

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

The Ramsey Planning Commission conducted a regular meeting on Thursday, June 23, 2022, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

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

Members Absent:                   None

Also Present:                       Planning Manager Todd Larson  
  City Administrator Brian Hagen  
  City Council Liaison Matt Woestehoff  
  City Engineer Bruce Westby

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

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

**5.     CONSENT AGENDA**

**7.01: Consider Site Plan and Preliminary Plat Request for a New PACT Charter School 6-12 Grade Campus at 7633 161<sup>st</sup> Avenue NW (Project No. 22-107)**

**Presentation**

Chairperson Bauer stated that because of their relationship with the Church of Saint Katharine Drexel, he and Commissioner VanScoy will continue to recuse themselves from the discussion and related vote.

City Administrator Hagen presented the Staff Report stating that staff supports either alternative one or two within the staff report. He noted that the applicant is making progress on plan revisions, and it is not unusual for a recommendation of approval to be contingent upon compliance with the staff review comments.

**Commission Business**

Acting Chairperson Gengler invited the applicant to speak.

Justin Fincher, JB Vang, spoke in representation of the applicant.

Commissioner Anderson stated that at the last meeting it was requested that the applicant analyze the potential right-in access for buses off Variolite as well as a noise study. He asked if the noise study provided was recently completed.

Mr. Fincher confirmed that the sound study is recent as they conducted that once it was requested. He noted that it is still in draft form.

Commissioner Anderson stated that within the case he did not see anything about the right-in from Variolite. He asked if that analysis has been completed.

Mr. Fincher confirmed that was completed. He stated that the requested analysis was completed but was unsure what was included in the staff report. He stated that from their perspective a third access is not needed as the two proposed access points would operate as a level of service A. He stated that there would be sight distance obstructions because of the hill on Variolite and advised that a right-in only access would be hard to enforce as there would be no medians or anything to restrict turning movements along Variolite. He invited the traffic engineer to provide more details.

Jeff Bednar, traffic engineer, provided details on the level of service and queuing for the proposed access. He commented that the issue with access from Variolite to the school site is that due to the curve and vertical alignment/profile of Variolite north of 161<sup>st</sup> Avenue would likely cause a sight disruption that would cause traffic concerns. He stated that a right-in/right-out can be effective if traffic movements that are not desired can be prevented, using the example of a median that would prevent left turns in or out. He commented that it would be difficult to control a bus only access. He stated that they do not recommend access to Variolite be provided to the school site.

Mr. Fincher commented that a part of that conversation is related to the two curb cuts that they would already propose. He commented that they met with the neighborhood to discuss their concerns about parent pick-up and queuing on the site.

Mr. Bednar stated that they reviewed the onsite circulation for buses and parent pick-up in addition to student driver circulation in and around the site. He commented that drop off activity moves very smoothly as children exit the vehicle and enter the school quickly.

Mr. Fincher commented that typically, the most critical time is for pick-up times. He stated that about five percent of the total enrollment would be the maximum queuing which would equal about 40 vehicles. He noted that there would be queuing for 46 vehicles, and they could accommodate another 29 vehicles on the north and northwest side if needed in order to keep vehicles from queuing on 161<sup>st</sup>. He stated that they also plan to have shared parking with the church, therefore additional space would be available there as well.

Commissioner Anderson asked if the 40 cars includes the buses.

Mr. Fincher replied that count is specific for parent pick-up as the buses had a separate study. He stated that the analysis takes into account the buses, parent pick-up, and student drivers.

City Administrator Hagen displayed the proposed traffic circulation for the site.

Mr. Fincher identified the areas where parent pick-up/drop-off, buses, and student driver activity would be as well as the path those vehicles would take to access their locations. He also identified an area where a connection to the church parking lot could occur.

Commissioner Hunt asked the peak a.m. and p.m. time for buses.

