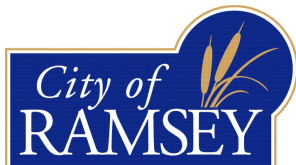
Future outdoor storage
and asphalt parking
expansion

Future private fence

Future private fence

WINTERDALE DR NW

50



Site Location Map

6740 Highway 10 NW

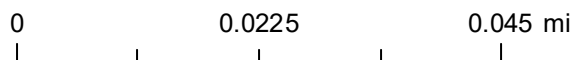
Auto Sales Conditional Use Permit

Legend

-  Site
-  Parcels



10/8/2021, 11:19:28 AM



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

RESOLUTION #21-288

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR AUTOMOTIVE SALES AT 6740 HIGHWAY 10 NW AND DECLARING TERMS OF AGREEMENT

RECITALS

1. Sang Huynh and Toan Danh, hereafter referred to as “**Permittees**”, have properly applied for a Conditional Use Permit to allow motor vehicle sales and outdoor storage on the property generally known as 6740 Highway 10 NW and legally described as:

Lot 3, Block 1, Riverside West, Subject to Easements of Record, Anoka County, Minnesota

(the ‘**Subject Property**’);
2. That the **Subject Property** is zoned B-2 Highway Business District and is approximately 1.32 acres in size.
3. That the **Subject Property** is guided for Commercial in the City’s 2040 Comprehensive Plan.
4. That motor vehicle, implement, and recreation equipment sales and service is a conditional use in the B-2 Highway Business District.
5. That the **Subject Property** abuts Highway 10 NW to the north, and parcels to the east and west of the **Subject Property** are zoned B-2 Highway Business District.
6. That the **Permittees** have submitted a site plan indicating general areas for parking of employees, customers, and vehicles for sale. The plan also includes proposed future parking expansion area, and the installation of a fence.
7. That Section 117-120 of the City Code requires all parking and pavement (including maneuvering, sales, and display areas) be setback from the street right-of-way a distance of at least twenty (20) feet.
8. That City Code Section 117-356 (Commercial and Industrial Development Off-Street Parking) requires one (1) dedicated customer parking space for every ten (10) vehicles displayed; three (3) dedicated customer parking spaces for each enclosed bay; and one (1) dedicated parking space for each full time employee.
9. That vehicles displayed for sale shall be restricted to bituminous or concrete surfaces only.
10. That the **Permittees** have requested permission to have two (2) dealers on the **Subject Property**.
11. That the Planning Commission met on October 28, 2021, and conducted a public hearing and recommended **approval/denial** of the request.
12. That the City Council met on November 9, 2021 and **approved/denied** the request.

FINDINGS OF FACT

1. That motor vehicle sales **will/will not** be unduly dangerous or detrimental to persons residing or working in the vicinity of the use, or to the public welfare.
2. That motor vehicle sales **will/will not** substantially adversely impair the use, enjoyment or market value of any of the surrounding properties.
3. That the motor vehicle sales operation **will/will not** be maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will/will not change the essential character of the area.
4. That motor vehicle sales **will/will not** be hazardous to existing or future neighboring uses.
5. That motor vehicle sales **will/will not** impact essential public facilities and services, such as highways, streets, police and fire protection.
6. That motor vehicle sales **will/will not** create excessive additional requirements at public cost for public facilities and services and will/will not be detrimental to the economic welfare of the community.
7. That motor vehicle sales **will/will not** involve uses, activities and equipment that will/will not be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

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

That the Ramsey City Council hereby grants approval of a Conditional Use Permit (the “**Permit**”) for motor vehicle sales on the **Subject Property** contingent upon the following conditions:

CONDITIONS

1. That this **Permit** allows for motor vehicle sales for two (2) dealers to occur on the **Subject Property**. Any expansion of number of dealers will require a revised Conditional Use Permit.
2. That the **Permittees** are allowed to sell motor vehicles and passenger vehicles, this **Permit** does not cover boats, RVs, trailer sales, or similar uses.
3. That this **Permit** is contingent upon site plan review and site plan approval.
4. That the building on the **Subject Property** must meet all applicable federal, state, and local regulations including ADA compliant bathrooms, as noted by the Building Official during an on-site inspection.

5. That each automotive dealer must have a designated office space, and that any building modifications shall require proper permitting.
6. That the number of automotive dealers on the **Subject Property** shall not exceed two (2) dealers.
7. That there shall be no parking or maneuvering on any unpaved area at any time.
8. That the **Permittees** shall ensure that any new or upgraded parking and pavement onsite comply with Section 117-120 of the City Code requiring all parking and pavement (including maneuvering, sales, and display areas) require at least a twenty (20) foot setback from adjacent street right-of-way, as well as any required permit. All parking must be striped per City Code, and each dealer's spaces must be signed appropriately.
9. That the striping and signage of the paved areas area shall be in compliance with the City Code; the **Permittees** shall submit plans to the City of Ramsey prior to any paving or striping for proper permitting. The **Permittees** shall stripe all required customer parking stalls and those stalls shall not be used for any use other than customer parking. Customer parking and handicapped parking shall also be signed appropriately.
10. That the **Permittees** shall maintain the **Subject Property** in compliance with City Code Section 117-356 (Commercial and Industrial Development Off-Street Parking) and Chapter 30 (Nuisances) at all times.
11. That there shall be no auto repair work on the **Subject Property**, which includes, but it not limited to, salvaging of parts from inoperable motor vehicles on site to be used to repair other motor vehicles.
12. That all vehicles on the **Subject Property** must be fully operable, road-worthy, and licensed properly.
13. That the outdoor storage will consist of no more than five (5) vehicles related to the towing business, of which the **Subject Property** will be the headquarters for but will not hold vehicles related to the towing business.
14. That the **Permittees** shall apply for a Site Plan for any changes onsite, including but not limited to, expanding the parking lot, changing signage, or modifications to the building. That the **Permittees** shall obtain all necessary permits to complete any required building modifications or site modifications, including permits for the proposed fencing and parking expansion.
15. That the **Permittees** (or any other tenants) shall obtain all necessary licenses to lawfully operate motor vehicle sales operations on the **Subject Property**. All businesses shall be properly registered with the Secretary of State, and receive Motor Vehicle Dealer's Licenses from the State. The **Permittees** must provide proof of licensure to the City.
16. That the **Permittees** shall maintain all required drive aisle widths in accordance with City Code Section 117-356.

17. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.
18. That the **Permittees** shall be responsible for all City costs incurred in administering and enforcing this **Permit**.
19. That the City Administrator, or his/her designee, shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request.
20. That this **Permit** shall automatically expire if the use is not initiated within one (1) year of the date of approval.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____, 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 City Council this 9th day of November, 2021.

CITY OF RAMSEY:

By: _____
Mayor

By: _____
City Clerk

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

On this _____ day of _____, _____, before me a Notary Public personally appeared Mayor Mark E Kuzma and Colleen Lasher, to me personally known, who, being each by me duly sworn, did say that they are respectively the Mayor and City Clerk of the City of Ramsey, the Municipal Corporation named in the foregoing instrument, and seal affixed to said instrument is the corporate seal of said Municipal corporation, and the said instrument was signed and sealed on behalf of said Municipal Corporation by authority of its City Council, and said Mark E Kuzma and Colleen Lasher acknowledge said instrument to be the free act and deed of said Municipal Corporation.

Notary Public

This document drafted by:
City of Ramsey
7550 Sunwood Dr NW
Ramsey, MN 55303

Meeting Date: 10/28/2021

By: Bria Raines, Community Development

Information

Title:

PUBLIC HEARING: Consider Resolution #21-219 Granting a Conditional Use Permit (CUP) and Declaring Terms Agreement at 7127 Highway 10 NW; Case of Ron Touchette

Purpose/Background:

Initiated by a Code Enforcement case from 2020, the Property Owner has applied for a Conditional Use Permit (CUP) for expansion of the lawful, nonconforming footprint of the auto sales operation onsite. The Subject Property has current City Code violations of off-street parking, work without a permit, and expansion of the lawful, nonconforming uses without applying for a CUP; a permit which is otherwise required in the H-1 Highway 10 Business District per City Code. The Subject Property is North of Highway 10 and East of Ramsey Blvd.

The Applicant is requesting to expand the physical footprint by increasing the parking area in the rear, and increasing the number of tenants and the types of businesses on the Property. At this time, the site has five (5) tenants; four (4) only auto sales, and one (1) auto repair and sales. The Applicant would like to increase the number of tenants to nine (9), with one tenant being Top Ten; a miscellaneous business not related to auto sales or repair. The tenant, Top Ten, does not have a Ramsey Business Registration Certificate (BRC). Without the BRC, there is no evidence this business has lawful nonconforming rights and would need to be approved in this CUP request.

Top Ten Industries will need to comply with the H-1: Highway 10 Business District outdoor storage. In accordance with Section 117-120, as follows: Additional accessory use: Outdoor storage for materials and equipment accessory to the principal use under the following conditions:

a. Shall not constitute more than 20 percent of the gross lot area. b. Shall be screened on all sides with 100 percent opaque screening of wood, masonry, or maintenance free material, or other means of screening as approved by the city council. Chain link fencing of any type will not be permitted. c. Shall be surfaced with bituminous or concrete if to be located in the side yard. d. Shall be located in the side or rear yard only. e. Storage area may be surfaced with Class V Gravel in the rear yard provided that: 1. The gravel depth must be at least two inches. 2. The storage area must be setback at least 20 feet from public rights of way. 3. The storage area must be setback at least 35 feet from adjacent residential properties. 4. The gravel surface must be kept free of vegetative cover and routinely maintained. 5. The size of the gravel surface may not exceed the size of areas surfaced with concrete or bituminous on the property or 30 percent of the gross lot area, whichever is less. f. Items stored outdoors shall comply with [chapter 30](#) of the Ramsey City Code entitled Public Nuisances.

