

Public Works Committee

6. 1.

Meeting Date: 02/15/2022

By: Bruce Westby, Engineering/Public Works

Title:

Receive Updates on Sound Wall East of State Highway 47, North of Xkimo Street

Purpose/Background:

The purpose of this case is to provide available updates. Staff will provide more information and will seek further direction from the Public Works Committee on March 15th.

As discussed at the Public Works Committee meeting on October 19, 2021, the sound wall constructed with the three (3) single-family residential unit development called Ramsey Villas North, located in the northeast quadrant of State Highway 47 and Xkimo Street, was not constructed such that it will serve it's intended purpose as a noise barrier.

Though plans for this development, including the noise wall, were approved by the City, the wall was designed and constructed to extend downwards into a low area such that the top of the wall is lower than Highway 47, which prevents the wall from being effective at reducing traffic noise.

During the project approval process, residents from Xkimo Court contacted City staff to ask what could be done to reduce traffic noise from Highway 47. Staff ultimately responded by conveying that the developer would be constructing a sound wall similar to the existing wall east of Highway 47 roughly 1,000 feet to the north, and that the wall would extend along the west edge of the Ramsey Villas North plat. Attached is a copy of an email submitted by a resident of Xkimo Court showing they were informed that the sound wall would extend along the entire west edge of the plat.

Also attached is a copy of an email received by the City Engineer from residents along Xkimo Court NW, east of State Highway 47 and north of Xkimo Court, following a meeting between the City Engineer and the residents on site on Monday, September 27, 2021. The email requests that the City consider the following items:

- Partner with MNDOT to determine if building an appropriate, effective noise wall would be their responsibility or the City's
- If MNDOT has the responsibility, then to partner and advocate for them to seek funding to build an effective noise wall on par with the height above street level of, and extending to, the existing noise wall further north along cty 47
- If the City has the responsibility, pursue approval and prioritize allocating funding to build an effective noise wall on par with the height above street level of, and extending to, the existing noise wall further north along cty 47
- Establish a noise ordinance to discourage vehicles from excessive acceleration or jake-breaking at the 47/5 intersection
- Seek partnership with Ramsey PD and/or the Anoka County Sheriff, to establish a presence in the area [even if simply parking in-between calls or completing paperwork] to discourage the above behavior
- Post signs on Hwy 47 to notify drivers of the noise ordinance and that it is enforced by the City of Ramsey

· Provide a plan timeline, along with regular communication on progress, regarding the above to the residents of Xkimo Ct. Nw.

After the Public Works Committee considered the residents request on October 19, 2021, the committee directed Staff to contact the developer and their engineer to determine if either or both would be willing to partner with the City to redesign, reconstruct and/or extend the noise wall to serve it's intended purpose. The Committee also directed Staff to return with estimated costs to reconstruct and/or extend the sound wall to the end of the plat and/or to connect to the existing wall to the north for consideration at a future meeting.

Staff contacted the developer, Riverside Development Company, and has since received three response letters from their attorney informing Staff that the developer is willing to assist the City in resolving this matter by providing a history of past discussions and to offer its opinion on any potential changes to the wall, but that they are not agreeable to assuming any financial liability associated with such changes. Their attorney also noted that the City cannot continue to retain any of their clients financial securities outside of what is allowed by the Development Agreement, namely their one-year warranty and landscaping warranty. Staff is therefore preparing to return all securities outside of the warranty securities outlined within the Development Agreement.

Staff also contacted the design engineer, Bogart-Pederson, to discuss their willingness to assist the City in resolving this matter. According to Bogart-Pederson they informed City Staff that any wall constructed on their client's property would not be able to serve as a noise wall due to the low elevations on site, and that constructing a wall within Highway 47 right-of-way would not likely be economically feasible due to the need to relocate existing buried utilities and overhead power lines, but Staff instructed them to construct the wall per the plans. However, Bogart-Pederson is willing to share their topographic survey with the City so we can look at the potential for relocating the wall within the Highway 47 right-of-way.

