

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

The Ramsey Planning Commission conducted a regular meeting on Thursday, August 25, 2022, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present:                   Chairperson Randy Bauer (via Zoom)  
  Commissioner Bruce Anderson  
  Commissioner Cheri Gengler  
  Commissioner Tom Hunt  
  Commissioner Gary VanScoy  
  Commissioner Brian Walker

Members Absent:                   Commissioner Eric Peters

Also Present:                      Planning Manager Todd Larson  
  City Planner Brian McCann  
  Senior Planner Chris Anderson  
  City Council Liaison Matt Woestehoff

**1.     CALL TO ORDER**

Acting Chairperson Gengler called the regular meeting to order at 7:01 p.m.

**2.     PLEDGE OF ALLEGIANCE**

Acting Chairperson Gengler led the group in the Pledge of Allegiance.

**3.     CITIZEN INPUT**

None.

**4.     APPROVAL OF AGENDA**

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

A roll call vote was performed:

Commissioner Hunt	aye
Commissioner Anderson	aye
Commissioner VanScoy	aye
Commissioner Bauer	aye

Acting Chairperson Gengler aye  
Commissioner Walker aye

Motion Carried.

## **5. CONSENT AGENDA**

### **5.01: Approve the July 28, 2022 Planning Commission Meeting Minutes**

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

A roll call vote was performed:

Commissioner Bauer aye  
Commissioner Walker aye  
Commissioner VanScoy abstain  
Commissioner Anderson aye  
Commissioner Hunt aye  
Acting Chairperson Gengler aye

Motion Carried.

## **6. PUBLIC HEARINGS**

### **6.01: Public Hearing: Consider Request for a Conditional Use Permit to Exceed Allowable Square Footage for Detached Accessory Buildings at 15410 Nutria Street (Project No. 22-131); Case of Brady Doble**

#### **Public Hearing**

Acting Chairperson Gengler called the public hearing to order at 7:04 p.m.

#### **Presentation**

Senior Planner Anderson presented the staff report stating that staff recommends approval of the Conditional Use Permit contingent upon removal of one of the existing detached accessory buildings within 30 days of approval of the final building permit inspection for the new accessory building.

#### **Citizen Input**

Brady Doble, applicant, stated that he agrees with the presentation of staff and is available to address any questions.

Commissioner Walker noted that the staff report mentioned that the applicant plans to store his 36-foot camper inside the building, which would leave four additional feet in length. He asked if there was a reason the applicant chose 40 foot instead of 45 feet for length of the building.

Mr. Doble replied that it was the standard building size and would allow for him to also store his boat and other items inside.

Commissioner Walker asked if the applicant would support him requesting an additional five feet in length.

Mr. Doble replied that he would not have a problem with that.

Commissioner Anderson asked what is stored in the 10 by 10 shed.

Mr. Doble replied that a snowmobile and lawnmower are stored in that shed.

Commissioner Anderson asked if the 10 by 10 shed were required for removal, would the applicant be able to fit everything in the new building.

Mr. Doble was unsure noting that he has not staked out parking for the items he planned to park in the new building. He also provided details of what is stored in the 12 by 14 building. He commented that the existing accessory buildings are full of equipment and storage. He noted that he prefers inside storage rather than storing items outdoors.

Commissioner Anderson asked how the square footage would fall within code if the proposed building were allowed to increase in size, suggesting a 30 by 50 building.

Senior Planner Anderson provided those calculations, noting about 550 square feet over what would be allowed. He noted that would include the 10 by 10 shed.

Commissioner Anderson asked if the Commission were to approve a building of 30 by 40 feet, but the applicant discovered he actually needed a building 30 by 50, would the applicant then need to go through the entire process again.

Senior Planner Anderson confirmed that the entire process would begin again including notice for the public hearing.

Commissioner Hunt acknowledged that if the property were slightly larger, additional square footage would be allowed, and asked if the number of accessory structures allowed would also increase.

Senior Planner Anderson replied that the number of allowed accessory structures would not increase. He stated that the applicant did investigate the option of attaching a building, but the cost was prohibitive because of the frost footings that would be required. He stated that staff worked with the applicant in attempt to avoid how this CUP process could have been avoided.

Commissioner Walker commented that adding additional space to an accessory building at a later date would be cost prohibitive and that is why he would advocate for increasing the size of the building to 30 by 50 feet, with elimination of the 10 by 10 shed in return.

Commissioner VanScoy stated that the Commission is discussing options that would add cost to the project and asked the applicant for input. He noted that it seems the Commission would support a slightly larger structure but believed the applicant should provide input on whether that would be affordable or something he would be interested in.

Mr. Doble replied that he would have to price out that but agreed that it would be nice to store everything in the one accessory building. He stated that he would support that option.

Senior Planner Anderson commented that the CUP could be reworded to allow up to a certain square footage which would provide the flexibility for the applicant to increase the size of the building. He asked if the shed would need to be removed if the size of the building were increased and whether the shed could remain if the building is kept at the proposed size.

Mr. Doble confirmed that he would like that flexibility.

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

A roll call vote was performed:

Commissioner Hunt	aye
Commissioner Anderson	aye
Commissioner VanScoy	aye
Commissioner Walker	aye
Commissioner Bauer	aye
Acting Chairperson Gengler	aye

Motion Carried.

Acting Chairperson Gengler closed the public hearing closed at 7:21 p.m.

### **Commission Business**

Motion by Commissioner Walker, seconded by Commissioner VanScoy, to recommend that City Council adopt Resolution #22-189 Approving a Conditional Use Permit to Exceed the Square Footage for Detached Accessory Buildings on the Property Generally Known as 15410 Nutria Street NW, contingent upon the removal of the 10 by 10 detached building within 30 days upon completion of the new structure with the new structure allowed to be up to 1,500 square feet.

A roll call vote was performed:

Commissioner Bauer	aye
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Commissioner Walker aye  
Commissioner VanScoy aye  
Commissioner Anderson aye  
Commissioner Hunt aye  
Acting Chairperson Gengler aye

Motion Carried.