In addition to the request to increase to nine (9) tenants, there is a residential tri-plex, and Hirschfield's store on the Subject Property. Staff would recommend a site plan review which would include a Site Plan Sheet, Landscaping Plan, Utility Plan, Grading Plan, Lighting Plan, and Building Elevation Plan. These site plan review recommendations are typical for multi-tenant expansions. Staff would also recommend that the Applicant work with the State to confirm all State requirements are met, such as five (5) designated parking spaces per tenant; which plans have not been provided for.

Notification:

Notifications of this proposal were sent via Standard US Mail to Property Owners within 350 feet of the Subject Property, as reflected by Anoka County Property Records. A notice was also published in the Anoka UnionHerald, the City's Official newspaper.

Observations/Alternatives:

The Subject Property is located at 7127 Highway 10 NW. The Subject Property is zoned H-a Highway 10 Business District and is approximately 2.08 acres in size. All surrounding properties are zoned the same.

Summary of Request

The applicant seeks permission to expand the Subject Property footprint from its lawful, nonconforming uses to include a triple stacked parking area in the rear property, eliminating a row of parking in front of the tri-plex as compromise for the rear expansion, installing a privacy fenced in area for inoperable vehicles, and increasing the amount of tenants from six (6) to nine (9). The current onsite business tenants include:

- Five (5) auto sales tenants
- One (1) auto body repair tenant

The Applicant would like to have triple stacked backing in the rear and would eliminate parking in the front of the property to compromise for this addition to the CUP.

Options

Alternative 1: Approve the Conditional Use Permit (CUP) as originally requested. This would increase the physical footprint on the Subject Property and increase the number of tenants at the property by three (3).

Alternative 2: Approve the Conditional Use Permit (CUP) with the following conditions:

- two rows of parking in the rear
- Submit application for site plan review
 - Meet State and City Codes for multi-tenant auto sales facility
 - Provide site plan proving adequate parking to accommodate nine (9) tenants
 - Include screening, per Section 117-120, for storage related to Top Ten Industries
- the Subject Property shall meet outdoor storage standards in accordance with City Code Chapters 30 and 117.
 - Apply for an interim use permit or remove by December 1, 2021.
- no recreational sales beyond three (3) "for sale" trailers at a time
 - Boat/aquatics sales are prohibited
- Applicant will work with the State to provide adequate parking for Hirschfields, the tri-plex residents, and parking for individual auto sales tenants and requirement for auto repair operation.
 - Section 117-356 - Commercial off-street parking
 - Outdoor sales: One parking space per ten (10) autos displayed
 - State requires five (5) auto spaces at least per tenant
 - Repairs: Three spaces for each enclosed bay and one space for each full time employee
 - Hirschfield's: One space for each 200 square feet of floor space for retail uses under 20,000 square feet. One space for each 250 square feet of floor space for retail uses over 20,000 square feet.
 - Residential: Minnesota State Statute 2400.2820 requires 1.5 spaces for one and two-family dwellings or one (1) space per multi-family dwellings.
 - Parking Spaces: nine (9) feet wide and eighteen (18) feet in depth
- The Property Owner shall require all tenants have a Business Registration Certificate
 - There are only two (2) licensed businesses at this property

Alternative 3: Deny the CUP. This would decrease the current expanded operations to their original footprint.

Funding Source:

The Applicant is responsible for all costs related to this request.

Recommendation:

Staff recommends approving the application for a Conditional Use Permit (CUP) at 7127 Highway 10 NW with the conditions of a site plan review to prove adequate parking and State requirements are met.

The Property requires a CUP in accordance with City Code Section 117-120 for an expansion of lawful nonconforming uses.

Contingent on approval from City Council, the Applicant will need to submit a full site plan review. The full site plan provides proof of adequate parking for all uses on the property, that State codes are met for the building and site requirements, and demonstrates that improvements will not effect current grading.

Action:

Motion to recommend that the City Council approve Resolution #21-219 Approving a Conditional Use Permit (CUP) and Interim Use Permit (IUP) at 7127 Highway 10 NW with the conditions of a site plan review, two rows of parking, and screening of Top Ten storage trailers.

Attachments

Application and Narrative

Site Map (Applicant Request)

Site Map (Staff Recommendation)

Staff Recommendation (Resolution #21-219)

Proposed Fence

First Notice of Violation

Second Notice of Violation

Notice of Violation

Abatement Notice

Aerials 2005-2020

Resolution #21-219

Form Review

Inbox

Bruce Westby

Form Started By: Bria Raines

Final Approval Date: 10/20/2021

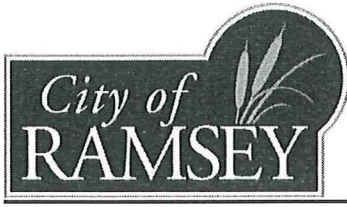
Reviewed By

Bruce Westby

Date

10/20/2021 01:44 PM

Started On: 09/09/2021 11:34 AM



Land Use Application

<input type="checkbox"/> Plat – Sketch Plan	<input type="checkbox"/> Plat – Preliminary Plat	<input type="checkbox"/> Plat – Final Plat
<input type="checkbox"/> Administrative Plat	<input type="checkbox"/> Site Plan Review	<input type="checkbox"/> Easement/ROW Vacation
<input checked="" type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Interim Use Permit	<input type="checkbox"/> Comprehensive Plan Amendment
<input type="checkbox"/> Zoning Amendment	<input type="checkbox"/> Home Occupation Permit	<input type="checkbox"/> Variance
<input type="checkbox"/> Dwelling Moving Permit	<input type="checkbox"/> Environmental Permit	<input type="checkbox"/> Registered Land Survey
<input type="checkbox"/> Non-Traditional Animal License	<input type="checkbox"/> Beekeeping License	<input type="checkbox"/> Private Kennel License

Applicant Contact Information

Please note: All official communication will be routed through this contact.

Name:	Ron Touchette		
Street Address:	7078 East fish Lake Rd.		
City, State, ZIP:	Maple Grove MN 55311		
Home Phone:	612-685-0373	Work Phone:	
Email:	ron@rocksolidcos.com	Fax Number:	
Name of Business (if applicable):	Top Ten Center		
Business Address (if applicable)			
Business City, State, ZIP			
Business Phone:		Business Fax:	

Subject Property Information

(Location of Application)

Address	7125, 7127, 7129 Highway 10 NW, Ramsey MN
PIN	27-32-25-33-0020
Legal Description	See attached realist report
Zoning District	


Contact the Planning Division at 763-433-9824 or planning@cityoframsey.com to request a Zoning Verification

Property Owner Information
(If different than Applicant)

Name:			
Street Address:			
City, State, ZIP:			
Home Phone:		Work Phone:	
Email:		Fax Number:	

Please provide a detailed description of your request and attached a copy of a scaled site plan
See attached description and site plan.

A "Land Use Sign" will be placed on the Subject Property to allow Ramsey Residents the opportunity to obtain information about your request.

Applicant Signature		Co-Applicant Signature	
Printed Name	Ron Touchette	Printed Name	
Title		Title	
Date	9-22-21	Date	

I understand that the application fee is non-refundable. All costs associated with the processing of this application are the responsibility of the applicant whether this application is approved or denied. Any excess of escrow account deposits over expenditures will be refunded at the time of account closure. I also understand that as the applicant, it is my responsibility to obtain all other permits or licenses required by any applicable regulatory agencies for this Land Use Application.

Property Owner Signature		Property Owner Signature	
Printed Name	Ron Touchette	Printed Name	
Title		Title	
Date	9-22-21	Date	

I hereby certify that I am the fee title owner/contract for deed vendee of record for the above-mentioned property. Failure to prove ownership may void any agreements entered into the City and I will be held liable for any and all costs incurred by the City.

Request for Conditional Use Permit
City of Ramsey, MN

Top Ten Center / Multi-Tenant live work commercial, auto repair and sales center.

My family has owned Top Ten Center for nearly three decades where we originally founded and operated Fleetwood Collision Center, Top Ten Auto Sales, Top 10 Racing and Fleetwood Services/Sparks Computerized Car Care Centers. Over the many years we eventually sold the individual businesses to other entrepreneurs and continued to provide a great place to operate the businesses that we had originally founded.

There have been changes from time to time in the operator of the businesses and we even, for a period in the troubled times, re-opened our auto body repair business of buying and re-building repairable autos, trucks, trailers, RV's and even watercraft when there were no renters to be had! TTC was also the original home of Discount 10 Liquors and then the home of MGM Liquors until the looming prospect of the pending taking of the property for the Highway 10 expansion caused MGM to pull the plug and cease operations! This left the liquor store portion of the property vacant and losing money for several years when the City identified the path of Hwy 10 as going right through the building!! This resulted in the loss of our neighbor Holiday gas station, (purchased by the City), and the absolute unrentable and unsalable circumstances of the property until the path of Hwy 10 was eventually directed away from the middle of our property.

Today the path of Highway 10 has been determined to site relatively within its current footprint and our property has been saved from taking allowing us to, for the first time in over 10 years, consider what the future holds and how we can maximize the opportunity and the best use of Top Ten Center permanently!

Recognizing that the expansion of Highway 10 to a freeway is both necessary and absolutely in the best interests of the community. We are glad that at long last there is a real plan and a real path forward for the highway. We now need to do the same and plan for the future of our long time family owned property!

Currently, and for the past many years, we have had an autobody repair shop as well as five pre-owned auto sales businesses operating at the property including our own company TTC; we also rent to the Hirschfield's Paint and wallpaper as well as the triplex house in front. We propose to reconfigure the 7127 middle building and add an additional four Pre-Owned auto sales dealership offices to make a total of nine dealerships for the property.

These dealerships would all have State Statute conforming opportunities for the nine Motor Vehicle Licensed Dealers. Consisting of separate MV Dealer offices each with a private entrance to be used for sales, administration, storage of records as well as parking for 5 vehicles, providing for the parking requirements of the owner, customer and showing inventory within the total of five spaces per Dealer. Customarily these primarily internet based of auction based Tenants on average use minimal inventory parking on a daily basis. Each and every Tenant Dealer is required to carry a \$50,000 performance bond, full business & liability insurance and is required to execute a formal written lease prior to

occupancy. We also run a tenant background check using a service to determine the credit worthiness as well as looking for any history of default or non-compliance with state laws and regulations. These entrepreneur small business owner Tenants are very committed and required to operate their businesses in a professional and consumer centric manner!