Any efforts to relocate or extend the existing sound wall could not begin until the ground thaws in the spring of 2022. This would include collection of additional topographic survey to determine where a sound wall could effectively be constructed along the corridor. For a sound wall to be effective it should be constructed to a height of 6-feet or more above the pavement on Highway 47.

Attached is the figure showing how long the sound wall would need to extend to the north of the Ramsey Villas North plat to connect to the existing sound wall approximately 900 feet north.

Staff estimates construction costs for a similar noise wall would be approximately \$210 per linear foot at today's construction costs. This would equate to a minimum construction cost of \$50,000 to salvage and reinstall the existing wall within the Highway 47 right-of-way and to extend the wall to the north end of the Ramsey Villas North plat, if possible, and a minimum construction cost of \$125,000 to extend the wall through the undeveloped parcel to the north to connect to the existing wall. These costs do not include indirect costs or costs required to enter into a Limited Use Permit with MnDOT if the wall can indeed be constructed within their right-of-way.

Timeframe:

Staff estimates 15 minutes will be needed to present this case and respond to questions.

Observations/Alternatives:

Staff informed the Xkimo Court residents that this case would be presented this evening so one or more residents may be in attendance.

Funding Source:

Funding amounts and sources will be discussed in detail on March 15th.

Recommendation:

Staff does not have a recommendation at this time.

Action:

No action is requested at this time. Staff will provide more information and will seek further direction from the Public Works Committee on March 15th.

Attachments

Xkimo Ct residents requests

Xkimo Ct resident email

Sound wall gap figure

Sound Wall Pictures

Form Review

Inbox	Reviewed By	Date
Grant Riemer	MaryJo Warner	02/10/2022 03:55 PM
Kurt Ulrich	Kurt Ulrich	02/10/2022 03:59 PM
Form Started By: Bruce Westby		Started On: 02/10/2022 10:49 AM
Final Approval Date: 02/10/2022		

From: [Richardx.Bailey](#)
To: [Bruce.Westby](#)
Cc: [Ted.Blakley](#); [Megan.Blakley](#); [angel.hughes129@gmail.com](#); [Bertin.Chabens](#); [Richardx.Bailey](#)
Subject: Xkimo Ct Nw Noise Wall Follow up and letter
Date: Friday, October 8, 2021 4:41:41 PM
Attachments: [RE EXTERNAL RE Project 20-117.msg](#)
[Noise Wall 4.jpg](#)
[Noise Wall 1.jpg](#)
[Noise Wall 2.jpg](#)
[Noise Wall 3.jpg](#)

Hi Bruce,

Thanks again for stopping out last week to discuss the ongoing noise issues we've been experiencing and for offering to take forward a letter highlighting our concerns, to help move towards resolution. Please find this letter below. Attached you'll find the email we referred to during our discussion regarding the originally communicated noise wall length as well as photos of what was built.

Please let us know if you have any questions...

Hello,

First off, thank you for taking the time to review the below concern and related requests from us, the residents of Xkimo Court Nw.

The chief concern, which we have raised before, is the increased noise levels in our cul-de-sac, which directly affects the 20+ people that call Xkimo Ct Nw 'home'.

We first began noticing the increased traffic noise when the city approved the construction of Stoney River directly across, and elevated above, Highway 47 from us; as there exists no noise barrier on our side of 47, we feel the effects of traffic noise deflected from Stoney River directly into our neighborhood.

Last year we were notified of the approved sale of the land on the west side of the cul-de-sac to a third party home builder. Since this meant the removal of what little natural noise protection [mature trees/growth] we had on those lots, we raised our concerns regarding the noise impact we anticipated and, unfortunately, have since realized. The cumulative traffic noise level is so high at times that it can be heard clearly inside homes and even requires pausing conversations when outside.