**6.02: Public Hearing: Consider a Site Plan and Conditional Use Permit for Lil Explorers at 14725 Ramsey Boulevard NW**

**Public Hearing**

Acting Chairperson Gengler called the public hearing to order at 7:23 p.m.

**Presentation**

City Planner McCann presented the staff report stating that staff recommends adoption of Resolution #22-194 and Resolution #22-195 approving the Conditional Use Permit and Site Plan on the subject property.

**Citizen Input**

Jeremy Spaude, applicant, stated that they have been working with staff to adjust the lighting plan and provided details. He noted that they would also be moving trees to the eastern side of the property. He commented that there are a lot of trees, and they will be able to provide more details once the tree company is onsite, noting that they will move as many trees as they can.

Commissioner Walker asked for more details on the business.

Mr. Spaude replied that there will be 120 children of preschool age with a full preschool program, along with an infant toddler program. He noted that there are four playgrounds that will be age specific.

Commissioner VanScoy asked if the purpose of moving trees is to provide a buffer between uses.

Mr. Spaude replied that they would move trees in attempt to better comply with the tree preservation guidelines of the City and to provide a buffer to the residential properties. He provided additional details on the landscaping plan which includes the berm, plantings, and relocation of trees.

Commissioner VanScoy agreed the two staged approach seems to provide the most benefit to both properties.

Acting Chairperson Gengler asked if there are playgrounds on both sides of the building.

Mr. Spaude confirmed that there are playgrounds on two sides of the building. He explained that the infant/toddler rooms would go out on their side of the building to those playgrounds while the preschool groups would go out of the building on their side to their age specific playgrounds. He stated that the concept of allowing access from the building to the designated playground also increases safety as they are not walking children around on sidewalks.

Commissioner Hunt referenced the mention of moving the eastern playgrounds to the western side.

Mr. Spaude replied that was a staff comment but is not something that is feasible for their operations. He stated that they are attempting to place as much buffer between their site and the residential sites in order to screen the playground activity.

Commissioner Anderson commented that the neighbors on the east side were very vocal on the other project and asked if those neighbors were notified.

City Planner McCann commented that those residents received public hearing notice and noted that the applicant also reached out and worked with those neighbors to resolve their concerns.

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

A roll call vote was performed:

Commissioner Hunt	aye
Commissioner Anderson	aye
Commissioner VanScoy	aye
Commissioner Walker	aye
Commissioner Bauer	aye
Acting Chairperson Gengler	aye

Motion Carried.

Acting Chairperson Gengler closed the public hearing closed at 7:35 p.m.

### **Commission Business**

Motion by Commissioner Anderson, seconded by Commissioner VanScoy, to recommend that City Council adopt Resolution #22-194 Approving a Conditional Use Permit for a Daycare Center at 14725 Ramsey Boulevard NW and Declaring Terms of Permit.

### **Further discussion**

Commissioner Walker commented the applicant as this is a well thought out plan to buffer from the neighboring properties. He believed this is one the best thought out plans that has been presented in some type. He thanked the applicant for reaching out to the neighbors prior to the meeting.

A roll call vote was performed:

Commissioner Bauer aye  
Commissioner Walker aye  
Commissioner VanScoy aye  
Commissioner Anderson aye  
Commissioner Hunt aye  
Acting Chairperson Gengler aye

Motion Carried.

Motion by Commissioner Anderson, seconded by Commissioner Walker, to recommend that City Council adopt Resolution #22-195 Approving Site Plan for Lil Explorers.

A roll call vote was performed:

Commissioner Hunt aye  
Commissioner Anderson aye  
Commissioner VanScoy aye  
Commissioner Walker aye  
Commissioner Bauer aye  
Acting Chairperson Gengler aye

Motion Carried.

**6.03: Public Hearing: Consider an Interim Use Permit (IUP) for 14700 Armstrong Boulevard NW**

**Public Hearing**

Acting Chairperson Gengler called the public hearing to order at 7:38 p.m.

**Presentation**

Planning Manager Larson presented the staff report stating that staff recommends approval of the Interim Use Permit with the conditions listed in the proposed resolution.

**Citizen Input**

Ken Hockert, applicant, stated that a lot of the businesses they serve are located in Ramsey. He commented that most of their lawncare and snow removal equipment is new and kept in good condition. He stated that he also has a floor removal business noting that business only deals in removal and does not do any installation or sales. He stated that both of the companies are not retail in nature. He stated that they purchased the property last year and had reached out to the City to ask if there were any plans for that area, but he did not know to ask whether the code has

changed as the previous business was an electrical contracting business. He stated that the building was built for contractor use and they would like to continue to do that. He stated that they would keep the property clean and orderly. He stated that he would also plan to install a line of trees along Armstrong to screen the property. He stated that although he did not want to give up the fence space, he realizes that is important for the City and would be willing to plant trees along that area as well. He stated that he owns a landscaping company and is excited to make the property look better. He stated that once they gain some revenue, they would plan to restore the building exterior as well to better fit with the area.

Commissioner VanScoy asked to what extent the fence would be moved.

Mr. Hockert replied that on the south end of the property they were asked to move the fence to provide more road frontage, which would reduce the square footage of the caged area, but they would be willing to do so if desired. He stated that there is barbed wire around the caged area for security but noted that they would be willing to remove that strip from the southern area to make it more appealing from the street view.

Commissioner Anderson asked why the fence would need to be moved.

Planning Manager Larson replied that the fence would not be allowed to be constructed today and therefore moving the fence would provide a better street appearance. He noted that if the Commission is fine with the fence as it stands, it could remove that condition.

Commissioner Anderson asked the types of trailers coming and going from the site.

Mr. Hockert replied that he has tree enclosed trailers that are professionally labeled for the business. He stated that there are also two dump trailers and one flatbed trailer. He noted that those would be parked in a nice line on the property.

Commissioner Anderson commented that the class five gravel is nonexistent and has basically become weeds. He asked if the applicant agrees to cover the lot in class five gravel.

Mr. Hockert replied that he would either do class five gravel or bituminous.