We are asking for the ability to park up to three deep in the rear line of the property abutting the railroad tracks and setback and in return giving up the two deep parking that we have currently have in the front of the property facing highway 10.

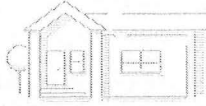
Thank you for considering our proposed upgrades to Top Ten Center and our family is very much looking forward to bringing this project forward in the City of Ramsey!

Sincerely

A handwritten signature in blue ink, appearing to read "Ron Touchette", with a long horizontal flourish extending to the right.

Ron Touchette & Family

7127 Highway 10 Nw, Ramsey, MN 55303-6043, Anoka County

	Beds	Baths	Sale Price	Sale Date
	N/A	N/A	N/A	N/A
	Bldg Sq Ft	Lot Sq Ft	Yr Built	Type
	10,804	72,310	1980	COM-NEC

OWNER INFORMATION			
Owner Name	Touchette Lori L	Taxpayer Zip	55311
Owner Name 2	Touchette Ronald J	Taxpayer ZIP+4	2832
Taxpayer Address	7078 E Fish Lake Rd	Taxpayer Carrier Route	R006
Taxpayer City and State	Maple Grove, MN	Owner Occupied	No

LOCATION INFORMATION			
Municipality	Ramsey	Section #	27
Zip Code	55303	Township #	32
Carrier Route	C042	Range #	25
Census Tract	502.28	Quarter	SW
Lot	6	Quarter-Quarter	SW
School District Name	Anoka-Hennepin	Neighborhood Code	Ra-C/I-B83
School District	011		

TAX INFORMATION			
PID#	273225330020	Alternate PID	1721371
PID	27-32-25-33-0020	% Improved	40%
Legal Description	TH PT OF W 33 RODS OF SW1/4 OF SW1/4 OF SEC 27 TWP 32 RGE 2 5 DESC AS FOL: COM AT INTER W LINE OF SD 1/4 1/4 WITH SLY R/W LINE OF GREAT NORTHERNRAIL WAY, TH SELY ALG SD SLY R/W 297.57 FT TO ACT POB, TH CONT SELY ALG SD SLY R/W 261.50 FT +OR- TO INTER W E LINE OF SD W 33 RODS, TH S ALG SD E LINE 206.35 TH NWLY PRLL W R/W TO ELY LINE OF W 31 RODS TH SLY ALG SD E LINE TO NLY R/W LINE OF T H NO 10 TH NWLY ALG NLY R/W T H NO 10 TO A PT 299.65 FT SELY FROM W LINE OF SD 1/4 OF 1/4 AS MEAS ALG SD NLY R/W LI NE, TH N TO ACT POB, (INCL LOT 6, AUD SUB 31) EX RD SUBJ TO E ASE OF REC.		

ASSESSMENT & TAX			
Assessment Year	2020	2019	2018
Estimated Mkt. Value - Total	\$572,300	\$568,100	\$546,800
Estimated Mkt. Value - Land	\$341,600	\$341,600	\$325,200
Estimated Mkt. Value - Building	\$230,700	\$226,500	\$221,600
Taxable Mkt. Value - Total	\$572,300		\$546,800
Taxable Mkt. Value - Land	\$341,600		\$325,200
Taxable Mkt. Value - Building	\$230,700		\$221,600
Payable Tax Year	Total Tax	Change (\$)	Change (%)
2018	\$16,962		
2019	\$16,822	-\$140	-0.83%
2020	\$17,000	\$178	1.06%

CHARACTERISTICS			
Lot Acres	1.66	Finished Sq Ft	10,804
Lot Sq Ft	72,310	Total Building Sq Ft	10,804
Land Use - County	3410	Bldg Frame Material	Masonry
Land Use - CoreLogic	Commercial (NEC)	Exterior	Concrete Block
# of Buildings	1	Construction	Masonry
Stories	1	Heat Type	Space
Year Built	1980	Ceiling Height	16
Effective Year Built	1980		

FEATURES	
Feature Type	

Office Adjustment - Industrial

Office Adjustment - Industrial

Asphalt

Building Description

Building Size

Neighborhood Shopping Ctr

7,040

ESTIMATED VALUE

Value As Of

09/16/2021

LAST MARKET SALE & SALES HISTORY

Owner Name

Touchette Lori L

Owner Name 2

Touchette Ronald J

MORTGAGE HISTORY

Mortgage Date

03/13/2018

Mortgage Amount

\$868,000

Mortgage Lender

Firefly Fcu

Borrower Name

Touchette Ronald J

Borrower Name 2

Touchette Lori L

Mortgage Type

Conventional

PROPERTY MAP



*Lot Dimensions are Estimated



Proposed for non-road worthy vehicles

PROPOSED VEHICLES FOR REPAIR AND SALE (Triple Stack)

REPAIR

VISTOR

COMPLETED

SALES ROW

SLIDING GATE

CUSTOMER

CUSTOMER

SALES ROW

PROPOSED REDUCTION

SALES ROW

GENERAL PARKING AND SALES

SALES ROW

SWINGING GATE

7157

7129

297-6

7127

7125

7103



Proposed fenced area

VEHICLES FOR REPAIR AND SALE (DOUBLE STACK)

SWINGING GATE

REPAIR

VISITOR

COMPLETED

SLIDE GATE

SALES ROW

CUSTOMER

CUSTOMER

SALES ROW

SALES ROW

SALES ROW

SALES ROW

SALES ROW

7157

7129

7127

7125

7109

297.6'

0.20'

0.20'

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

RESOLUTION #21-219

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT (CUP) AND
DECLARING TERMS AGREEMENT AT 7127 HIGHWAY 10 NW (PROJECT 21-128);
RON AND LORI TOUCHETTE**

RECITALS

1. Ron Touchette, hereinafter referred to as the “Applicant” have properly applied for a Conditional Use Permit to expand lawful nonconforming parking associated with the motor vehicle sales, and repair operations on the property generally known as 7127 Highway 10 NW and legally described as follows:

TH PT OF W 33 RODS OF SW1/4 OF SW1/4 OF SEC 27 TWP 32 RGE 25 DESC AS FOL: COM AT INTER W LINE OF SD 1/4 1/4 WITH SLY R/W LINE OF GREAT NORTHERNRAILWAY, TH SELY ALG SD SLY R/W, 297.57 FT TO ACT POB , TH CONT SELY ALG SD SLY R/W 261.50 FT +OR- TO INTER/W E LINE OF SD W 33 RODS, TH S ALG SD E LINE 206.35, TH NWLY PRL/W R/W TO ELY LINE OF W 31 RODS TH,SLY ALG SD E LINE TO NLY R/W LINE OF T H NO 10 TH NWLY ALG NLY R/W T H NO 10 TO A PT 299 .65 FT SELY FROM W LINE OF SD 1/4 OF 1/4 AS MEAS ALG SD NLY R/W LINE, TH N TO ACT POB, (INCL LOT 6, AUD SUB 31) EX RD SUBJ TO EASE OF REC, Anoka County, Minnesota

(“Subject Property”)

2. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 117-51 (Conditional Use Permits) of the Ramsey City Code on October 28, 2021, and that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.
3. That the Subject Property is zoned H-1: Highway 10 Business District and is approximately 2.08 acres in size.
4. That motor vehicle, implement, and recreation equipment sales and service, and light manufacturing are a conditional use in the H-1: Highway 10 Business District.
5. That the Subject Property has been in operation with motor vehicle sales and repair prior to Ordinance #09-13, amending motor vehicles, implement, and recreation equipment sales and services from a permitted use to a conditional use in the H-1: Highway 10 Business District.

6. The motor vehicle sales and repair use are lawful, nonconforming use on the Subject Property and that expansion of a lawful, nonconforming use requires a Conditional Use Permit (CUP).
7. That the City and the Property Owner seek to agree on the status and limits of the Lawful, Nonconforming Use on the Subject Property in order to provide certain protections to said use for the Property Owner and the City, and allowing for easier enforcement of current Code Standards.
8. That the Applicant has submitted a site plan expanding the parking from a single row of parking in the rear property to three rows and an area of screened parking for repair vehicles in exchange for eliminating other double and higher density parking located on the Highway 10 frontage side of the Subject Property. The site plan is shown in Exhibit A.
9. That Ramsey City Code Section 117-120, regarding the H-1: Highway 10 Business District, requires all parking and pavement (including maneuvering, sales, and display areas) be setback from the street right-of-way a distance of at least twenty (20) feet.
10. That the Applicant currently has five (5) auto sales tenants and one (1) auto body repair tenant on the Subject Property. The Applicant is proposing to increase number of tenants to eight (8) auto sales tenants, one (1) office tenant with outdoor storage of trailers, and one (1) auto body repair tenant on the Subject Property.
11. That the Subject Property also contains Hirschfield's Inc., Contractor Center and Mini Regional Warehouse, Top Ten Industries, and the tri-plex; Top Ten Industries is included in this CUP as one of the current tenants. Any expansion or permits necessary for Hirschfield's shall be considered as a separate application if required.
12. That the tenant, Top Ten Industries, is an operations management business that the Applicant states has been on the Subject Property for 30 years. Top Ten Industries stores five (5) trailers, three (3) trucks, one (1) bobcat, and five (5) storage containers at the Subject Property. There is no Business Registration Certificate of this business at this location.
13. That the Applicant shall remove the outdoor storage by the December 31, 2021. Outdoor storage items include five (5) storage containers.
14. That City Code Section 117-356 (Commercial and Industrial Development Off-Street Parking) requires one (1) dedicated customer parking space for every ten (10) vehicles displayed; three (3) dedicated customer parking spaces for each enclosed bay; and one (1) dedicated parking space for each full-time employee.
15. That Minnesota Statute 2400.2820 requires 1.5 spaces for one to two-family dwellings or one (1) space per multi-family dwellings.