Prior to the development being approved, we had inquired regarding having a noise wall included with the construction on the site, and were subsequently provided a plat drawing/photo [see attached email] which indicated a noise wall *would* be built and *would* extend for a considerable length of the property as well as mirror the size the noise wall farther north along 47. Since we were advised this was the plan, we were satisfied with the accommodations to protect the interests of our families.

Unfortunately this accommodation was not followed through upon, to the detriment of our neighborhood and directly affects our quality of life. We were advised after the sale was approved, that a 'mistake' was made and the drawing shared wasn't actually correct; the noise wall would not equal the length we were told it would, but instead be less than 1/2 as long. In addition the "noise wall" that was constructed by the builder is completely ineffective and quite frankly, unacceptable. As shown by the photographs attached, the wall was not built using the street level as the baseline, but instead followed the undulating topography of the land itself; this resulted in an inferior "noise wall" who's top, in places, is below street level and can be described, at best, as an exercise in futility and who's appearance doesn't do any favors for the aesthetics or reputation of the city.

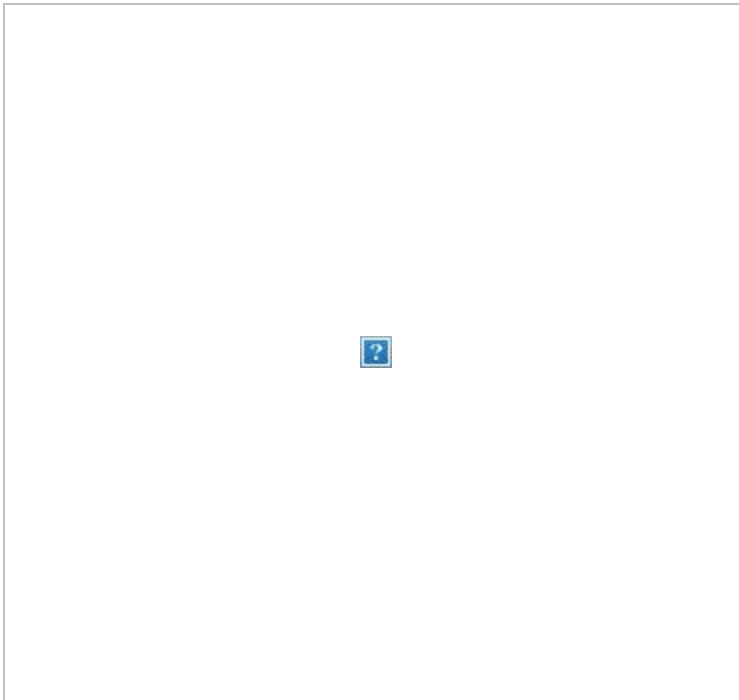
To rectify the above we respectfully request the following items be pursued by the City of Ramsey:

- Partner with MNDOT to determine if building an appropriate, effective noise wall would be their responsibility or the City's
 - If MNDOT has the responsibility, then to partner and advocate for them to seek funding to build an effective noise wall on par with the height above street level of, and extending to, the existing noise wall further north along city 47
 - If the City has the responsibility, pursue approval and prioritize allocating funding to build an effective noise wall on par with the height above street level of, and extending to, the existing noise wall further north along city 47
- Establish a noise ordinance to discourage vehicles from excessive acceleration or jake-breaking at the 47/5 intersection
 - Seek partnership with Ramsey PD and/or the Anoka County Sheriff, to establish a presence in the area [even if simply parking in-between calls or completing paperwork] to discourage the above behavior
 - Post signs on Hwy 47 to notify drivers of the noise ordinance and that it is enforced by the City of Ramsey
- Provide a plan timeline, along with regular communication on progress, regarding the above to the residents of Xkimo Ct. Nw.

Thank you in advance for your review and partnership on this matter that is of high importance to us; please let us know how we can support you in this pursuit.