Josh Nyquist, representing the applicant, replied that the times for the secondary school would currently be 8 a.m. to 3:05 p.m., noting that those times are subject to change due to busing availability.

Commissioner Hunt asked if PACT has Fridays off.

Mr. Nyquist replied that typically they have two Fridays per month off.

Commissioner Anderson asked the time buses would be expected to arrive.

Mr. Nyquist replied that bus drop off would be about 7:50 a.m.

Commissioner Hunt referenced the sound study and asked for clarification on the different maps provided.

Mr. Fincher replied that the second and third pages are the cut sheets showing how the analysis is completed and for reference only. He stated that the first page shows the location of the field, bleachers, perimeter property line, and decibels around the property line.

Commissioner Hunt commented that during the winter months there would not be much going on and assumed the same for the summer months, therefore the majority of activity would take place in the spring and fall.

Mr. Fincher agreed that the most intense use of the field for sporting events would be in the spring and fall. He stated that for football there are ten to 12 games per year and not all of those games are held at the school site. He noted that the same would be true for track and field and soccer.

Acting Chairperson Gengler commented that there have been some changes to the stormwater ponding and asked for clarification on those changes and what is hoped to be gained from those changes.

Mr. Fincher stated that one of the biggest changes was looking at the grading to the basin. He noted that the original plans met the requirements, but they lowered that grade and made the basin wider. He stated that staff also requested that a topographical survey be done showing the impact to neighboring properties, which was completed and updated. He stated that the neighbors are concerned about stormwater and noted that they do hear those concerns and do not want to compound the existing issues in that area, therefore they want to work as a member of the team to ensure their design does not contribute to the standing water issues those residents experience after rain events. He stated that once the building and site are completed, the rain runoff would be at a slower rate than it currently is, which allows the wetland to drain in a better manner. He commented that they would be willing to look into reducing the size of the pipe from their basin into the wetland but noted that they would want input from staff and the Lower Rum River Water Management Organization (LRRWMO).

Chairperson Gengler asked if the capacity of the basin increased, or whether it was just a change to the shape.

Mr. Fincher replied that it was a change to the overall shape of the basin.

Eric Meyer, Larson Engineering, stated that they did meet with the neighbors to discuss the flooding and runoff from the wetland that the neighbors experience. He stated that on the east side of Variolite there is a 15-inch pipe that crosses Variolite. He noted that their original plan included a 30-inch pipe from the basin to the wetland, but they could reduce that pipe to a 15-inch pipe if desired.

Commissioner Walker referenced the comment that the design as proposed would produce a lesser rate of runoff than currently exists. He stated that he does not fully understand that as any water hitting the site at this time could filter through the dirt, whereas after development there will be concrete and rooftop where dirt previously existed.

Mr. Meyer confirmed that the stormwater basin would collect the water and hold it back to release at a slower rate. He explained that even though the site is dirt currently, it can only soak in so much before water runoff is discharged from the site.

Councilmember Woestehoff asked if the infiltration basin as proposed is not entirely on the PACT property.

Mr. Meyer confirmed that some of that does go into the outlot of the church and there would be a shared use agreement for that similar to the shared parking agreement that would be in place.

Councilmember Woestehoff stated that the purview of the Commission is solely related to this plat and would caution against considered a second plat that has not yet been considered.

Commissioner Walker agreed with that comment and stated that he also has concern with the runoff that would be created from an expanded church and parking on the adjacent site. He stated that he has concern with the runoff in this area as a whole. He stated that once the school and church are built, any problems with water will be problems for the residents in that area. He asked who would be responsible if basements are flooded as a result.

Mr. Meyer stated that they reviewed the information available on the wetland when the flooding concerns arose. He displayed the subwatershed map from the LRRWMO and identified the school site, noting that they are attempting to find more information on the wetland with the WMO.

Commissioner Walker asked if the engineer could answer who would be responsible if there were flooding of basements after the school and church are developed.