16. That the Applicant has applied for a Zoning Permit for a 6-foot chain link fence for screening of the rear parking area. The fence will include an opaque screening material on the chain link.
17. That the Applicant will apply for a Zoning Permit for a 10-foot by 14-foot storage shed made of steel. The accessory structure is subject to Ramsey City Code.
18. That vehicles displayed for sale, or those that have been detailed, shall be restricted to bituminous or concrete surfaces only in the designated areas shown in Exhibit A.
19. That there are existing Zoning Code violations on the Subject Property regarding off-street parking, unlawful expansion of lawful nonconforming rights, and outdoor storage.
20. That the Planning Commission met on October 28, 2021, conducted a public hearing and recommended City Council approve the request.

FINDINGS OF FACT

1. That motor vehicle sales and repair **will not** be unduly dangerous or detrimental to persons residing or working in the vicinity of the use, or to the public welfare.
2. That motor vehicle sales and repair **will not** substantially adversely impair the use, enjoyment or market value of any of the surrounding properties.
3. That the motor vehicle sales and repair operation **will** be maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area.
4. That motor vehicle sales and repair **will not** be hazardous to existing or future neighboring uses.
5. That motor vehicle sales and repair **will not** impact essential public facilities and services, such as highways, streets, police and fire protection.
6. That motor vehicle sales and repair **will not** create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
7. That motor vehicle sales and repair **will not** involve uses, activities and equipment that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

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

That the Ramsey City Council hereby grants approval of an Amended Conditional Use Permit (the “Permit”) for motor vehicle sales and detailing on the Subject Property contingent upon the following conditions:

CONDITIONS

1. That this **Permit** allows for motor vehicle sales and repairs to occur at no more than eight (8) auto sales businesses, one (1) office space tenant with outdoor storage, and one (1) auto body repair business on the **Subject Property**; contingent on an administrative site plan review.
2. That the **Permittee** shall require all tenants to obtain a Business Registration Certificate (BRC) from the City of Ramsey and any necessary State licensures.
3. A fence, minimum of 4 feet tall, with opaque screening must remain onsite to continue to screen the repairable vehicles as shown on Exhibit A. There shall be no barbed wire on fencing. Gravel parking shall be allowed within the fenced area storing vehicles awaiting repair. The fenced in area shall store approximately ten (10) non-road worthy vehicles and shall require a separate zoning permit for gravel parking and fencing. A spare key to the fence gates shall be provided to the fire department in the event of an emergency.
4. That the **Permittee** shall ensure that any new or upgraded parking and pavement onsite comply with Section 117-120 of the City Code requiring all parking and pavement (including maneuvering, sales, and display areas) require at least a twenty (20) foot setback from adjacent street and railroad right-of-way and be applied for by an amended conditional use permit.
5. That the **Permittees** shall remove all gravel on the North parking setback, reducing the parking in the rear property to two rows, and seed the affected area within a reasonable time period of Spring 2022.
6. That there shall be no car cannibalism on the **Subject Property**; salvaging of parts from inoperable motor vehicles on site to be used to repair other motor vehicles.
7. That there shall be no outside storage of parts or cannibalized vehicles on the **Subject Property**.
8. That all parking and storage on the **Subject Property** shall comply with City Code section 117-356; specifically, parking only on improved surfaces and screening of outdoor storage.
9. That the **Permittees** shall obtain all necessary permits to complete any required building modifications.
10. That the **Permittees** (or any other tenants) shall obtain all necessary licenses to lawfully operate motor vehicle sales operations on the **Subject Property**.

by me duly sworn, did say that they are respectively the Mayor and City Clerk of the City of Ramsey, the Municipal Corporation named in the foregoing instrument, and seal affixed to said instrument is the corporate seal of said Municipal corporation, and the said instrument was signed and sealed on behalf of said Municipal Corporation by authority of its City Council, and said Mark E Kuzma and Colleen Lasher acknowledge said instrument to be the free act and deed of said Municipal Corporation.


Notary Public

This document drafted by:
City of Ramsey
7550 Sunwood Dr NW
Ramsey, MN 55303

Exhibit A: Site Plan



Legend

 Setback requirement of 20 feet



Proposed for non-road worthy vehicles

SWINGING GATE

SLIDING GATE

7157

7129

7127

7125

7109

0 200 0

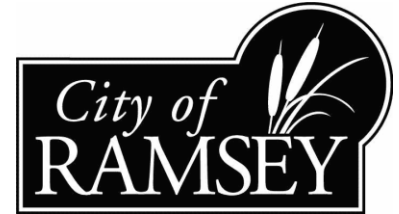
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200

STATE OF MINNESOTA
COUNTY OF ANOKA

CITY OF RAMSEY
Code Enforcement Unit



June 25, 2021

Lori Touchette
Or Current Owner
7078 E Fish Lake Rd
Maple Grove, MN 55311

Hirschfield's
Or Current Owner
7127 Highway 10 NW
Ramsey, MN 55303

-FIRST NOTICE OF VIOLATION -

RE: Violations on Anoka County PID # 27-32-25-33-0020 (7127 Highway 10 NW)

Dear Property Owner:

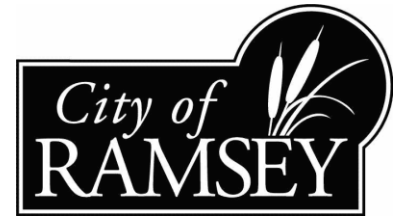
The City of Ramsey has adopted ordinances that are designed to keep the community safe, healthy and attractive. A recent inspection of the above premises revealed the following violations of the Ramsey City Code as listed below:

- City Code Chapter 30-3 – Property conditions constituting a public nuisance
 - (25) The outdoor or outside storage of any abandoned or inoperable vehicles, as defined by this chapter.
 - (27) Any violation of section 117-355, relating to off-street parking regulations.
- City Code Section 117-57. Nonconforming structures and uses.
 - Notwithstanding any other provisions of this chapter, any nonconformity, including the lawful use or occupation of land or premises existing at the time of the adoption of an additional control under this chapter, may be continued, including through repair, replacement, restoration, maintenance, or improvement, **but not including expansion**, unless it is a nonconforming use that is destroyed by fire or other peril to the extent of greater than 50 percent of its market value, and no building permit has been applied for within 180 days of when the property is damaged. In this case, the city may impose reasonable conditions upon a building permit in order to mitigate any newly created impact on adjacent property. Any subsequent use or occupancy of the land or premises shall be a conforming use or occupancy.
- City code Section 117-120. – H-1 Highway 10 Business District.
 - Conditional uses. Requires a conditional use permit based upon procedures set forth in and regulated by section 117-51 (Conditional use permits) of this chapter.
 - **(1) Motor vehicle, implement, and recreation equipment sales and service.**
 - (2) Light manufacturing.

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STATE OF MINNESOTA
COUNTY OF ANOKA

CITY OF RAMSEY
Code Enforcement Unit



- City Code Section 117-356 – Commercial and industrial development off-street parking.
(3) Standards.
 - (g) Acceptable uses. The use of the property must be in accordance with permitted, conditional, and accessory uses of the underlying zoning district.
 - (h) Motor vehicles. The storage of motor vehicles and equipment must be in accordance with City Code sections [117-355](#) and [117-356](#) (off-street parking).
The storage of inoperable vehicles or equipment is not acceptable.

City Code Section 117-120 of Ramsey City Code states that automotive sales businesses off of Highway 10 need a Conditional Use Permit (CUP). We do not have a Conditional Use Permit on file for motor vehicle sales. Violations have been noted by City Staff including inoperable, unlicensed, triple-stacked vehicles, parked on the grass/gravel. City Code Section 117-356 states that inoperable vehicles and equipment are not acceptable; all vehicles must be in accordance with City Code Section 117-356. All vehicles must be licensed, operable, parked on bituminous/concrete/class V, double stacked at the most, and have current tabs. City Code Section 117-57 of Ramsey City Code states that unlawful expansion is not included in lawful nonconforming rights.

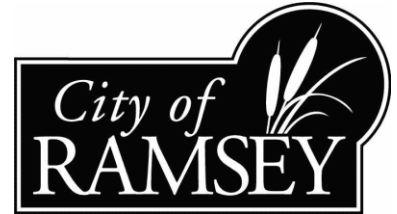
An administrative citation for \$75 has been included for the continued violation. You have 14 days from the date of this letter to address the following (or you will receive a Second Notice of Violation and an administrative citation in the amount of \$250.00):

- City Code Section 117-57. Nonconforming structures and uses.
 - **Remove unlawful expansion North of the parking lot (shown in map); OR**
 - **Discuss with Staff Driveway permit for expanded parking surface.**
- City code Section 117-120. – H-1 Highway 10 Business District.
 - **Discuss the Conditional Use Permit process with City Staff and apply; OR**
 - **Cease all operations of an automotive sale business on the property.**
- City Code Section 117-356 – Commercial and industrial development off-street parking.
 - **Remove or shelter all abandoned or inoperable vehicles, as well as vehicles that have expired tabs.**

Please contact me at (763) 433-9840 to schedule a full inspection after the violations are corrected (to ensure you are not assessed any charges) or to answer any questions you may have.