From: [Chloe McGuire Brigl](#)
To: [Richardx.Bailey](#)
Cc: "rjeo13@gmail.com"; [Ted Blakley](#); [Tim Gladhill](#)
Subject: RE: [EXTERNAL] RE: Project 20-117
Date: Monday, March 22, 2021 1:24:26 PM
Attachments: [image004.png](#)
[image001.jpg](#)
[image003.png](#)

I've cc'd Tim Gladhill, Deputy City Administrator, to see what that process would be to request it from the City Council or see if it's in any of our current plans!
The good news is that the noise wall should cover your homes, it will extend along the blue property line on the west along 47, which extends a bit north of your homes. However, I do understand having it the full length of 47 would help as well.



From: Richardx.Bailey <Richardx.Bailey@target.com>
Sent: Monday, March 22, 2021 1:13 PM
To: Chloe McGuire Brigl <CMcGuire@ci.ramsey.mn.us>
Cc: 'rjeo13@gmail.com' <rjeo13@gmail.com>; Bruce Westby <bwestby@ci.ramsey.mn.us>; Marsha Weidner <MWeidner@ci.ramsey.mn.us>; Ted Blakley <tblakley7@hotmail.com>; Richardx.Bailey <Richardx.Bailey@target.com>
Subject: RE: [EXTERNAL] RE: Project 20-117

Thanks Chloe,

What would be the process to request the city continue the noise barrier from the edge of the property line to where the existing noise barrier is [I believe it's about a block further up 47]? The reason I ask is we've continued to experience a significant amount of road noise since the Stoney River facility was built up across 47 [assuming due to reverberation], so would like to request the city take the opportunity to improve this too.

Thank you~

From: Chloe McGuire Brigl <CMcGuire@ci.ramsey.mn.us>

Sent: Monday, March 22, 2021 10:46 AM

To: Richardx.Bailey <Richardx.Bailey@target.com>

Cc: 'rjeo13@gmail.com' <rjeo13@gmail.com>; Bruce Westby <bwestby@ci.ramsey.mn.us>; Marsha Weidner <MWeidner@ci.ramsey.mn.us>; Ted Blakley <tblakley7@hotmail.com>

Subject: RE: [EXTERNAL] RE: Project 20-117

Great question –

We will require it be the same treatment, height, and size as the adjacent noise wall to the north so it will look consistent to the adjacent properties. The noise wall adjacent to this project measures at: approximately 69” tall posts, with 6 foot long sections of 3 inch deep panels. It will extend to the edge of the property line for this project (we can't require that they build outside the property lines).

Best,

Chloe

From: Richardx.Bailey <Richardx.Bailey@target.com>

Sent: Monday, March 22, 2021 10:40 AM

To: Chloe McGuire Brigl <CMcGuire@ci.ramsey.mn.us>

Cc: 'rjeo13@gmail.com' <rjeo13@gmail.com>; Bruce Westby <bwestby@ci.ramsey.mn.us>; Marsha Weidner <MWeidner@ci.ramsey.mn.us>; Ted Blakley <tblakley7@hotmail.com>; Richardx.Bailey <Richardx.Bailey@target.com>

Subject: RE: [EXTERNAL] RE: Project 20-117

Thanks Chloe! One added question regarding the noise barrier- has the height/length/type been shared yet? I'm assuming it will extend further north along 47 beyond just where the new homes will be built, but wanted to confirm too. [I'm cc'ing my neighbor Ted whose property is directly next to the new builds as well].

Thanks!

From: Chloe McGuire Brigl <CMcGuire@ci.ramsey.mn.us>

Sent: Monday, March 22, 2021 10:36 AM

To: Richardx.Bailey <Richardx.Bailey@target.com>

Cc: 'rjeo13@gmail.com' <rjeo13@gmail.com>; Bruce Westby <bwestby@ci.ramsey.mn.us>; Marsha Weidner <MWeidner@ci.ramsey.mn.us>

Subject: RE: [EXTERNAL] RE: Project 20-117

Hi Rick –

Thanks for reaching out, and good timing. Tomorrow night, the development agreement for this project is slated to be approved by the City Council. This agreement gives the City an assurance that the project will be completed to City standards, and we hold a financial security to ensure that. After that is approved, our Engineering Team holds an internal pre-construction meeting to talk through some of the items you've noted below.