Commissioner Anderson asked if the building would be painted.

Mr. Hockert replied that he would like to begin with the landscaping project this year and next spring implement the remainder of the improvement of the site. He stated that once they are able to generate revenue, they would improve the face of the building facing Armstrong.

Councilmember Woestehoff commented that this is an IUP and asked if the applicant is willing to make all these improvements with the assumption that after five years, they would need to convert this to a retail space.

Mr. Hockert stated that he missed that part in the preplanning meetings. He stated that his thought process was more in the five-to-ten-year period. He noted that he recently learned that things in

that area of the city are changing and perhaps that will happen in the next five years, where a larger business may want to buy their property. He requested that the IUP be for a period of seven to ten years. He also desired the option to lease out the front of the building, noting that perhaps that would be a retail user or office use.

Councilmember Woestehoff commented that those are noble goals, but his concern for the resident would be that area around the property is ripe for redevelopment. He stated that this property and the property behind it would be ripe for redevelopment in the coming years, therefore he would not want the applicant to invest a lot of resources into the property with the expectation it would last more than five years. He stated that he would love any improvements on the site, but even if the building were subleased for retail, he believed that the COR requirements would be triggered. He acknowledged that the applicant is in a tough spot and appreciated the efforts he would be taking to improve the property but also wanted to ensure the applicant is clear on the intention for redevelopment and what would be allowed in the space.

Mr. Hockert restated that he believed Councilmember Woestehoff is stating that the IUP would allow him to run his businesses out of the building for a period of five years and after that time the property would need to be retail.

Planning Manager Larson stated that the applicant could come back to request an additional five years for the IUP and at that time the Commission and Council would make a determination on whether the IUP could be extended.

Commissioner Walker asked if the applicant was in the parking lot area after the heavy rains the previous week. He asked how solid the parking lot is.

Mr. Hockert replied that he was not on site at that time. He stated that there are two pieces of equipment on the property that allowed him to test if there was a class five base. He stated that he discovered that was a sand base, although there is a patch of old asphalt. He stated that the remainder of the caged area is extremely permeable because of the sand base. He stated that one of his customers for lawncare and snow removal is The Residence at The COR, and he has heard the importance of finding drainage in the area.

Commissioner Walker stated that his attempt would have been to save the applicant some money. He noted that there may have been class five material that sunk down a bit. He acknowledged that the applicant would like to make the site look better but was attempting to save the expense of hauling additional class five material for the applicant.

Mr. Hockert stated that he appreciates that but does believe class five needs to be hauled in as it will help to keep the weeds down and is a rule that vehicles must be parked on that type of surface. He stated that he does not want to lose his fence base but would agree to it if needed and would plant additional trees. He stated that his brand is professional maintenance services and therefore he would want his business to represent his brand.

Councilmember Woestehoff stated that he worked for a landscape company almost 30 years ago and asked if there would be additional outside storage, such as mulch or other materials that would be kept in the outdoor area.

Mr. Hockert replied that he has owned his business for 30 years and has never stocked any landscaping material. He stated that if there is excess material, such as block, he returns that after the job is completed. He noted that he has another business he works with that does mulch and that type of work.

Matt Kuker, PSD LLC, stated that this is bittersweet. He commented that they recently constructed the strip mall adjacent to this site and bought that property with the intention that the COR zoning would be along Armstrong. He stated that he has invested \$2,500,000 into the strip mall with interest from three national food users looking at the pad lot. He understands that the person owns the lot, but national users do not want to be across the street from a landscaping business. He stated that when PSD purchased the property from the City, it should have been better disclosed that the COR zoning would not immediately be implemented along Armstrong. He commented that Lawn Monster is behind their property as only that first row along Armstrong falls within COR zoning standards. He stated that they built an area appropriate building, making a big investment and doing the work to market the property. He understood the difficult position the applicant is in but noted that he is also attempting to do his job in promoting Ramsey and bringing businesses like Adrenaline, industrial users, and the VA to Ramsey. He stated that he purchased an adjacent property already to avoid having to look at semi-trailers on that site. He stated that there have been different messages from the City on when redevelopment would occur in this area and when standards would be enacted. He commented that the property along Armstrong is prime, and he would hate to see the applicant invest this money into his site for five years of use. He acknowledged that this is a difficult situation.

Acting Chairperson Gengler asked and received clarification on the pad site mentioned.

Mr. Kuker replied that he has one concept for another strip mall but noted that he is attempting to pursue a restaurant user as that is the desire of the Council and residents. He stated that he has interest from two national brands and one local brand and would hate for them to have this view from their windows as that pad is directly across the street from this site.

Councilmember Woestehoff noted the potential sports dome sites and asked if that proposed access would come from 147<sup>th</sup>.

Mr. Kuker commented that the reason staff wants to push the fence back is because of the proposed widening of 147<sup>th</sup>.

Planning Manager Larson provided a copy of an email received today that was provided to the Commission and will become a part of the public record.

Commissioner Anderson commented that the Commission is in a difficult position, as the previous speaker stated. He stated that after receiving the input from Mr. Kuker, he asked the possibility of hiding the property behind trees along the fence line.

Mr. Hockert replied that is their goal. He noted that they would plant trees along Armstrong and on the southern side as well. He stated that they could plant trees on the outside and inside of the fence to provide additional layers of screening.

Commissioner Anderson referenced the retail use across the street and sports user in the back and understands the desire to shield this use as much as possible.

Mr. Hockert confirmed that he would place landscaping along the southern side as well. He stated that he would love to work with Mr. Kuker in whatever way possible. He stated that while he would love to improve the building right now, they need to generate income in order to support those improvements. He asked for grace and the opportunity to move into the site and clean up the site.

Mr. Kuker agreed that shielding helps but he would hate to see the whole area redeveloped with this person on a five-year plan investing in the site. He agreed that screening would help. He stated that as he bought his property, the property behind him was sold and the City has abated that site. He stated that the applicant seems like a nice guy, and he would hate to see him invest money that may be lost. He agreed that screening would help, and he could agree to it if the business is not an eyesore.