Sincerely,

Bria Raines, Zoning Code Enforcement Officer
(763) 433-9840 | braines@cityoframsey.com



Exhibits 1-3: Evidence of unlawful expansion and off-street parking violations

2011 Aerial

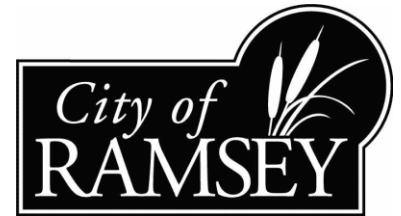


2014 Aerial with unlawful expansion outlined



STATE OF MINNESOTA
COUNTY OF ANOKA

CITY OF RAMSEY
Code Enforcement Unit



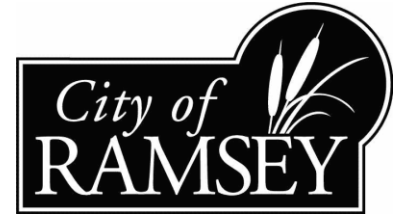
2020 Aerial with unlawful expansion outlined



City of Ramsey ♦ 7550 Sunwood Dr NW ♦ Ramsey, MN 55303
City Hall (763) 427-1410 ♦ Police Administration (763) 427-6812

STATE OF MINNESOTA
COUNTY OF ANOKA

CITY OF RAMSEY
Code Enforcement Unit



PLEASE CONTACT THE PLANNING DEPARTMENT BEFORE FILING AN APPEAL

You may request a hearing before a Hearing Examiner regarding these violations. Your request must be filed in writing addressed to the Chief of Police within fourteen (14) days from the date you receive this notice and your request MUST identify with specificity the basis for your objection to the interpretation of the Code and the Notice of Violation for requesting the hearing. A \$250 filing fee must also accompany your hearing request. The Police Chief's name and address is as follows:

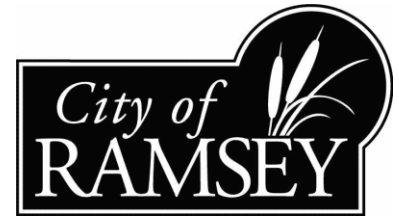
Jeff Katers, Chief of Police
Ramsey Police Department
7550 Sunwood Drive NW
Ramsey, MN 55303

If you fail to correct the violations and come into compliance with the City Code or request a hearing within the fourteen (14) day period, you may be subject to an administrative fine AND the City will come onto the Property and correct (abate) the violations, and assess the costs of abatement along with any penalties and interest incurred. Those costs will be certified to the county auditor and will be collected along with current taxes the following year or in annual installments not exceeding ten as the City Council may determine. The assessments will remain a perpetual lien on the Property until paid in full.

You are further notified that any item removed from the Property by the City will be held for 15 days prior to disposal. Within said 15 days you may reclaim the items held by the City after paying all fees incurred by the City associated with the abatement. If you do not contact the City within 15 days to reclaim the items, all items will be disposed of and sold. Any abated items that are reclaimed and returned to the Property owner that are found to be in violation of the City Code's nuisance provisions shall be abated immediately by the City.

STATE OF MINNESOTA
COUNTY OF ANOKA

CITY OF RAMSEY
Code Enforcement Unit



July 9, 2021

Lori Touchette
Or Current Owner
7078 E Fish Lake Rd
Maple Grove, MN 55311

Current Owner
7127 Highway 10 NW
Unit B & C
Ramsey, MN 55303

-SECOND NOTICE OF VIOLATION -

RE: Violations on Anoka County PID # 27-32-25-33-0020 (7127 Highway 10 NW)

Dear Property Owner:

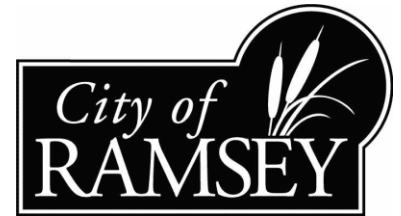
The City of Ramsey has adopted ordinances that are designed to keep the community safe, healthy and attractive. A recent inspection of the above premises revealed the following violations of the Ramsey City Code as listed below:

- City Code Chapter 30-3 – Property conditions constituting a public nuisance
 - (25) The outdoor or outside storage of any abandoned or inoperable vehicles, as defined by this chapter.
 - (27) Any violation of section 117-355, relating to off-street parking regulations.
- City Code Section 117-57. Nonconforming structures and uses.
 - Notwithstanding any other provisions of this chapter, any nonconformity, including the lawful use or occupation of land or premises existing at the time of the adoption of an additional control under this chapter, may be continued, including through repair, replacement, restoration, maintenance, or improvement, **but not including expansion**, unless it is a nonconforming use that is destroyed by fire or other peril to the extent of greater than 50 percent of its market value, and no building permit has been applied for within 180 days of when the property is damaged. In this case, the city may impose reasonable conditions upon a building permit in order to mitigate any newly created impact on adjacent property. Any subsequent use or occupancy of the land or premises shall be a conforming use or occupancy.
- City code Section 117-120. – H-1 Highway 10 Business District.
 - Conditional uses. Requires a conditional use permit based upon procedures set forth in and regulated by section 117-51 (Conditional use permits) of this chapter.
 - **(1) Motor vehicle, implement, and recreation equipment sales and service.**
 - (2) Light manufacturing.

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City Hall (763) 427-1410 ♦ Police Administration (763) 427-6812

STATE OF MINNESOTA
COUNTY OF ANOKA

CITY OF RAMSEY
Code Enforcement Unit



- City Code Section 117-356 – Commercial and industrial development off-street parking.
(3) Standards.
 - (g) Acceptable uses. The use of the property must be in accordance with permitted, conditional, and accessory uses of the underlying zoning district.
 - (h) Motor vehicles. The storage of motor vehicles and equipment must be in accordance with City Code sections [117-355](#) and [117-356](#) (off-street parking).
The storage of inoperable vehicles or equipment is not acceptable.

City Code Section 117-120 of Ramsey City Code states that automotive sales businesses off of Highway 10 need a Conditional Use Permit (CUP). We do not have a Conditional Use Permit on file for motor vehicle sales. Violations have been noted by City Staff including inoperable, unlicensed, triple-stacked vehicles, parked on the grass/gravel. City Code Section 117-356 states that inoperable vehicles and equipment are not acceptable; all vehicles must be in accordance with City Code Section 117-356. All vehicles must be licensed, operable, parked on bituminous/concrete/class V, double stacked at the most, and have current tabs. City Code Section 117-57 of Ramsey City Code states that unlawful expansion is not included in lawful nonconforming rights.

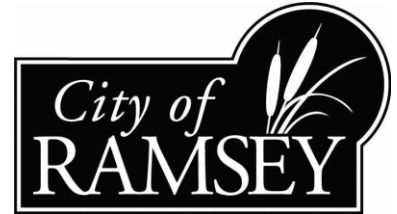
An administrative citation for \$250 has been included for the continued violation. You have 14 days from the date of this letter to address the following (or you will receive a Third Notice of Violation):

- City Code Section 117-57. Nonconforming structures and uses.
 - **Remove unlawful expansion North of the parking lot (shown in map); OR**
 - **Discuss with Staff Driveway permit for expanded parking surface.**
- City code Section 117-120. – H-1 Highway 10 Business District.
 - **Discuss the Conditional Use Permit process with City Staff and apply; OR**
 - **Cease automotive sale businesses without a CUP.**
- City Code Section 117-356 – Commercial and industrial development off-street parking.
 - **Remove or store all abandoned or inoperable vehicles, as well as vehicles that have expired tabs.**

Please contact me at (763) 433-9840 to schedule a full inspection after the violations are corrected (to ensure you are not assessed any charges) or to answer any questions you may have.

Sincerely,

Bria Raines, Zoning Code Enforcement Officer
(763) 433-9840 | braines@cityoframsey.com



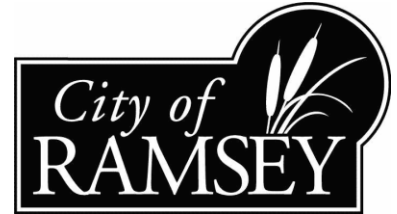
Exhibits 1-6: Evidence of unlawful expansion and off-street parking violations

2011 Aerial

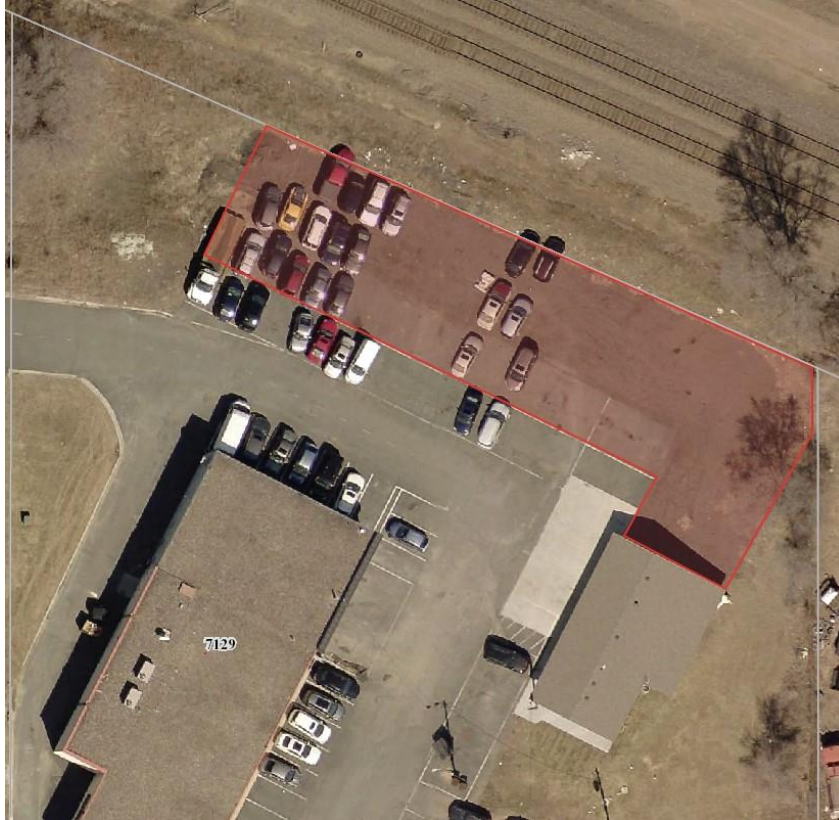


2014 Aerial with unlawful expansion outlined





2020 Aerial with unlawful expansion outlined



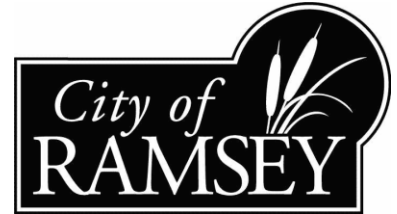
Photos 7.9.2021



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City Hall (763) 427-1410 ♦ Police Administration (763) 427-6812