Mr. Meyer stated that he is unsure he could say that and was unsure that an attorney could provide that answer because it would depend on the circumstances.

Mr. Fincher replied that with the stormwater designs there is a stormwater maintenance agreement put into place that stipulates what would be needed to ensure proper maintenance of the stormwater facility.

Mr. Meyer stated that if the wetland overflows over the City culvert, into the City storm sewer, and County ditch, it would be difficult to pinpoint who would be responsible.

Commissioner Walker stated that he looks out for the residents when reviewing applications. He stated that he lives up Variolite and has viewed the high water levels in the ditches along Variolite after storms. He stated that his concern is whether there would be an impact following the development of these sites and what would be done if there were an impact to homeowners in that area.

Mr. Meyer stated that they would work to ensure their storm water management is properly designed and can work with staff to ensure this works on a regional aspect if that information is available.

Acting Chairperson Gengler asked staff to speak to some of the concerns related to adjacent properties and potential liabilities as well as part of the basin being located on another plat.

City Administrator Hagen commented that it is not uncommon for a stormwater basin to jump a property line. He stated that when that it is proposed, staff reviews the easement documents that would be recorded against both properties. He stated that given that the northern lot is being platted as an outlot, it is quite common for a stormwater pond to be located in an outlot. He noted that even if the outlot were replatted, the easement would remain as a permanent easement.

Commissioner Hunt asked who approves the documents once the plans are finalized.

City Administrator Hagen stated that the LRRWMO would review and approve the stormwater plans. He noted that those plans would be reviewed by City staff as well as Barr Engineering, who completes the engineering review for the LRRWMO. He confirmed that the people reviewing the plans are experts in those fields.

Commissioner Hunt commented that he would defer to those that are experts in those fields.

Commissioner Anderson asked if the church has been consulted about the shared stormwater pond and whether the potential development of the church site has been accounted for in the stormwater pond capacity as well.

Mr. Fincher replied that they have been in discussion with the church about the stormwater pond as proposed and agreed with that easement. He stated that this pond is designed for the PACT site and does not account for future development on the church site. He stated that the church would go through the same process and account for runoff and stormwater management in their design as well.

Randy Bauer spoke in representation for the Church of Saint Katharine Drexel and stated that the current purchase agreement has a number of issues related to shared elements. He stated that the church has had a long relationship with PACT, even holding mass in the PACT building until their expansion was completed. He stated that there would be shared parking, utility, and stormwater pond easements as well as a trail/sidewalk connection. He commented that the church is aware that a future project on the church site would need to meet the stormwater requirements as well. He stated that the church does not have any plans for development of the north outlot.

Commissioner Hunt stated that one request at the last meeting was for the developer to have more interaction with the residents. He asked if that seemed productive and beneficial.

Mr. Fincher replied that they did meet with residents in the neighborhood the previous week and believed that it was productive. He stated that they focused on a few key areas including stormwater and traffic.

Acting Chairperson Gengler commented that although this is not a public hearing, she would still allow public comments to be made.

Jason Patrow, 16209 Sapphire Street NW, noted the 15-inch culvert going down Variolite noting that it may be pitched in the wrong direction. He referenced the potential to decrease the pipe from the basin from 30 inches to 15 inches which seems logical but means that more water would build up in the pond or spill over. He stated that the pond is not designed for the future expansion. He referenced the north side donated property noting that part of the drainage would go into the donated park land. He referenced the added tree removal for the expanded pond and commented that the pond is only designed to a 10-year storm event, and not a 100-year event. He referenced the parent pick-up/drop-off, noting that if there is stacking for 46 vehicles, that would still leave 150 vehicles off-site. He recognized that there is not much concern for drop-off as that cycles quickly but had concern with parent pick-up times. He stated that there was a comment that 15 buses would be used and noted a previous comment that there would be 12 buses. He did not believe there would be space for 12 to 15 buses. He noted that if there are buses in the identified area, visitors could not get out from those spaces. He stated that if there were a right-in for buses off Variolite that would provide additional space for staging the buses. He asked how an emergency vehicle would access the site during the time when buses are staged, and parents are waiting for pick-up. He referenced the noise study and noted that only addressed the PA system and did not address the HVAC equipment. He stated that the bigger issue with noise would be from those attending the games rather than the PA system. He asked for other uses of the field, such as band practice.