Mr. Hockert stated that someone else also suggested placing fabric in the fence to shield but stated in his opinion that makes it look worse. He believed that the better path would be to shield with trees, placing a row of trees on both the inside and outside of the fence as fast as they can. He commented that he purchased the land with his money and owns it and if he wants to invest more money into the site, he should be able to do that in the effort of wanting to make things better. He recognized that his property will be ideal for redevelopment in the future, and he should be able to make a profit at that time.

Commissioner VanScoy asked if someone were to offer to purchase the property in two to three years, would the applicant be amenable to that.

Mr. Hockert confirmed that for the right price he would sell the property, but he also has to make sure it would be something that would be beneficial for everyone involved (himself, the City, the neighbors, etc.).

Commissioner VanScoy commented that if the applicant does not do anything to the property, as it sits, it is an eyesore. He stated that having the applicant make some improvement to the site and use it in the interim would seem to be positive. He stated that the applicant will be investing money into an area that is marked for redevelopment and therefore he would not want the applicant is invest to the point where it would become a barrier to selling in the future.

Mr. Hockert replied that his wife would also like him out of the site faster than five years.

Commissioner Walker stated that he kind of had his mind made up on how he would vote on this case but wanted to make sure the applicant would be okay with knowing he could invest into this

property and in five years he may not be able to use it anymore for this business. He stated that if the applicant is okay with that, he would be okay with that.

Mr. Hockert stated that what is important to him is doing the right thing in the right time and at this moment, this is what is important to him. He recognizes that this is an investment for future gain, and he can use the property for his business in the time being. He commented that he would not want to stand in the way of progress. He stated that he paid a little more for the property than anyone else was willing to pay for it, noting that he is not afraid to invest to make something better.

Mr. Kuker stated that his intention was to talk about the big picture and also shared the concern of Commissioner Walker that the applicant would be investing in the property only to have the IUP taken away after five years.

Mr. Hockert appreciated the input from the neighboring property owner so they can ensure they address those concerns. He commented that he is also prepared for whatever may come in the future and appreciated the concerns.

Commissioner Hunt asked when the property was purchased.

Mr. Hockert replied that he purchased the property in November and started moving things to the property. He stated that he was alerted through the leasing agent of the zoning of the property.

Commissioner Hunt asked if the zoning of the property is disclosed at the time of sale.

Senior Planner Anderson replied that the City is not involved in the transaction of sale for private property. He stated that if someone were to call, staff could disclose the zoning and any other pertinent information.

Commissioner Hunt stated that he does not like telling someone what to do with their property. He stated that if the applicant is able to sell his property in five years, that could be a good investment strategy if the IUP expires in five years.

Councilmember Woestehoff asked if the entire fence has barbed wire.

Planning Manager Larson replied that the entire perimeter fence is barbed wire. He stated that because the fence was not going to be touched, staff stated that could be left alone and only the barbed wire on the section to be moved should be removed.

Councilmember Woestehoff stated that removing the barbed wire would make the property look more friendly and asked if the applicant would agree to removing that.

Mr. Hockert replied that he was doing some work on the building, and someone stormed into his building asking if there were cameras on the building. He stated that the person owns Lawn Monster, and they had an issue with thousands of dollars of equipment stolen. He stated that he would prefer to leave the barbed wire unless Mr. Kuker would like it removed.

Mr. Kuker commented that he owns a boat shop that is now Power Lodge and was robbed 17 times. He recommended leaving the barbed wire up. He stated that if the property is shielded, he has no issue. He commented that the barbed wire will not stop a user from coming to his site, but piles of junk would.

Commissioner Hunt referenced the comment that the fence should be moved because of the improvements to the street and asked for clarification.

Mr. Kuker commented that the City has plans in the works to redo 147<sup>th</sup> and Ferret along the back. He stated that as that is done, more right-of-way is needed.

Planning Manager Larson commented that the relocation of the fence would be to allow space for landscaping and screening. He believed there was most likely right-of-way available for the road project and if more is needed, they would purchase that.

Commissioner Walker stated that if the City is going to do work on 147<sup>th</sup> and would need a fence moved, would it not then be the cost of the City to move the fence.

Councilmember Woestehoff confirmed that to be true.

Planning Manager Larson replied that the fence is at the front property line and therefore planting of the trees could not occur within the right-of-way, therefore the fence would need to be moved back to put the trees in.

Commissioner Walker asked how far out are the 147<sup>th</sup> Street improvements.

Planning Manager Larson replied that the reconstruction would occur in 2023 or 2024.

Councilmember Woestehoff stated that the Public Works Committee or City Council has not yet reviewed plans for that road project.

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

A roll call vote was performed:

Commissioner Hunt	aye
Commissioner Anderson	aye
Commissioner VanScoy	aye
Commissioner Walker	aye
Commissioner Bauer	aye
Acting Chairperson Gengler	aye

Motion Carried.

Acting Chairperson Gengler closed the public hearing closed at 8:27 p.m.

**Commission Business**

Commissioner Walker asked if it is the recommendation of staff to move the fence and asked how far it should be moved.

Planning Manager Larson confirmed that to be true and estimated six to ten feet to allow room for the tree planting.

Motion by Commissioner Hunt, seconded by Commissioner Anderson, to Adopt Resolution #22-196 Approving an Interim Use Permit for 14700 Armstrong Boulevard Northwest, removing condition five and adding tree planting screening.

**Further discussion**

Commissioner Anderson clarified that the screening is as shown on the plan with additional screening on the south side. Commissioner Hunt confirmed that to be true. Senior Planner Anderson asked if there would be flexibility in the type of trees to be planted, as they would want species that are tolerant to salt because of the location near the road. The Commission agreed that staff could work with the applicant to determine appropriate vegetation screening. Acting Chairperson Gengler noted that if the fence is not moved there is not space for the trees. Commissioner Hunt noted that the trees could be planted inside the fence along that property line. Commissioner Walker asked and Mr. Kuker agreed that he does not mind seeing the fence, he just does not want to see piles of stuff. Commissioner Walker commented that if the City wants the fence moved, that should be at the cost of the City. Councilmember Woestehoff stated that if the City needed that land for right-of-way, they would purchase it from the property owner and the fence would be moved at that time. Planning Manager Larson confirmed that anything that is altered, changed, or taken must be compensated.

