

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

The Ramsey Planning Commission conducted a regular meeting on Thursday, September 28, 2023, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Chairperson Cheri Gengler
 Commissioner Bruce Anderson
 Commissioner Tom Hunt (via Zoom)
 Commissioner Eric Peters
 Commissioner Gary Van Scoy

Members Absent: Commissioner Randy Bauer
 Commissioner Ryan Heineman

Also Present: Planning Manager Todd Larson
 Senior Planner Chris Anderson
 City Planner Adam Martin
 City Council Liaison Michael Olson

1. CALL TO ORDER

Commissioner Anderson called the regular meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

Commissioner Anderson led the group in the Pledge of Allegiance.

3. CITIZEN INPUT

None.

4. APPROVAL OF AGENDA

Motion by Commissioner Van Scoy, seconded by Commissioner Peters, to approve the agenda as presented.

A roll call vote was performed:

Commissioner Van Scoy	aye
Commissioner Anderson	aye
Chairperson Gengler	aye
Commissioner Peters	aye

Commissioner Hunt aye

Motion Carried.

5. CONSENT AGENDA

5.01: Approve the August 24, 2023 Planning Commission Meeting Minutes

Motion by Commissioner Van Scoy, seconded by Commissioner Gengler, to approve the consent agenda as presented.

A roll call vote was performed:

Commissioner Hunt aye
Commissioner Peters aye
Chairperson Gengler aye
Commissioner Anderson aye
Commissioner Van Scoy aye

Motion Carried.

6. PUBLIC HEARINGS/COMMISSION BUSINESS

6.01: Public Hearing: Consider Request for a Conditional Use Permit and Variance Related to a Proposed Addition of a Carport to a Detached Accessory Building (Project No. 23-112); Case of Jay and Carol McDonald

Public Hearing

Commissioner Anderson called the public hearing to order at 7:02 p.m.

Presentation

Senior Planner Anderson presented the staff report stating that staff recommends approval of both the Conditional Use Permit (CUP) and variance requests.

Commissioner Anderson asked if the property would be in compliance, with the exception of the square footage, if the driveway were taken away on the side of the building.

Senior Planner Anderson replied that the variance was not approved, and the driveway portion were removed, back to the five foot minimum setback, the current property would be in compliance and the CUP would cover the additional square footage.

Commissioner Van Scoy asked the lifespan of the encroachment agreement.

Senior Planner Anderson replied that the City Attorney would be reviewing the document. He stated that as drafted there is language that states the agreement may be null and void if either property changes ownership. He noted that the City Attorney will determine if the agreement would need to run in perpetuity.

Commissioner Van Scoy commented that once the variance is approved, that would run with the property and not the owner.

Senior Planner Anderson confirmed that if the variance were approved, it would allow a zero-foot setback but would not address encroachment onto a neighboring property. He stated that a condition within the variance, if approved, is that the encroachment agreement must be approved and recorded against both properties.

Citizen Input

Jay McDonald, 14275 Alpaca Street, commented that he was present to address any questions.

Commissioner Van Scoy asked if it was a surprise that the driveway encroaches onto the neighbor's yard.

Mr. McDonald commented that when he purchased the property in 2018, he was still living in Fargo and did not move in until June of 2019. He stated that there was no driveway to the building, as the previous owner was driving across the grass, therefore he wanted to have a driveway put in. He stated that he had communication with the City about the driveway options, where he learned the driveway had to branch off of the existing driveway. He commented that he had someone install the driveway at a time he was not home and was under the impression that his property included the row of trees, but it turned out that was a mistake. He commented that once he learned of the mistake, he reached out to his neighbor who did not have an issue with it. He stated that when he applied for the CUP, the issue came up again. He commented that he would be happy to have it all cleared up at this time.

Councilmember Olson asked which side of the building the carport would be located.

Mr. McDonald replied that it would be on the north side, which would be the opposite side of the driveway.

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

A roll call vote was performed:

Commissioner Van Scoy	aye
Commissioner Anderson	aye
Chairperson Gengler	aye
Commissioner Peters	aye
Commissioner Hunt	aye

Motion Carried.

Commissioner Anderson closed the public hearing closed at 7:17 p.m.

Commission Business

Motion by Commissioner Peters, seconded by Commissioner Van Scoy, to adopt Resolution #23-240 granting a variance to the driveway setback on the subject property.