Acting Chairperson Gengler asked which future expansion plan the resident mentioned.

Mr. Patrow commented that there are two areas which reflect space for future expansion of the school.

City Administrator Hagen stated that even though there are areas marked for potential future expansion, the applicant would need to come back to show how the site could support such expansion and treat additional stormwater.

Cindy McKay, 7855 157<sup>th</sup> Avenue NW, commented that they moved to Ramsey because it was what they could afford and commented that it has become a nice community. She believed that the combination of the park, church and school would be a great combination for this area. She believed that the water issues in the area would improve with the treatment that would be added through this development. She encouraged the community to continue to build and grow and believed that this school would be an amenity for the City and its residents.

Ron Lindenberg, 7600 163<sup>rd</sup> Lane NW, stated that he is not an engineer and asked if those studies completed were based on a 100-year storm event. He stated that things do not operate in the optimum conditions currently. He stated that without accounting for a 100-year storm event, plus flooding, he has concerns with impacts to properties. He commented that the concern is whether the land would operate as it should after being developed to ensure the water is properly managed. He stated that he would also want assurance that the church would properly manage its water if a development application were to come forward in the future.

Dan Goepfert, 7601 163<sup>rd</sup> Lane, expressed the same concerns as the previous speaker with the water problems. He believed that this should be tabled until the water concerns could be addressed.

Danielle Holder, 7826 161<sup>st</sup> Avenue NW, stated that her biggest concern is the traffic on 161<sup>st</sup>, the stacking for parent pickup, and the traffic that would occur in the mornings. She stated that while the traffic flow looks great on paper, that is often not how it works in real life. She stated that she would like to see more wiggle room rather than a project designed to minimum standards. She believed that the size of the school should be reduced to properly manage the site or expand the area purchased to fit the additional needs. She expressed a concern from her neighbor to the north which mentioned that the sound study was only related to the PA system and not the attendees of the events. She asked how many days the residents would have to abstain from using their properties because of the noise from the games. She noted that not everyone enjoys the noise from sporting activities, and they should not have to be subjected to that. She asked that a study be done on the entire property including the noise from game attendees and HVAC units. She asked that this case be tabled until all those items are considered.

Commissioner Walker asked if Ms. Holder participated in the neighborhood meeting with PACT and asked her interpretation of how that meeting went from a resident perspective.

Ms. Holder commented that she felt that PACT listened to them and allowed them to speak but the response was that they would consider that further and welcome ideas as to how things could be fixed. She stated that residents are not engineers and are simply alerting everyone to the issues. She stated that she does not want to see the stadium require neighbors to stay in their homes on game days or get black out curtains to prevent the lights from shining in their windows. She recognized that the developer did listen to their concerns but did not feel that solutions were discussed.

Amanda Patrow, 16209 Sapphire Street, commented that there are still many concerns after meeting with the PACT team. She stated that their concerns were expressed in great detail, and they feel that those issues have not been resolved including traffic and stacking for parent pick-up. She stated that the PACT team has stated that there is additional room on the north and west sides for parent pick-up but there did not seem to be adequate space on their plans. She noted that the issues of sound and lighting are also still issues for the surrounding residents. She asked the type of lighting that would be used for the sports field. She noted that the retention plan is not based on a 100-year flood event and therefore there could be impacts to the residents. She commented on the Federal floodplain that exists to the north, which is in the backyards of many residents. She commented that the retention pond was increased in size but still does not meet the requirements. She believed that many modifications would need to be made to the plans in order to prevent negative impacts to the residents in this area.