STATE OF MINNESOTA
COUNTY OF ANOKA

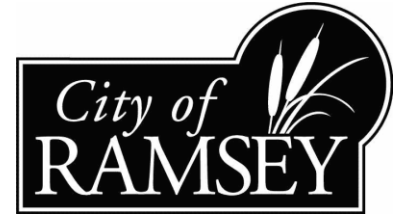
CITY OF RAMSEY
Code Enforcement Unit



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City Hall (763) 427-1410 ♦ Police Administration (763) 427-6812

STATE OF MINNESOTA
COUNTY OF ANOKA

CITY OF RAMSEY
Code Enforcement Unit



August 13, 2021

Ron Touchette
C/O Rock Solid Company
7078 E Fish Lake Rd
Maple Grove, MN 55311

Current Owner
7127 Highway 10 NW
Unit B & C
Ramsey, MN 55303

-UPDATED NOTICE OF VIOLATION -

RE: Violations on Anoka County PID # 27-32-25-33-0020 (7127 Highway 10 NW)

Dear Property Owner:

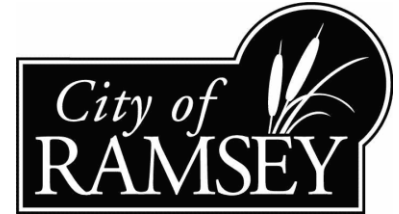
The City of Ramsey has adopted ordinances that are designed to keep the community safe, healthy and attractive. Recently a meeting was held with the Property Owner to come to a resolution for the code enforcement violations. The following violations of the Ramsey City Code as listed below:

- City Code Chapter 30-3 – Property conditions constituting a public nuisance
 - (25) The outdoor or outside storage of any abandoned or inoperable vehicles, as defined by this chapter.
 - (27) Any violation of section 117-355, relating to off-street parking regulations.
- City Code Section 117-57. Nonconforming structures and uses.
 - Notwithstanding any other provisions of this chapter, any nonconformity, including the lawful use or occupation of land or premises existing at the time of the adoption of an additional control under this chapter, may be continued, including through repair, replacement, restoration, maintenance, or improvement, **but not including expansion,** unless it is a nonconforming use that is destroyed by fire or other peril to the extent of greater than 50 percent of its market value, and no building permit has been applied for within 180 days of when the property is damaged. In this case, the city may impose reasonable conditions upon a building permit in order to mitigate any newly created impact on adjacent property. Any subsequent use or occupancy of the land or premises shall be a conforming use or occupancy.
- City code Section 117-120. – H-1 Highway 10 Business District.
 - Conditional uses. Requires a conditional use permit based upon procedures set forth in and regulated by section 117-51 (Conditional use permits) of this chapter.
 - **(1) Motor vehicle, implement, and recreation equipment sales and service.**

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City Hall (763) 427-1410 ♦ Police Administration (763) 427-6812

STATE OF MINNESOTA
COUNTY OF ANOKA

CITY OF RAMSEY
Code Enforcement Unit



- (2) Light manufacturing.
- City Code Section 117-356 – Commercial and industrial development off-street parking.
 - (3) Standards.
 - (g) Acceptable uses. The use of the property must be in accordance with permitted, conditional, and accessory uses of the underlying zoning district.
 - (h) Motor vehicles. The storage of motor vehicles and equipment must be in accordance with City Code sections [117-355](#) and [117-356](#) (off-street parking).
The storage of inoperable vehicles or equipment is not acceptable.

City Code Section 117-120 of Ramsey City Code states that automotive sales businesses off of Highway 10 need a Conditional Use Permit (CUP). We do not have a Conditional Use Permit on file for motor vehicle sales. Violations have been noted by City Staff including inoperable, unlicensed, triple-stacked vehicles, parked on the grass/gravel. City Code Section 117-356 states that inoperable vehicles and equipment are not acceptable; all vehicles must be in accordance with City Code Section 117-356. All vehicles must be licensed, operable, parked on bituminous/concrete/class V, double stacked at the most, and have current tabs. City Code Section 117-57 of Ramsey City Code states that unlawful expansion is not included in lawful nonconforming rights.

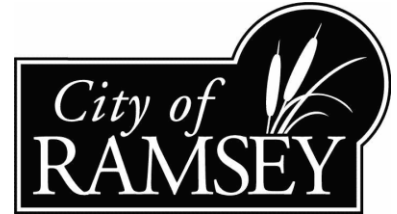
You have 14 days from the date of this letter to address the following (or you will receive a notice of abatement and the vehicles will be towed):

- City Code Section 117-57. Nonconforming structures and uses.
 - **Move triple and quadruple stacked vehicles on the rear property to one row.**
- City code Section 117-120. – H-1 Highway 10 Business District.
 - **Apply for a conditional use permit; OR**
 - **Do not expand from permitted one row of parking in the rear property.**
- City Code Section 117-356 – Commercial and industrial development off-street parking.
 - **Apply for an interim use permit for storage containers to stay in place; OR**
 - **Remove storage containers from the property.**

Please contact me at (763) 433-9840 to schedule a full inspection after the violations are corrected (to ensure you are not assessed any charges) or to answer any questions you may have.

Sincerely,

Bria Raines, Zoning Code Enforcement Officer
(763) 433-9840 | braines@cityoframsey.com

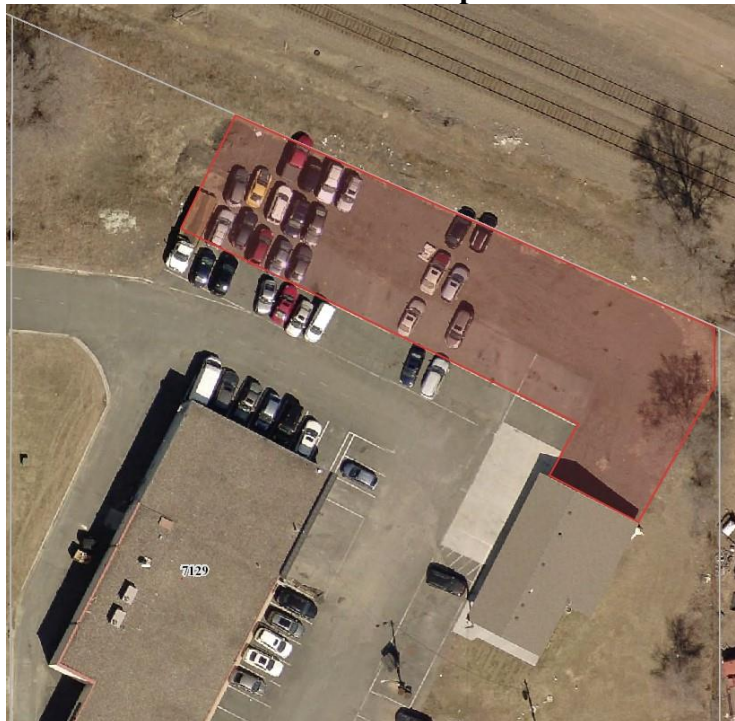


Exhibits 1-3: Evidence of violations on the property

2011 Aerial

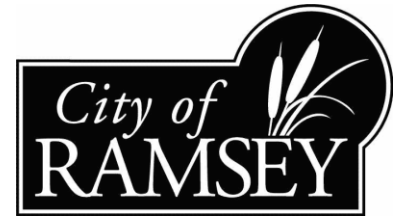


2020 Aerial with unlawful expansion outlined



STATE OF MINNESOTA
COUNTY OF ANOKA

CITY OF RAMSEY
Code Enforcement Unit

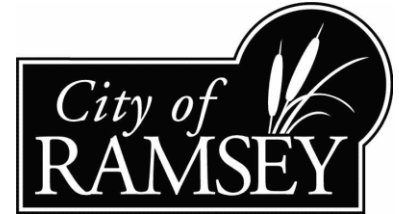


Photos 7.9.2021



**STATE OF MINNESOTA
COUNTY OF ANOKA**

**CITY OF RAMSEY
Code Enforcement Unit**



September 8, 2021

Ron Touchette
C/O Rock Solid Company
7078 E Fish Lake Rd
Maple Grove, MN 55311

Current Owner
7127 Highway 10 NW
Unit B & C
Ramsey, MN 55303

- NOTICE OF ABATEMENT -

RE: Public Nuisance and Off-Street Parking Violations on Anoka County PID # 27-32-25-33-0020 (7127 Highway 10 NW)

Dear Mr. Touchette:

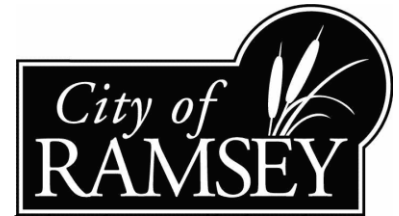
There have been no changes to the violations on the subject property since the extensions from the original deadline of August 3, which was agreed to during our meeting at City Hall on July 20. Staff has been generous with the extensions for the property to be removed of the violations.