Further discussion

Commissioner Van Scoy asked if the resolution includes the reference to the encroachment agreement. Senior Planner Anderson confirmed that is included.

A roll call vote was performed:

Commissioner Hunt	aye
Commissioner Peters	aye
Chairperson Gengler	aye
Commissioner Anderson	aye
Commissioner Van Scoy	aye

Motion Carried.

Motion by Commissioner Van Scoy, seconded by Commissioner Peters, to recommend that City Council adopt Resolution #23-239 approving a Conditional Use Permit for 700 square feet of accessory building space to allow the addition of a carport on the north side of the existing detached accessory building.

A roll call vote was performed:

Commissioner Van Scoy	aye
Commissioner Anderson	aye
Chairperson Gengler	aye
Commissioner Peters	aye
Commissioner Hunt	aye

Motion Carried.

6.02: Public Hearing: Consider a Site Plan and Conditional Use Permit from Dehn Oil at 6651 141st Avenue NW

Public Hearing

Commissioner Anderson called the public hearing to order at 7:20 p.m.

Presentation

City Planner Martin presented the staff report stating that staff recommends adoption of the resolution approving the Conditional Use Permit (CUP) and Site Plan on the subject property.

Commissioner Van Scoy commented that the ordinance allows for storage but does not specify what could be stored. He asked how fuel storage would fit into that.

City Planner Martin replied that the E-2 zoning district allows open and outdoor storage as a conditional use, therefore conditions could be placed upon that.

Commissioner Van Scoy asked if the fire department has reviewed this request.

City Planner Martin confirmed that the Fire Marshall has intensely been involved in the review and all his comments have been addressed.

Commissioner Van Scoy asked if a condition would be that the fire department approves.

Planning Manager Larson replied that there are review meetings where all departments are involved. He noted that the tanks would require tank permits through the fire department.

Commissioner Van Scoy asked if any other entity is required to license this activity.

Planning Manager Larson believed it would just be the City.

Councilmember Olson commented that the additional paved surface would add to the impervious surface and asked if drainage has been reviewed.

City Planner Martin confirmed that the drainage has been addressed. He noted that the impervious surface and access roads were required by the fire department.

Commissioner Anderson asked if there was a previous CUP for this site and the difference between the two.

City Planner Martin replied that the existing CUP is in place for other tenants on the property and this CUP would be separate from, and in addition to, the existing CUP. He stated that Soderholm and Sons will continue to occupy a portion of the site, therefore that CUP will remain, and the new CUP would apply to the new use and operation of Dehn Oil.

Commissioner Anderson commented that he visited the site today and noticed the pile of dirt, wondering if that would be going away.

Citizen Input

Rick Dehn, Dehn Oil, thanked City staff for their time. He commented that they are a fourth-generation family business and have experience with hazardous materials for over 93 years. He stated that their first priority is safety of their staff, families, neighbors, and city. He stated that they have a lot of expertise in this area and take it very seriously.

Commissioner Anderson asked if the current activity on the site would be continuing, noting that when he visited the site he noticed crushing and moving of material. He commented that would be heavy equipment around the tanks.

Mr. Dehn replied that for the time being, the plan is to share the space. He stated that the crushing operation is a short window. He noted that part of the condition of purchasing the property was to provide a five-year lease to Soder and Sons to continue to use a portion of the property. He noted that they have a good working relationship with that business and is not sure of the plans when that lease expires.

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

A roll call vote was performed:

Commissioner Hunt	aye
Commissioner Peters	aye
Chairperson Gengler	aye
Commissioner Anderson	aye
Commissioner Van Scoy	aye

Motion Carried.

Commissioner Anderson closed the public hearing closed at 7:35 p.m.

Commission Business

Motion by Commissioner Van Scoy, seconded by Commissioner Peters, to recommend that City Council adopt Resolution #23-235 approving the Conditional Use Permit and Site Plan for storage of fuel tanks at 6651 141st Avenue NW.

A roll call vote was performed:

Commissioner Van Scoy	aye
Commissioner Anderson	aye
Chairperson Gengler	aye
Commissioner Peters	aye
Commissioner Hunt	aye

Motion Carried.