Mr. Lindenberg commented that this children attended Anoka High School which has Castle Field for baseball. He noted that the PACT facility would probably be better than most of the other facilities where sporting events could be held. He explained that when there is a newer facility of better quality, the school is able to draw a majority of their opponents to their home field because of the quality of the facility. He asked that the Commission consider that when they are talking about the number of days the field could be in use. He noted that the field would be used for other spring, summer and fall sports as it will be an appealing facility. He asked that the Commission consider that the facility could also be rented for other use.

Councilmember Woestehoff asked staff to provide input on the improvements for 161<sup>st</sup>. He noted that the Public Works Committee recently discussed the potential project and trail.

City Engineer Westby commented that typically a road would be reconstructed to the same conditions unless another need comes forward. He stated that staff has concern with p.m. pick-up from parents and therefore they could potentially provide queuing on the street, but they would want to ensure that is not used for parking during the other hours. He stated that generally they would reconstruct the road without parking on either side and then an off-road trail for pedestrians. He stated that it would be hard to plan for a queuing lane when they are not aware of where vehicles would be coming from for parent pick-up.

Councilmember Woestehoff stated that his hope was to show residents that the City is looking at 161<sup>st</sup> as part of this project and there will be changes made. He noted that the trail/sidewalk is a big project and recognized the tree loss concerns. He stated that they are attempting to reduce the tree loss to the extent possible.

Commissioner Anderson asked why there could not be a right-in or right-out for buses off Variolite.

City Engineer Westby stated that the sight distances are not good on Variolite because of the crest and curve, therefore staff has concern with the sight distances and related safety concerns for a head on collision of vehicles attempting to pass buses turning right into that access.

Commissioner Anderson asked if those concerns would equally apply to that access being an exit only.

City Engineer Westby confirmed that his concerns would remain as a vehicle could attempt to pass a bus entering the road from the site and could have a head on collision with vehicles coming from the other direction. He also had concern with a bus being able to come up to speed going up the hill towards 161<sup>st</sup>.

Commissioner Hunt asked if the sight distance are based off current speeds or school zone speed limits.

City Engineer Westby replied that they could look to enact a school zone speed limit on the road, noting that is an MSA road and therefore MnDOT would need to be involved as there are additional requirements MnDOT would have to enact a school zone. He noted that his comments were based on the existing speed of the road. He stated that he understands the concern with drainage and the visibility of high water levels in the ditches after rain events but explained that those ditches are meant to fill up and hold water until it can be released downstream. He explained that just because a ditch is filled does not mean it is not functioning as it should be. He stated that the drainage design submitted by the applicant is reviewed diligently by staff as well as the LRRWMO engineering staff to ensure proper design. He stated that the City ensures that all developers are held to the standards for the two-, ten- and 100-year events noting that post development has to

result in the same or lesser than the existing conditions. He stated that the design that does not address a 100-year event would not be approved by the WMO.

Councilmember Woestehoff asked when the LRRWMO would be reviewing the case.

City Engineer Westby stated that it is his understanding that the developer intends to submit to the LRRWMO in July for review at its August meeting.

Commissioner Hunt asked if those meetings are open to public comments. He noted that perhaps residents with concerns about drainage should bring those concerns to the WMO.

City Engineer Westby confirmed that those meetings are also open to the public and provided details on where those meetings dates and packets can be found.

Councilmember Woestehoff stated that the WMO is a multi-jurisdictional organization and Councilmember Musgrove is the current Chair of the WMO Board.

City Engineer Westby confirmed that the WMO Board has representatives from Anoka, Ramsey, and Andover.

Jeff Lubarski, 7826 161<sup>st</sup> Avenue, reference the comments that a Variolite access would be unsafe. He noted that 161<sup>st</sup> is on top of the hill and therefore a vehicle moving up the hill could not see a bus taking a righthand turn.