History to Date:

- February 20, 2020: Email sent outlining need for proposed Site Plan related to permit. Noted need for removal of triple stacked vehicles.
- September 16, 2020: Email sent outlining need for Conditional Use Permit (CUP) based on expansion onsite. Laid out process and need for adequate drive aisles, customer parking, and sufficient space for each dealer.
- October 28, 2020: First letter sent.
- November 18, 2020: First notice of violation sent.
- June 22, 2021: City Council adopted Resolution 21-161, which authorized staff to complete abatement as soon as July 26, 2021.
- July 20, 2021: Staff met onsite with you at City Hall and we discussed the history of the site (lawful, nonconforming status) and the expansion that has happened onsite. Staff directed you to apply for a Conditional Use Permit (CUP) for any expansion, and to remove any vehicles parked on the grass, triple stacked in the back, and that we do not permit shipping containers on the Property as an allowed use. You stated you would get us a draft site plan within two weeks. Staff sent you an email confirming the deadline of August 3, 2021.
- June 25, 2021: Recent first letter of violation with citation for \$75; returned in mail
- July 9, 2021: Second notice of violation with citation for \$250; not returned and outstanding
- July 20, 2021: Meeting at City Hall with Staff and Property Owner
- July 21, 2021: Notice of violation with resolution and site plan emailed and mailed

STATE OF MINNESOTA
COUNTY OF ANOKA

CITY OF RAMSEY
Code Enforcement Unit



- August 13, 2021: Additional notice of violation with resolution and site plan emailed and mailed
- o Follow ups
 - July 21, 2021: Staff attempted to contact you via email following meeting.
 - August 13, 2021: Staff attempted to contact you via email and phone.
 - August 25, 2021: Staff attempted to contact you via email and phone.
 - August 26, 2021: Staff corresponded with Property Owner via email.
 - August 27, 2021: Staff re-inspected the property and left voicemail for Property Owner per their request.
 - September 8, 2021: Staff sent this letter, indicating abatement in two weeks.
 - September 22, 2021: Staff will reinspect the property and schedule abatement contractors at that time; if necessary

Items to be Abated as soon as September 22, 2021:

Shipping Container

- o City Code Section 117-57 of Ramsey City Code states that unlawful expansion is not included in lawful nonconforming rights.
- o Not a permitted use under Section 117-120. – H-1 Highway 10 Business District.
- o Did not receive a permit.
- o Corrective Action: Apply for an Interim Use Permit (IUP) for the Shipping Containers (as noted in meeting at City Hall) and subsequent zoning permit

Vehicles Triple Stacked – Expansion of use, parking on unapproved surface, nuisance (Vehicles parked outside of the single row of rear parking area outline in Exhibit 1)

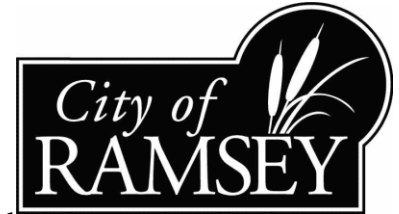
- o City Code Section 117-57. Nonconforming structures and uses: Notwithstanding any other provisions of this chapter, any nonconformity, including the lawful use or occupation of land or premises existing at the time of the adoption of an additional control under this chapter, may be continued, including through repair, replacement, restoration, maintenance, or improvement, **but not including expansion**, unless it is a nonconforming use that is destroyed by fire or other peril to the extent of greater than 50 percent of its market value, and no building permit has been applied for within 180 days of when the property is damaged. In this case, the city may impose reasonable conditions upon a building permit in order to mitigate any newly created impact on adjacent property. Any subsequent use or occupancy of the land or premises shall be a conforming use or occupancy.
- o Additionally, triple stacked vehicles are considered a hazard by the City's Public Safety Department and is considered a Nuisance under Chapter 30.
- o Corrective Action: Remove triple stacked vehicles from the site. Ensure all vehicles are properly licensed and roadworthy. Store any vehicles regulated by nuisance chapter inside.

Vehicles on Grass

- o City Code Section 117-356 – Commercial and industrial development off-street parking.
 - (3) Standards.
 - (g) Acceptable uses. The use of the property must be in accordance with
City of Ramsey ♦ 7550 Sunwood Dr NW ♦ Ramsey, MN 55303
City Hall (763) 427-1410 ♦ Police Administration (763) 427-6812

STATE OF MINNESOTA
COUNTY OF ANOKA

CITY OF RAMSEY
Code Enforcement Unit



permitted, conditional, and accessory uses of the underlying zoning district.

- (h) Motor vehicles. The storage of motor vehicles and equipment must be in accordance with City Code sections 117-355 and 117-356 (off-street parking). The storage of inoperable vehicles or equipment is not acceptable. Parking on grass is not acceptable (shown in the exhibits).
- Corrective Action: Remove vehicles from grass or apply for CUP to expand parking area, pave area where vehicles are parked.

Vehicles Double Stacked Near Tenant Home

- Corrective Action: Remove vehicles or apply for CUP to expand allowed parking area.

Inoperable or Abandoned Vehicles

- City Code Chapter 30-3 – Property conditions constituting a public nuisance
 - (25) The outdoor or outside storage of any abandoned or inoperable vehicles, as defined by this chapter.
 - Corrective Action: Remove said vehicles from the property or store inside. As noted in the meeting in City Hall, Staff would be happy to bring forward a proposal for a fenced in, outdoor storage area related to the repair use onsite.

Personal Vehicles/Items Unrelated to Use

- The lawful, nonconforming use on the Subject Property is for auto sales (limited number of dealers) and one auto repair user.
- There are not lawful, nonconforming rights to store items not related to the use (e.g. boat onsite, building materials, etc.)
- Corrective Action: Remove said uses or apply for Conditional Use Permit (CUP) to expand the allowed use.

The City will remove:

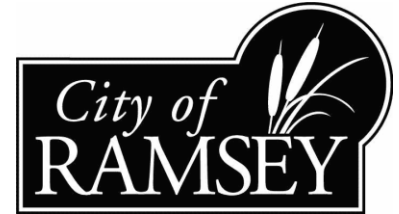
- Vehicles parked outside of the single row of rear parking area outline in Exhibit 1
- Storage containers (shipping containers) storing items for your new building in Elk River
- White boat (not for sale or under repair)
- Vehicles parked in the grass
- Double stacked vehicles near tenant home
- Any vehicle blocking handicapped parking that is not permitted to do so
- Staff will remove items that are not within the existing use that is lawful, nonconforming as discussed in the meeting in July 2021.

Please contact me at (763) 433-9840 or braines@cityoframsey.com to answer any questions you may have.

Sincerely,

STATE OF MINNESOTA
COUNTY OF ANOKA

CITY OF RAMSEY
Code Enforcement Unit

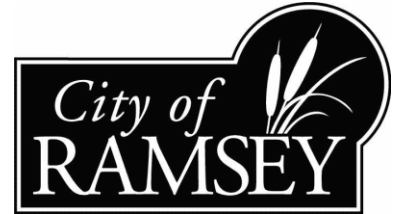


Bria Raines, Zoning Code Enforcement Officer
(763) 433-9840 | braines@cityoframsey.com
Community Development Department

Exhibits 1-4: Evidence of violations on the property



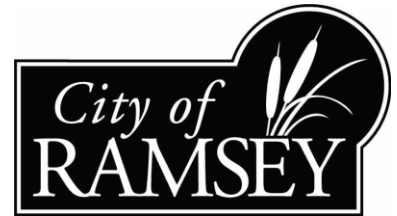
Violation: expansion of a lawful, nonconforming use without permit, adding gravel parking without permit, triple stacking and 4x stacking vehicles, parking on dirt, cars parked into ROW/outside property line



Violation: Shipping containers



Violation: Item (potentially plow) seen in red in grass area. Personal storage trailer.



Violation: Double stacked vehicles. Parking in handicapped spot/blocking handicapped parking.



Violation: Parking on the grass

Aerial 2005



2008



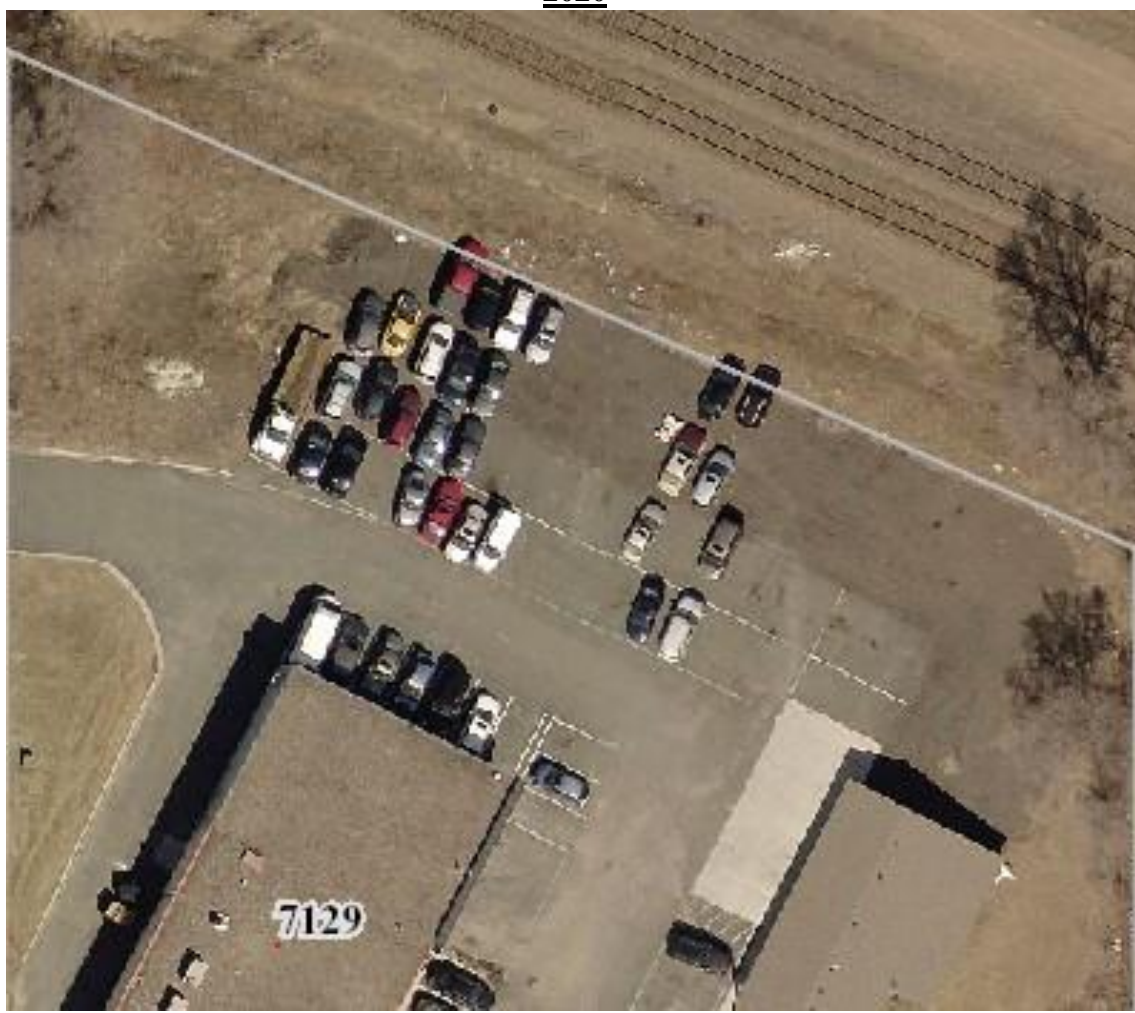
2011



2014



2020



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

RESOLUTION #21-219

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT (CUP) AND
DECLARING TERMS AGREEMENT AT 7127 HIGHWAY 10 NW (PROJECT 21-128);
RON AND LORI TOUCHETTE**