A roll call vote was performed:

- Commissioner Bauer            aye
- Commissioner Walker        aye
- Commissioner VanScoy       aye
- Commissioner Anderson      aye
- Commissioner Hunt          aye
- Acting Chairperson Gengler aye

Motion Carried.

**6.04: Public Hearing: Consider Request for a Site Plan and Conditional Use Permit for Blue Line Collision at 6710 Highway 10 NW**

**Public Hearing**

Acting Chairperson Gengler called the public hearing to order at 8:34 p.m.

## **Presentation**

City Planner McCann presented the staff report stating that staff recommends adoption of Resolution #22-190 and #22-191 approving the Conditional Use Permit and Site Plan on the subject property respectively.

## **Citizen Input**

John Kinghorn, Kinghorn Construction, spoke on behalf of the applicant. He stated that they have no issues with any of the recommended conditions.

Commissioner Anderson asked what someone would see of the business when driving down Highway 10.

Mr. Kinghorn displayed the draft elevation that would face the highway. He commented that the parking lot does continue out as far as the building towards the highway.

Commissioner Anderson stated that his concern would be visibility of damaged vehicles being parked in view of the highway.

Mr. Kinghorn commented that they have a six-foot chain-link fence included in their proposal for security reasons. He stated that they would be open to providing more screening along the highway if desired.

Commissioner Anderson stated that the business will be working on damaged vehicles and would prefer some type of screening to shield travelers on the highway from seeing damaged vehicles parked in the lot.

Mr. Kinghorn confirmed that they could address that with landscaping.

Senior Planner Anderson commented that there are a variety of oak trees proposed in the landscaping plan.

Commissioner Anderson stated that he would prefer evergreen or slats in the chain link fence along the highway.

Senior Planner Anderson commented that from the perspective of staff, they would recommend a true privacy fence versus a chain link fence with slats.

Acting Chairperson Gengler asked for an indication on where the fence starts and ends.

Mr. Kinghorn identified the start and end of the fence.

Matt Kuker, PSD LLC, commented that Blue Line does an excellent job as they have been in the community for a number of years and keep a clean site. He stated that they have used this business

to repair vehicles and are always happy with the service provided. He stated that Mr. Kinghorn does a great job building buildings and this will be a great improvement to the blighted site.

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

A roll call vote was performed:

Commissioner Hunt	aye
Commissioner Anderson	aye
Commissioner VanScoy	aye
Commissioner Walker	aye
Commissioner Bauer	aye
Acting Chairperson Gengler	aye

Motion Carried.

Acting Chairperson Gengler closed the public hearing closed at 8:45 p.m.

### **Commission Business**

Motion by Commissioner VanScoy, seconded by Commissioner Anderson, to recommend that City Council adopt Resolution #22-190 Approving Conditional Use Permit for Blue Line Collision for Automotive Repair on the Subject Property.

### **Further discussion**

Commissioner Walker asked if a condition should be added requesting the plan be revised. Commissioner VanScoy noted that would be included in the site plan.

A roll call vote was performed:

Commissioner Bauer	aye
Commissioner Walker	aye
Commissioner VanScoy	aye
Commissioner Anderson	aye
Commissioner Hunt	aye
Acting Chairperson Gengler	aye

Motion Carried.

Motion by Commissioner VanScoy, seconded by Commissioner Anderson, to recommend that City Council adopt Resolution #22-191 Approving Site Plan for Blue Line Collision, with consideration for additional screening along Highway 10.

### **Further discussion**

Senior Planner Anderson asked if the motion would include all options such as fencing and vegetative screening. Commissioner VanScoy stated that City staff and the applicant should work together to determine what would be appropriate. He stated that he would not want to dictate one or the other would prefer to leave that flexibility.

A roll call vote was performed:

Commissioner Hunt	aye
Commissioner Anderson	aye
Commissioner VanScoy	aye
Commissioner Walker	aye
Commissioner Bauer	aye
Acting Chairperson Gengler	aye

Motion Carried.

**6.05: Public Hearing: Conditional Use Permit for iDigital for a Digital Billboard at the Northwest Corner of Riverdale Drive and Traprock Street NW**

**Public Hearing**

Acting Chairperson Gengler called the public hearing to order at 8:48 p.m.

**Presentation**

Planning Manager Larson presented the staff report stating that staff recommends approval of the Conditional Use Permit for the billboard.

**Citizen Input**

Josh Gilleland, iDigital, representing the applicant stated that they have been working with the City for the past two years on this project. He stated that they have been approached by several business owners in Ramsey that were attempting to attract larger businesses into the community that had been deterred by lack of signage. He stated that they worked with the EDA to develop a plan along with City staff. He stated that they are proposing a vertical structure as they believe it to be more unique with a better sightline and base. He recognized that a primary function of the Planning Commission is to ensure things look good and noted that is also a desire of theirs as they sell advertising. He displayed an example of another vertical board they have in North Dakota. He stated that this sign will help to advertise businesses in the community but recognized that the scope of the Commission will focus more on the design and aesthetic.

Commissioner Anderson asked if this has an auto dimming feature.

Mr. Gilleland confirmed that there is an auto dimming feature and they also have remote capabilities to make the sign dim with sunrise and sunset. He noted that the auto feature will also dim the sign on a cloudy day.

Commissioner Anderson asked how the brightness is set.

Mr. Gilleland stated that they use industry standards to set the NIT rate. He stated that if there are complaints, they can remotely dim the sign as well.

Commissioner VanScoy asked where the sign would be located.

Senior Planner Anderson provided clarity on the sign location.

Planning Manager Larson noted that Traprock Street is also the entrance to the park.

Acting Chairperson Gengler asked for clarification on the facing of the sign.