7. COMMISSION BUSINESS

7.01: Consider Sketch Plan for a Proposed Single Family Residential Development East of Nowthen Boulevard and South of Brookside Elementary School (Project No. 23-111); Case of Lennar

Presentation

Senior Planner Anderson presented the Staff Report stating that staff recommends that the applicant proceed with developing the preliminary plat plan set.

Commission Business

Commissioner Van Scoy recognized the requirements from the Comprehensive Plan which would be difficult to meet with the current standards. He asked why a minimum density of three units per acre was selected for low density residential.

Senior Planner Anderson replied that designation of three to four units per acre has been in previous iterations of the Comprehensive Plan and was not a new update in the most recent version of the plan.

Councilmember Olson asked if the density requirement is an average throughout the city or whether every neighborhood would have to comply.

Senior Planner Anderson replied that within the MUSA area, developments would need to fall into that density range of three to four units per acre with an average of 3.5 units per acre across the MUSA.

Commissioner Van Scoy asked if this requirement is a result of requirements related to the MUSA. He commented that the research that he did shows that 3.5 units per acre is the average across the entire zoning district and not each specific area.

Senior Planner Anderson confirmed that the requirement is related to the MUSA.

Commissioner Hunt asked how the average stands now, noting this proposed density of 3.1 units per acre.

Senior Planner Anderson replied that the City is just below three units per acre on average across the MUSA.

Commissioner Van Scoy asked if the MUSA requirement is related to specific zoning districts or only residential.

Senior Planner Anderson replied that the City has a MUSA district that does include single-family residential as well as townhomes and apartments which would be R-1, R-2 and R-3 as well as the COR.

Commissioner Van Scoy commented that as they developed the COR, the intention was to concentrate residential development to allow lesser density as you get outside the COR.

Senior Planner Anderson confirmed that is an accurate statement. He noted that the subject property has been within the MUSA since the 2030 Comprehensive Plan.

Commissioner Gengler asked if there would be a turn lane for the turn out for Nowthen Boulevard.

Senior Planner Anderson replied that a turn lane would be required along with an acceleration lane.

Commissioner Anderson invited the applicant to speak.

Josh Metzger, Lennar, commented that they are excited to be looking at a new project in Ramsey. He commented that on this site they would look to introduce their heritage lineup which is a split-level product that would be new to their Ramsey developments. He commented that the home ranges from two to four bedrooms and from 1,650 to 2,050 square feet in size. He noted that most of the homes would have a three-car garage but there would be a two-car garage option as well. He stated that the price would range from \$350,000 to \$450,000. He provided details on the anticipated timeline if the concept is well received, noting that they would hope to submit preliminary plat before the end of the year and begin earth work in the spring with a model constructed for the fall parade of homes. He estimated a three year build out with three to four years for sale to complete.

Senior Planner Anderson commented that a comment was received via email today from the property owner at the corner of 167th and Nowthen Boulevard and expressed concern with the lot size, noting that the email was provided to the Commission and will be part of the record.

Commissioner Van Scoy commented that in the middle of the sketch plan there is what appears to be a blank area and asked for details.

Mr. Metzger replied that would be a stormwater pond. He commented that they have not yet developed a utility and/or grading plan and therefore based it on the acreage and lots and is an example of where a pond could be located.

Commissioner Van Scoy commented that seems large.

Senior Planner Anderson replied that there are two different stormwater standards, infiltration and rate control. He stated that multiple departments reviewed the plan including the stormwater specialist and there were no comments that the facility would be over or undersized. He noted that when the plans become more developed, they will be able to hone in on what will be necessary to meet the requirements of the City and WMO.

Commissioner Gengler asked if the deeper lots would be on the western or eastern side.

Mr. Metzger replied that the interior lots are fairly deep because of the layout of the streets and to accommodate ponding. He commented that their lots are deeper than the minimum requirement in order to accommodate this type of home. He provided some of the lot depths.

Senior Planner Anderson commented that originally the plan had the pond as a separate outlot, but because of concerns with previous developments the City did not want to ultimately be in the position of maintaining that or receiving it through tax forfeiture and therefore worked with the applicant to adjust the lot lines to include the ponding area.

Councilmember Olson asked whether the home product would be different if the plan were for 80-foot lots.

Mr. Metzger replied that the homes probably would be different, but was unsure that the product that would fit that lot size would make sense financially. He noted that the 80-foot lot design would equate to 2.3 units per acre for density.