Mr. Patrow commented that he is aware of the LRRWMO meeting dates and has submitted comments to that organization as well. He stated that the water issues were discussed in detail at the meeting with PACT and the neighborhood. He noted that some potential solutions were discussed and stated that perhaps the City could provide input on whether those options would be feasible, such as connecting to the storm drain that could service the church and PACT. He noted that another suggestion was to use permeable asphalt and concrete.

Mr. Fincher replied that permeable asphalt is incredibly more expensive than traditional asphalt which is why it is not commonly used as it is cost prohibitive. He stated that the funding model for a public charter school is very different than a traditional school and therefore it would be challenging to add that cost. He stated that he has also heard about the incredible amount of maintenance that would be required to ensure the asphalt remains permeable. He referenced the mentioned storm drain connection and in order to do that they would still need to treat the water before tying into the connection. He stated that in order to treat the water and make the connection, that would need to occur on the south portion of the site where a lot of the mature trees are located. He was unsure of the cost that would be required to make that connection as well and recognized the desire to preserve trees in that area.

Mr. Meyer commented that they did reach out to the City for as-builts of utilities at Variolite and 161<sup>st</sup> as they will connect to sewer and water in those locations. He stated that their stormwater would still need to be treated through a pond. He stated that once they receive the as-built information from the City they could investigate whether that would be a feasible connection. He

stated that they did design their stormwater to meet a 100-year event. He noted that if the pipe leaving the basin were reduced to 15 inches, they would raise the berm by four inches to ensure the water would remain within the pond. He noted that reducing the pipe size to match the culvert size would significantly reduce the rate of water leaving the site, well below the required rate.

Commissioner Walker asked if this project is funded at all.

Mr. Fincher replied that the funding is also in process. He stated that the preliminary bonding resolution was passed by the City Council and once that approval is finished by the City, it would go to the underwriting team for sale of the bonds. He stated that everyone is confident that this would be a successful transaction given the success and enrollment numbers for PACT. He did not feel that financing would be an issue for PACT.

Commissioner Walker commented that it was his understanding that the City of Ramsey is not going to be part of the financing.

Mr. Fincher clarified that the bonds used are conduit issuer bonds and therefore are issued through a municipality to receive tax exempt status. He stated that the City of Ramsey and State of Minnesota would not be backing the bonds and the bonds would be the sole responsibility of PACT. He commented that the City of Ramsey would not be providing any dollars and would actually collect a fee on an annual basis to cover any administrative costs.

Councilmember Woestehoff confirmed that the City would not have any fiscal risk in this.

Commissioner Walker commented that it seems that stormwater, lights, and noise continue to be concerns. He asked if the City has had any discussions with PACT to complete a joint stadium effort for any location other than this property. He commented that if the stadium were moved from this site onto Central Park, the stadium could benefit the school and all of Ramsey. He noted that it would also provide more space on the school site for parking and traffic circulation and prevent additional tree loss.

City Administrator Hagen replied that Central Park is utilized quite well with the current amenities. He was unsure there was capacity in Central Park to use for this type of purpose. He was unsure there was a park in Ramsey that could accommodate that type of use which would require PACT to purchase additional land. He noted that would create issues of function with PACT getting to the other location to use it.

Commissioner Walker stated that he is trying to find a path forward that would address resident concerns and allow PACT to move forward. He asked PACT to contact parks staff to determine if there would be potential for that concept.

Councilmember Woestehoff stated that he does not imagine the Council would support that, noting that he cannot speak for the entire Council. He commented that Central Park is already well used with established relationships with other organizations such as ARAA. He agreed that perhaps the residents would be more accepting of the project if there were no stadium or field but did not imagine that works for the school.

Commissioner Walker commented that he was not suggesting Central Park as the only location but believed there would be benefit to a shared facility of that type.

Acting Chairperson Gengler reviewed the available options for the Commission to consider.