Mr. Gilleland replied that the sign will be perpendicular so that the faces of the sign face either direction of traffic. He stated that typically they would put a slight V between the faces, but because they want it to appear like a monument sign, they would place the digitals back-to-back.

Acting Chairperson Gengler asked the height of the existing City of Ramsey monument sign.

Planning Manager Larson was unsure but estimated that sign falls in the 30s in terms of height in feet. He stated that this sign would be slightly taller than the Ramsey sign but could provide that information in the presentation to the Council.

Councilmember Woestehoff stated that the case indicates that the sign is in a drainage and utility easement and also noted the location of the power lines. He asked if there is any concern with conflicts.

Planning Manager Larson commented that the power lines are in the Highway 10 right-of-way, not the City right-of-way. He stated that the plan includes underground stormwater system plans. He stated that there would be an encroachment agreement, should this move forward, and provided those details. He stated that they believe this sign will be outside the construction impacts for the highway.

Mr. Gilleland stated that the electric provider agreed to bury those lines if needed. He stated that the provider was very welcoming and may have plans to bury those lines anyways, which provided an opportunity to cost-share.

Matt Kuker, PSD LLC, commented that PSD owns the old Diamonds property as well as the field to the old Hope Fellowship property. He stated that it is nice to see the City understand that signage is needed. He stated that he does not have an issue with the sign but does not like that location as they have been attempting to attract major users to that site. He stated that they previously worked with Fleet Farm to bring a store to that location, but the company was sold, and the project fell

through. He stated that they are in discussions with Scheels, and he would hate to see the sign come up and the City then declining a business to put a sign in that area. He stated that the City does own a site two lots to the east of the current Power Lodge which is vacant and does not have redevelopment plans and suggested the sign be placed in that location. He agreed that signage is needed for properties in the COR. He stated that when they gave the property for the Riverdale Drive extension, it was a friendly acquisition for the road improvement, and they did not anticipate that a sign would be placed on that corner. He stated that this would be almost directly across from the existing City sign and believed there would be benefit in spreading them out. He stated that PSD is not for the sign in this location, but they are not anti-sign.

Mr. Gilleland stated that they work with Scheels on their signage, and they could work with that company on signage locations. He stated that they would do what needed to be done in order to accommodate but would hate to plan on what ifs. He stated that if the billboard needs to be moved, that could be done, and they could still reuse the parts in another location.

Acting Chairperson Gengler asked for context on the other site mentioned by Mr. Kuker.

Senior Planner Anderson stated that location is between Ramsey Boulevard and Sunfish Lake Boulevard and identified the location.

Mr. Gilleland stated that his concern would be the proximity to the overpass as that would ruin the ability to read the board.

Commissioner VanScoy referenced the ordinance that allows digital billboards and asked if there could be up to three billboards.

Planning Manager Larson replied that the ordinance does allow up to three billboards, but they do need to be spaced apart.

Commissioner VanScoy asked how changing the location would impact the ability to have additional signs.

Planning Manager Larson replied that most likely only two would be allowed in that scenario.

Mr. Gilleland stated that the current location would still limit the community to two signs as the distance to the Anoka border is less than two miles. He noted that one additional sign could be located two miles to the northwest towards Elk River.

Mr. Kuker stated that PSD purchased the Diamonds property when PACT had plans to expand to online services but that fell through. He stated that over the years he has been approached by multiple businesses that wanted to locate on the site, but they refused because of the prime location and desire to attract a better user. He stated that they have held onto the property for many years in order to attract a better user. He stated that Scheels will be coming out to the site in the next month and would hate for this sign to detract from the site. He commented that there are decisions that need to be made in order to move forward in the right way for Ramsey. He noted that he could have sold the property years ago to be a car lot but that was not the right user they wanted for

Ramsey. He commented that they are on the fringe of getting what they want, and he would hate for signage to blow that deal.

Commissioner VanScoy asked if other locations were considered and what the process was for selecting this site.

Planning Manager Larson replied that this decision predated his time with the City.

Councilmember Woestehoff stated that in the two years he has heard about this, several sites were discussed but does not recall any being truly defined.

Mr. Gilleland stated that they mocked up four locations, although more were discussed. He noted that some of those locations were eliminated because of the upcoming changes to Highway 10. He stated that the last location was the site to the north on the other side of Highway 10 but recalled a conflict with an entity that owned the property other than the City which is when the location was pushed across the street.

Acting Chairperson Gengler stated that these digital billboards are different than a typical business sign and asked the type of restrictions that this sign would have on a business that would want to have a sign on their parcel.

Planning Manager Larson replied that there would be no restrictions about sign proximity, it would just be one sign per property. He stated that the business would have more leniency than the billboard given the recent code updates to allow higher signs for businesses along the highway. He noted that a large retailer could have typical business signage along with a tall freestanding sign. He stated that perhaps the concern is whether this sign could potentially block sightlines.

Mr. Gilleland stated that is what is nice about the vertical signs, is that they do not block much from other sites. He asked the window of time for Scheels with Mr. Kuker.

Mr. Kuker replied that he does not have a definite timeline.

Mr. Gilleland stated that they have been working for two years and was unsure the length of this process before final approvals, noting that it could be a few more months between CUP approval, building permit approval, and lease signing. He noted that they may wait for spring until construction, noting that he would be fine with an alternative site if that meant Scheels was coming to this site. He stated that they do have several billboard leases with Scheels. He stated that if they had an idea of the site plan, they could go on the opposite side of the property to allow additional spacing. He noted that they would be willing to work together and accommodate both uses.

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

A roll call vote was performed:

Commissioner Hunt            aye

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

Motion Carried.

Acting Chairperson Gengler closed the public hearing closed at 9:23 p.m.

### **Commission Business**

Commissioner Walker commented that he has not been a fan of the billboard since this came up 18 months ago and is not one to change his mind easily, therefore he will not support this request.

Councilmember Woestehoff stated that he agrees in his position on billboards but noted that this meets every condition of a CUP and the opportunity to stop this has passed, therefore he would not want to encourage the Commission to deny things which are lawful.