Tamara Bjornrud, 16850 Zirconium Street, asked if a barrier would be anticipated for the end of the driveway/road, which abuts her property. She was also concerned with headlights coming into her home, as most of her windows are western facing. She asked if they would be allowed to construct a taller fence on their property to block that and keep people off of their land.

Senior Planner Anderson commented that City Code would allow up to an eight foot tall fence, with a building permit. He stated that he did not believe there would be an intention to have bollards in terms of a barrier.

Planning Manager Larson commented that the standard for a street that ends would be the three-board mechanism that is commonly used.

Councilmember Olson read the letter aloud that was received prior to the meeting from the property owner at 16735 Nowthen Boulevard.

Commissioner Anderson commented that this property is designated R-1 MUSA-80 and the City Council has not yet approved the changes to Section 117 of City Code. He stated that he cannot see how they could talk about changing the lot size to anything other than 80 feet under those circumstances. He stated that he also has concern that staff has been discussing these changes with the developer related to lot size without input from the Commission and/or City Council. He referenced lots 51-53, which abutt against wetlands and stated that he has a difficult time understanding how homes could be built on those lots and still meet the buffer and floodplain requirements. He also expressed concern about the wetland and drainage easement in those areas.

Mr. Metzger commented that from the front yard setback to the closest wetland edge, the shallowest of the lots still had 180 feet, which is more than enough room for a home and useable yard before reaching the 16.5-foot wetland buffer edge.

Senior Planner Anderson commented that the lots have a minimum depth of 100 feet as required by City Code. He commented that there is an existing drainage and utility easement from the original plat and that easement would be vacated with new easements dedicated as part of this plat.

Commissioner Van Scoy commented that currently as the zoning is, there should be transitioning between this development and the property to the east. He asked if those transitioning requirements would be vacated or remain under the new zoning that has not been implemented.

Senior Planner Anderson replied that the Comprehensive Plan states that density transitioning is required when low density lots butt against rural developing guided lots. He noted that in this instance both areas are guided as low density residential. He stated that the current zoning, directly east are zoned rural developing. He stated that when there is a conflict, the Comprehensive Plan takes precedent.

Commissioner Van Scoy asked the designation under the pending zoning.

Senior Planner Anderson replied that would be urban reserve.

Planning Manager Larson commented that under the proposed zoning changes, rural developing would be used for properties that would remain rural. He stated that properties within the MUSA would no longer be zoned rural developing and would be changed to urban reserve.

Commissioner Van Scoy commented that this would place 65 lots next to acreage lots, which would currently require density transitioning.

Senior Planner Anderson commented that they would need to go by the Comprehensive Plan guidance, as there is a conflict between the current zoning and the Comprehensive Plan.

Planning Manager Larson commented that the properties on Zirconium would have the same right to request to subdivide.

Senior Planner Anderson noted that the Comprehensive Plan was adopted in 2020, and therefore the zoning changes should have been made by this time and will need to be done, regardless of this application.

Commissioner Van Scoy commented that it would seem then that this action should be considered against the Comprehensive Plan rather than the current zoning.

Senior Planner Anderson commented that they are not ignoring what is there, but they are in the process of adopting a new zoning map and therefore they are attempting to work with where they are.

Commissioner Van Scoy commented that the intention to allow 65-foot lots was to have that within the more urban area. He did not think a 65-foot lot in this rural area would be appropriate and would like to see 80- or 75-foot lots. He acknowledged the MUSA requirement to have three units per acre, but noted that the plan to reach that was through increasing residential activity in the

COR and towards Highway 10. He recognized that the Council has question as to whether allow more apartments in the COR, but that was the intention in order to allow flexibility to have larger lots in more rural areas.

Senior Planner Anderson commented that there was a recommendation of approval for the zoning changes from the Planning Commission.

Commissioner Van Scoy commented that in the past there has been density transitioning.

Senior Planner Anderson referenced some previous developments that required density transitioning, noting that those developments abutted property that was guided as rural developing, whereas this property is not guided in that same manner.

Commissioner Gengler commented that this is exactly the place for smaller lots as it is adjacent to an elementary school where young families would want to have their starter home and near another low-density MUSA development, therefore this seems to be a good location for this type of development. She acknowledged that the City loves 80-foot lots, but not everyone is looking for that product and this would offer families more options. She also recognized that there is a need to get density to a certain level. She noted that perhaps some larger lots could be put on the exterior of the property with smaller lots interior.