City Administrator Hagen reviewed the possible actions and available review time. He noted that the City is already within the 60-day extension for the review.

Councilmember Woestehoff stated that he believes the City would benefit overall if the Commission could take action tonight as that would ensure the Council would have sufficient time to review the case and would have the ability to table if needed. He stated that these comments from the residents have been made on multiple occasions and noted that at a certain point the Commission needs to take action.

Commissioner Hunt agreed that he did not believe much would be gained by tabling the matter again.

Commissioner Anderson stated that he is torn as there is a lot, he does not like but he does like the idea of a school and its benefits. He stated that he is unhappy with parking and traffic flow. He noted that there are 125 items on the list provided by the City which need attention. He stated that he wants this to go forward but has concerns and will rely heavily on Councilmember Woestehoff to relay the discussion and concerns of the Planning Commission when the Council reviews this item.

Motion by Commissioner Anderson, seconded by Commissioner Peters, to recommend that City Council approval of the site plan and preliminary plat contingent upon compliance with staff review comments.

### **Further discussion**

Commissioner Hunt asked if the Commission would need to be more specific on the contingencies. City Administrator Hagen confirmed that would be broad enough to ensure the City can continue to review and make revisions where needed. Commissioner Walker stated that he made the statement that he fights for the residents whether he agrees with them or not as he feels it is his duty to represent the residents. He stated that a lot of times it is easy for those sitting on a Council or Commission to make a decision when they are not impacted by a project. He stated that frustrates him when he feels that the resident voices are not heard. He believed there are too many questions and unresolved issues and therefore cannot support the request until the residents support the project. Acting Chairperson Gengler commented that the input of residents has made a difference throughout this process and has brought attention to issues that need attention. She stated that while they look at the needs of the neighbors nearby, they also need to consider the needs of the overall community. She felt that there is progress towards the issue of stormwater that will continue to be developed. She also felt that there has been progress towards the impact of noise and there has been discussion related to traffic that will resolve that issue as well. She felt comfortable supporting the request. Commissioner Hunt agreed that everyone is taking into

account the residents. He recognized the comments of the residents that live nearby but noted that there are also thousands of other residents in Ramsey and the school would be good for the community as a whole. He stated that he has spoken to residents that are excited for the school and he is comfortable moving forward. Commissioner Walker asked how many of the members of the Commission would trade their home with someone that lives in this area. Acting Chairperson Gengler commented that she would. Commissioner Walker stated that he is simply trying to put himself in the position of those residents. He recognized that the residents already deal with Central Park but purchased their home knowing the park was there.

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

City Administrator Hagen replied that this is tentatively scheduled to go forward to the July 12<sup>th</sup> City Council meeting.

Chairperson Bauer and Commissioner VanScoy rejoined the Commission.

## **7.02: Zoning Code Update Preliminary Discussion**

### **Presentation**

Planning Manager Larson presented the Staff Report requesting direction on any areas that the Planning Commission would like to discuss or explore. Time will be scheduled over the next several months, keeping in mind other public hearing and development proposed on the agenda, to discuss various topics the Commission has interest in.

### **Commission Business**

Chairperson Bauer stated that many of the districts have specific uses allowed but other things are not mentioned specifically. He encouraged staff to ensure that the list is comprehensive or has allowances for certain things.

Planning Manager Larson stated that zoning establishes rights and very little of what is reviewed by the Planning Commission is discretionary. He stated that something cannot be denied simply because it is not liked. He stated that if there is a Comprehensive Plan amendment or change of that nature, it would provide the Commission with more discretion. He explained that parameters should then be included in the zoning code to ensure that the Commission would be happy with the allowed use. He also provided details on nonconformities and the ability to expand through a CUP, which then makes it a conforming use.

Commissioner Gengler asked if any other municipalities have aligned their Code to other codes, such as those used by the IRS, that provide specificity to the business use.

Planning Manager Larson commented that while some of those codes can be specific, some are very simple.