Commissioner VanScoy stated that he agrees and while he does not like the concept of billboards and is disappointed the City changed its policy, he also understands that this is a legal request. He stated that his difficulty tonight is that he does not know the process in selecting this location and it appears to be convenient, small, and easily used but does not seem to be the right location. He commented that it would interfere with the actual intent of the ordinance because it would eliminate an intended billboards allowed by ordinance. He stated that he would have a conflict with this location for that reason.

Commissioner Hunt commented that many members are not fans of billboards, but they are allowed by code and in that respect the location would not be bad because it would eliminate the ability for another sign to be located between this sign and the border of Anoka. He was unsure that anyone may desire a sign two miles towards Elk River, which then might reduce the total number of signs as well, therefore this location might be perfect in terms of limiting overall signage.

Commissioner Anderson asked if the exact location of the sign is fixed in concrete or whether it could move to the other end if it had to.

Planning Manager Larson replied that staff would need to do additional research with the applicant as there is a stormwater system that cannot be touched without damage. He stated that there might be some room, but he is unsure.

Acting Chairperson Gengler stated that although a billboard was not what many of them wanted for the community, she does appreciate the vertical design and architecture. She commented that she feels that there has been work done to make this something that is less unattractive in the community. She agrees that this is a lawful request and as much as she personally may not wish to see it, it does comply.

Commissioner Walker stated that the City changed the ordinance to allow billboards on City owned property and noted that he had a problem with the City changing its rules to benefit its own properties. He stated that there is nothing that states the City cannot amend the ordinance to reduce the space between signs below two miles as well. He stated that if there is a chance that Scheels could come to Ramsey and this sign could deter that, he would not support the sign.

Commissioner VanScoy stated that he is uncomfortable because he does not know the history on this site choice and asked if this could be tabled to allow additional information to be brought to the Commission.

Planning Manager Larson confirmed that the Commission could choose that action, as long as the additional information requested is specified.

Acting Chair Gengler asked if the intention in gathering that information would be to determine if another location would be more suitable.

Commissioner VanScoy agreed.

Commissioner Anderson stated that he agrees he does not like signs, but one digital sign could eliminate many others. He stated that a business could still install their own signage at a height of 75 feet, which would be above the 40 feet proposed for this billboard. He agreed this item should be tabled to look at other possible locations. He stated that this application meets all the requirements and therefore should be approved, but there could potentially be a better place to locate the sign.

Commissioner Walker commented that just because this sign goes up, does not mean more signs will be removed or more signs will not be installed.

Commissioner Anderson commented that the purpose of the digital sign is to advertise for the businesses in the COR, not the ones on Highway 10.

Commissioner VanScoy stated that is not true because the COR framework has signage for the COR that has not yet occurred. He stated that this billboard would allow advertising for businesses in Ramsey and would not be limited to only those in the COR.

Commissioner Anderson clarified that the intent is to get traffic off the highway and into the COR.

Mr. Gilleland stated that within the lease there are a specified number of slots for advertising for Ramsey businesses at a reduced rate.

Commissioner Walker commented that Scheels has been thrown out as a possibility. He stated that Scheels has enough money to purchase every slot on the billboard if they wanted.

Mr. Gilleland stated that per the terms of the lease that would not be allowed and provided additional details.

Councilmember Woestehoff stated that if the idea is to table for additional recommendation, perhaps more information could be provided from Economic Development Manager Sullivan related to the lease terms.

Mr. Kuker stated that he believes that a national brand will want to advertise on the sign. He stated that the example in Fargo that was displayed showed other signs in the area. He stated that if the purpose is to stop other signs, that will not be the outcome as businesses want their own signs as well. He stated that the City is doing this to generate revenue for businesses in the COR but there will be national brands that advertise as well.

Motion by Commissioner Anderson, seconded by Commissioner VanScoy, to table this to the September meeting with direction for staff to bring back information on other potential locations and additional input from the EDA.

**Further discussion**

Commissioner Walker asked for clarification as he believed lease terms were also desired. Commissioner Anderson replied that data will be provided from the EDA. Planning Manager Larson confirmed that staff has adequate direction.

A roll call vote was performed:

Commissioner Bauer	aye
Commissioner Walker	aye
Commissioner VanScoy	aye
Commissioner Anderson	aye
Commissioner Hunt	aye
Acting Chairperson Gengler	aye

Motion Carried.

**7. COMMISSION BUSINESS**

**7.01: Discuss the Relationship between the Comprehensive Plan's Land Use and the Zoning Code's Zoning Districts and Provide Direction on Zoning Code Districts**

**Presentation**

Planning Manager Larson noted that this item was intended to include more discussion and recognized that the meeting is running long. He stated that this item could be tabled to the September meeting which has a lighter agenda.

The Commission agreed to postpone this item to the September meeting.

**7.02: Discuss Eliminating Zoning Permits**

## **Presentation**

City Planner McCann presented the Staff Report stating that staff has contemplated the removal of zoning permits for several years due to several issues and is seeking guidance from the Planning Commission about the potential elimination of zoning permits from the Zoning Code.

## **Commission Business**

Commissioner VanScoy commented that he is a little conflicted on this and asked if the City has avoided a lot of issues by having its current process.

Planning Manager Larson stated that in some cases it has opened more problems. He stated that the service just checks the plans, not the work completed. He noted that same service could be provided if a resident came to the counter to have the discussion with staff. He stated that in the current process there is no assurance that the project is completed right, and it takes a lot of time to review the plans. He stated that staff would prefer to better focus on the bigger development plans, rather than reviewing plans related to fencing.

Commissioner VanScoy asked if service would still be provided to residents if they came in to discuss their plans.

Planning Manager Larson confirmed that residents could still have discussions with staff and ask questions. He noted that staff could also add more information to the available handouts.

Acting Chairperson Gengler asked for examples of the zoning permit projects.

City Planner McCann reviewed examples such as fencing under seven feet, swimming pools of 5,000 gallons or less, accessory structures under 200 square feet, and driveways. He stated that recently staff was discussing that through the ordinance section of code, bee keeping is considered a zoning permit and therefore that could be a consideration as well.