RECITALS

1. Ron Touchette, hereinafter referred to as the “Applicant” have properly applied for a Conditional Use Permit to expand lawful nonconforming parking associated with the motor vehicle sales, recreational vehicle sales, and repair operations on the property generally known as 7127 Highway 10 NW and legally described as follows:

TH PT OF W 33 RODS OF SW1/4 OF SW1/4 OF SEC 27 TWP 32 RGE 25 DESC AS FOL: COM AT INTER W LINE OF SD 1/4 1/4 WITH SLY R/W LINE OF GREAT NORTHERNRAILWAY, TH SELY ALG SD SLY R/W, 297.57 FT TO ACT POB , TH CONT SELY ALG SD SLY R/W 261.50 FT +OR- TO INTER/W E LINE OF SD W 33 RODS, TH S ALG SD E LINE 206.35, TH NWLY PRL/W R/W TO ELY LINE OF W 31 RODS TH,SLY ALG SD E LINE TO NLY R/W LINE OF T H NO 10 TH NWLY ALG NLY R/W T H NO 10 TO A PT 299 .65 FT SELY FROM W LINE OF SD 1/4 OF 1/4 AS MEAS ALG SD NLY R/W LINE, TH N TO ACT POB, (INCL LOT 6, AUD SUB 31) EX RD SUBJ TO EASE OF REC, Anoka County, Minnesota

(“Subject Property”)

2. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 117-51 (Conditional Use Permits) of the Ramsey City Code on October 28, 2021, and that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.
3. That the Subject Property is zoned H-1: Highway 10 Business District and is approximately 2.08 acres in size.
4. That motor vehicle, implement, and recreation equipment sales and service, and light manufacturing are a conditional use in the H-1: Highway 10 Business District.
5. That the Subject Property has been in operation with motor vehicle sales, recreational vehicles sales, and repair prior to Ordinance #09-13, amending motor vehicles, implement, and recreation equipment sales and services from a permitted use to a conditional use in the H-1: Highway 10 Business District.

6. The motor vehicle sales and repair use are lawful, nonconforming use on the Subject Property and that expansion of a lawful, nonconforming use requires a Conditional Use Permit (CUP).
7. That the City and the Property Owner seek to agree on the status and limits of the Lawful, Nonconforming Use on the Subject Property in order to provide certain protections to said use for the Property Owner and the City, and allowing for easier enforcement of current Code Standards.
8. That the Applicant has submitted a site plan expanding the parking from a single row of parking in the rear property to three rows and an area of screened parking for repair vehicles in exchange for eliminating other double and higher density parking located on the Highway 10 frontage side of the Subject Property. The site plan is shown in Exhibit A.
9. That Ramsey City Code Section 117-120, regarding the H-1: Highway 10 Business District, requires all parking and pavement (including maneuvering, sales, and display areas) be setback from the street right-of-way a distance of at least twenty (20) feet.
10. That the Applicant currently has five (5) auto sales tenants and one (1) auto body repair tenant on the Subject Property. The Applicant is proposing to increase number of tenants to eight (8) auto sales tenants, one (1) office tenant with outdoor storage of trailers, and one (1) auto body repair tenant on the Subject Property.
11. That the Subject Property also contains Hirschfield's Inc., Contractor Center and Mini Regional Warehouse, Top Ten Industries, and the tri-plex; Top Ten Industries is included in this CUP as one of the current tenants. Any expansion or permits necessary for Hirschfield's shall be considered as a separate application if required.
12. That the tenant, Top Ten Industries, is an operations management business that the Applicant states has been on the Subject Property for 30 years. Top Ten Industries stores five (5) trailers, three (3) trucks, one (1) bobcat, and five (5) storage containers at the Subject Property. There is no Business Registration Certificate of this business at this location.
13. That the Applicant shall remove the outdoor storage by the December 31, 2021. Outdoor storage items include five (5) storage containers.
14. That City Code Section 117-356 (Commercial and Industrial Development Off-Street Parking) requires one (1) dedicated customer parking space for every ten (10) vehicles displayed; three (3) dedicated customer parking spaces for each enclosed bay; and one (1) dedicated parking space for each full-time employee.
15. That Minnesota Statute 2400.2820 requires 1.5 spaces for one to two-family dwellings or one (1) space per multi-family dwellings.

16. That the Applicant has applied for a Zoning Permit for a 6-foot chain link fence for screening of the rear parking area. The fence will include an opaque screening material on the chain link.
17. That the Applicant will apply for a Zoning Permit for a 10-foot by 14-foot storage shed made of steel. The accessory structure is subject to Ramsey City Code.
18. That vehicles displayed for sale, or those that have been detailed, shall be restricted to bituminous or concrete surfaces only in the designated areas shown in Exhibit A.
19. That there are existing Zoning Code violations on the Subject Property regarding off-street parking, unlawful expansion of lawful nonconforming rights, and outdoor storage.
20. That the Planning Commission met on October 28, 2021, conducted a public hearing and recommended City Council approve the request.

FINDINGS OF FACT

1. That motor vehicle sales and repair **will not** be unduly dangerous or detrimental to persons residing or working in the vicinity of the use, or to the public welfare.
2. That motor vehicle sales and repair **will not** substantially adversely impair the use, enjoyment or market value of any of the surrounding properties.
3. That the motor vehicle sales and repair operation **will** be maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area.
4. That motor vehicle sales and repair **will not** be hazardous to existing or future neighboring uses.
5. That motor vehicle sales and repair **will not** impact essential public facilities and services, such as highways, streets, police and fire protection.
6. That motor vehicle sales and repair **will not** create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
7. That motor vehicle sales and repair **will not** involve uses, activities and equipment that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

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

That the Ramsey City Council hereby grants approval of an Amended Conditional Use Permit (the "Permit") for motor vehicle sales and detailing on the Subject Property contingent upon the following conditions:

CONDITIONS

1. That this **Permit** allows for motor vehicle sales and repairs to occur at the nine (9) auto sales businesses and one (1) auto body repair business on the **Subject Property**.
2. A fence, minimum of 4 feet tall, with opaque screening must remain onsite to continue to screen the repairable vehicles as shown on Exhibit A. There shall be no barbed wire on fencing. Gravel parking shall be allowed within the fenced area storing vehicles awaiting repair. The fenced in area shall store approximately twenty (20) non-road worthy vehicles and shall require a separate zoning permit for gravel parking and fencing. A spare key to the fence gates shall be provided to the fire department in the event of an emergency.
3. That the **Permittees** shall ensure that any new or upgraded parking and pavement onsite comply with Section 117-120 of the City Code requiring all parking and pavement (including maneuvering, sales, and display areas) require at least a twenty (20) foot setback from adjacent street and railroad right-of-way and be applied for by an amended conditional use permit.
4. That the **Permittees** shall remove all gravel on the North parking setback, reducing the parking in the rear property to three rows, and seed the affected area within a reasonable time period of Spring 2022.
5. That there shall be no car cannibalism on the **Subject Property**; salvaging of parts from inoperable motor vehicles on site to be used to repair other motor vehicles.
6. That there shall be no outside storage of parts or cannibalized vehicles on the **Subject Property**.
7. That all parking on the **Subject Property** shall comply with City Code section 117-356; specifically, parking only on improved surfaces.
8. That the **Permittees** shall obtain all necessary permits to complete any required building modifications.
9. That the **Permittees** (or any other tenants) shall obtain all necessary licenses to lawfully operate motor vehicle sales operations on the **Subject Property**.
10. That the **Permittees** shall stripe all required customer parking stalls and those stalls shall not be used for any use other than customer parking.
11. That the **Permittees** shall maintain all required drive aisle widths in accordance with City Code Section 117-356.

12. That all vehicles onsite must be operable, road worthy, and kept in good condition unless stored within the fencing area, which may house inoperable vehicles awaiting repair.
13. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.
14. That the **Permittees** shall be responsible for all City costs incurred in administering and enforcing this Permit.
15. That the City Administrator, or his/her designee, shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request.
16. That this **Permit** shall automatically expire if the use is not initiated by November 9, 2022.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____, 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 City Council this the 9th day of November, 2021.

CITY OF RAMSEY:

By: _____
Mayor

By: _____
City Clerk

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

On this _____ day of _____, _____, before me a Notary Public personally appeared Mayor Mark E Kuzma and Colleen Lasher, to me personally known, who, being each by me duly sworn, did say that they are respectively the Mayor and City Clerk of the City of Ramsey, the Municipal Corporation named in the foregoing instrument, and seal affixed to said instrument is the corporate seal of said Municipal corporation, and the said instrument was signed and sealed on behalf of said Municipal Corporation by authority of its City Council, and said Mark

E Kuzma and Colleen Lasher acknowledge said instrument to be the free act and deed of said Municipal Corporation.


Notary Public

This document drafted by:
City of Ramsey
7550 Sunwood Dr NW
Ramsey, MN 55303

Exhibit A: Site Plan



Legend

 Setback requirement of 20 feet