Commissioner Peters asked if there was action from City Council to put a moratorium on City owned land in the COR for the purpose of high-density housing in the last year.

Senior Planner Anderson replied that has existed for more than one year that the City would not sell City owned land for apartments or high-density residential development.

Commissioner Peters asked and received confirmation that there has been interest from developers for that purpose in the COR.

Planning Manager Larson commented that some proposals have come forward through the EDA and to the Council for townhomes and apartment complex concepts that will soon come before the Planning Commission.

Commissioner Peters asked if those developments would bring up the units per acre average to allow 80-foot lots on this parcel.

Planning Manager Larson replied that those developments would help the average, but he was unsure if that would allow 80-foot lots on this parcel. He explained that the zoning code exercise was so important because of the conflicts that exist between the Comprehensive Plan and the zoning code. He noted that there is a conflict in that there is no physical way the development could meet the current regulations in terms of width and density.

Commissioner Peters asked if there would legal or other dangers in not following the Comprehensive Plan.

Planning Manager Larson replied that the City could be sued by the developer and property owners. He noted that there could also be a danger in being sued by the Metropolitan Council related to the MUSA.

Commissioner Hunt commented that he agrees with Commissioner Gengler. He stated that this is located near a school and while he may not want a 65-foot lot, others may want that and do not desire a large yard to take care of. He referenced the 167th corridor and asked if that is more of a formality that will be worked out through the process or whether there is a scenario where that does not go through.

Senior Planner Anderson replied that staff would strongly recommend that road connection be made. He stated that the entire purpose of creating the 66-foot wide outlot within the original Harmony Farms development, with additional language in the Development Agreement to eventually eliminate the shared driveway and provide that road connection.

Commissioner Peters asked who would be responsible for the funding of that road.

Senior Planner Anderson replied that is a discussion that would still need to be had. He stated that they have relayed that information to the applicant and staff has had discussions. He recognized that is not part of this parcel and perhaps the language should have been worded differently in the Development Agreement for Harmony Farms. He stated that the applicant has met with one of those property owners thus far and that property owner was going to reach out to the other neighbor.

Commissioner Peters commented that he would be interested to hear the input of those two neighbors.

Senior Planner Anderson commented that the resident that provided comments via email that were read aloud from Councilmember Olson has joined the meeting via Zoom.

John Rowe, 16735 Nowthen Blvd NW, commented that he submitted his comments in writing and believes that when there are acreage properties there should not be lots allowed under the width required in City Code. He stated that he is not against development, but believes that the standard 80-foot lot size should be used against the acreage homes.

Commissioner Anderson commented that until the City Council approves the zoning changes, he cannot support anything other than 80-foot properties. He stated that if the Council approves the new zoning plan, they could then consider something else.

7.02: Review and Adopt 2024 Planning Commission Meeting Calendar

Presentation

Planning Manager Larson presented the Staff Report stating that staff recommends adopting the calendar for 2024 with a start time of 6:30 p.m.

Commission Business

Commissioner Anderson preferred December 19th over January 2nd and confirmed the consensus of the Commission.

Commissioner Peters commented that he prefers the 7:00 p.m. start time because of his work schedule.

The Commission adopted the 2024 calendar with the December 19 meeting date and a 7:00 p.m. start time.

8. COMMISSION / STAFF INPUT

Planning Manager Larson highlighted some of the development considerations that will be coming forward in the near future.

Commissioner Hunt noted that absentee voting has begun for the Anoka Hennepin School District.

9. ADJOURNMENT

Motion by Commissioner Peters, seconded by Commissioner Van Scoy, to adjourn the meeting.

A roll call vote was performed:

Commissioner Hunt	aye
Commissioner Peters	aye
Chairperson Gengler	aye
Commissioner Anderson	aye
Commissioner Van Scoy	aye

Motion Carried.

The regular meeting of the Planning Commission adjourned at 8:49 p.m.

Respectfully submitted,

Todd Larson
 Planning Manager

ATTEST:

Dana Verbeek
Planning Administrative Assistant

Drafted by Amanda Staple
TimeSaver Off Site Secretarial, Inc.