Commissioner Anderson asked if a resident wanted to build a shed over 200 square feet, they would apply for a permit and then build it. He asked if that would no longer be necessary, and the resident could just build it.

City Planner McCann stated that a shed over 200 square feet would still require a permit. He noted that the proposed change would apply to a shed under 200 square feet and the resident could then get information from staff and could then proceed to build the shed.

Planning Manager Larson noted that the resident would have the choice of whether or not to consult with staff. He stated that the difference would be that the resident would no longer have to develop a plan, submit that to staff for review, and provide approval. He noted that is a lot of unnecessary work and expense for residents and that permit fee does not cover the expense of City staff time either.

Commissioner Anderson commented that there are times accessory structures are placed in the wrong location and therefore he would still want checks and balances.

Planning Manager Larson replied that the zoning permit does not have inspection, so it is still up to the resident to properly place the shed on the property.

Senior Planner Anderson stated that typically the very same process is followed in the sense that the resident would reach out and ask questions about what they want to do. He stated that what would change is that the resident would not have to formally submit the plan that goes through the plan review system, which is then reviewed by planning and engineering. He stated that if there is an issue related to placement, staff would not know about the issue until there is a complaint which is the same whether a zoning permit was required or not. He stated that the only thing that would change is the review of the permit and issuance of the permit. He stated that in most cases residents do reach out to the City to determine if there is anything they need to know but there will always be property owners that do what they want. He stated that the enforcement side would not change whether or not there was a permit issued.

Commissioner Walker asked if it would be possible to keep the permit only for the fact of providing rules and regulations. He stated that the City would know what is going on for tracking purposes. He commented that would make it easier for staff to know which properties may need to be followed up on for code enforcement. He stated that he would still agree with removing the need for plan submittal and staff review. He agreed that some residents will continue to do things without permits, but for those that do apply for the permit, they could still be given the applicable rules.

Planning Manager Larson commented that part of this is also the value of the \$25. He stated that in that scenario the resident would be paying \$25 to receive the rules, which are also available for free on the website. He stated that Brooklyn Park does not have this type of permit. He stated that it was the personable responsibility of the resident to follow the rules and code enforcement would be used for those that do not follow the rules. He stated that this would be a better service to the residents rather than requiring them to go through all the steps without an inspection to know it was done right. He commented that the \$25 fee does not even begin to cover the cost for staff review as well as the added delay to residents. He stated that if the cost is increased to better cover the staff cost, more people will skip the step of getting a permit.

Acting Chairperson Gengler commented that this seems beneficial to both residents and staff.

Councilmember Woestehoff stated that using the data, there have been about 100 zoning permits per year, and he would believe that there are many more residents completing these projects without permits. He asked the time staff is spending on these permit reviews.

City Planner McCann stated that when a resident submits a permit, he estimates that the review would take about one week. He estimated that each staff member involved in the process spends at least 15 minutes.

Councilmember Woestehoff stated that staff has stated that they would still be willing to answer any questions residents may have, but this would remove the need for residents to submit plans and for staff to spend time reviewing those plans, which also causes delays to residents.

Acting Chairperson Gengler asked for input from the Commission on the direction staff should follow.

Commissioner Walker stated that he is unsure he has an opinion one way or another. He stated that his suggestion was just another option that would provide a method of tracking for potential follow up later. He stated that he is not concerned with whether money is lost for the City reviewing permits as that is a cost of being a governmental unit and providing a service to its residents.

Commissioner VanScoy stated that it is his understanding that code enforcement is based on complaints and therefore there would not be typical follow up just because someone obtained a zoning permit.

Planning Manager Larson confirmed that staff addresses complaints and does not look to see who received permits and if the project was built in that manner. He confirmed that having a record would not be a benefit in terms of code enforcement.

Councilmember Woestehoff stated that from a Council perspective, when a code enforcement escalates to the level of the Council for review, one of the questions is whether they received a zoning permit. He commented that he is not saying whether that is good or bad, but if a resident did not get a zoning permit when they should have, it might impact the decision of the Council. He noted that would not be a code enforcement action, just something the Council may consider.

City Planner Anderson stated that in his opinion any property owner should be completing due diligence before making an improvement on their property to ensure it meets standards. He stated that whether or not there is a zoning permit, the resident would still need to ensure they follow applicable rules and regulations of the City or their HOA. He stated that whether there is a zoning permit does not change that line of thinking.

Planning Manager Larson welcomed any other questions the Commission may find helpful, and staff can bring this back for additional discussion.

Commissioner VanScoy asked if the Council would make the final decision on this matter.

Senior Planner Anderson confirmed that this would be an ordinance change and therefore it would involve a public hearing and two readings by the City Council.

Commissioner VanScoy stated that he would be interested in what other cities, in addition to Brooklyn Park, do.

## **8. COMMISSION / STAFF INPUT**

The Staff Update was noted.

Planning Manager Larson noted a staff conflict with the September meeting date and the Commission agreed to delay the September meeting by one week. He also noted a conflict with Thanksgiving, stating that meeting could be held December 1<sup>st</sup>. He advised of a potential conflict with the December meeting due to the Christmas holiday but noted that decision would not need to be made tonight.

The Commission agreed to delay the September meeting by one week.

## 9. ADJOURNMENT

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

A roll call vote was performed:

Commissioner Hunt	aye
Commissioner Anderson	aye
Commissioner VanScoy	aye
Commissioner Walker	aye
Commissioner Bauer	aye
Acting Chairperson Gengler	aye

Motion Carried.

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

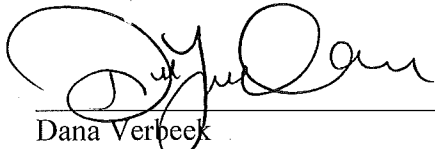
Respectfully submitted,



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Todd Larson  
Planning Manager

ATTEST:



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Dana Verbeek  
Planning Administrative Assistant

Drafted by Amanda Staple  
*TimeSaver Off Site Secretarial, Inc.*