I've cc'd our City Engineer, Bruce Westby, on this email, who hosts those meetings for the City.

I will work to get some preliminary answers to your questions, and then after our pre-construction meeting, we will have more firm answers for you.

Thanks,

Chloe

From: Richardx.Bailey <Richardx.Bailey@target.com>

Sent: Monday, March 22, 2021 10:02 AM

To: Chloe McGuire Brigl <CMcGuire@ci.ramsey.mn.us>

Cc: 'rjeo13@gmail.com' <rjeo13@gmail.com>; Richardx.Bailey <Richardx.Bailey@target.com>

Subject: RE: [EXTERNAL] RE: Project 20-117

Hi Chloe,

I hope you're doing well! I was wondering if you could provide an overall update regarding the below project. I also am wondering specifically regarding:

- Expected start date/duration
- Anticipated hours/days of work— I wanted to make sure with the nice weather there is some balance so we're not hearing construction early in the morning until late at night.
- Sequence of activity if able [one house @ a time, or all three @ once, when is the Noise Barrier going in etc]
- How traffic/congestion within the cul de sac will be handled during construction, or will construction vehicles be able to park on the CTY 47 side vs. within the cul de sac?

Thanks!

From: Chloe McGuire Brigl <CMcGuire@ci.ramsey.mn.us>

Sent: Wednesday, July 8, 2020 8:21 AM

To: Richardx.Bailey <Richardx.Bailey@target.com>

Cc: 'rjeo13@gmail.com' <rjeo13@gmail.com>

Subject: [EXTERNAL] RE: Project 20-117

This Rick –

Thanks for your email. There is an agenda item for this project [here](#), which you may find helpful. It answers a lot of your questions. But I'll also answer them specifically below.

- **Noise:** Staff has recommended a noise barrier along 47 included in the next step.
- **Traffic:** I will request that something is considered to this end with the preliminary plat submittal. Likely this number of homes is not enough to trigger a traffic study, but we could request a stacking diagram to ensure that the cul-de-sac functions properly. Staff has recommended a reduction in the number of homes from 4 to 3, which may help alleviate some of your concerns in terms of morning traffic.
- **Home Type:** Proposed at this time are 4 detached villa (single family) patio homes. The grading plan isn't completed yet, but the engineer for the project indicated that it is likely one or two of the homes will have basements to help accommodate the sloping onsite. The homes will be held to the same standards as a home like yours in terms of height, building materials, etc. These are not multi-unit properties – but instead single family homes on slightly smaller lots.
- **Is the final review/approval something that citizens have a vote regarding:** Short answer is no. Development projects like this are reviewed by Staff, then they are reviewed by the Planning Commission (Thursday's meeting) who makes a recommendation to the City Council. The City Council makes the final decision. For a project like this where the zoning isn't changing, if the project meets all of our standards, we approve it. This site is zoned for R-2 residential and guided for Medium Density Residential (4-7 units per acre) which is typically attached townhomes or detached villas.
- **Is this city owned property or privately held:** Privately held.
- **What is the timing of the development:** We are in the first stage of the project, and the project has no approvals yet. Land is subdivided through a three step process:
 1. Sketch Plan (this step) – high level drawing so the City can identify red flags, and

note items that should be included in the full plan set submitted in the next step. So far, the items Staff has identified are noise, as you noted, as well as a recommendation to reduce the number of lots onsite from 4 to 3 to better match the neighborhood.

2. Preliminary Plat – engineering plans
3. Final Plat – construction documents and legal agreements

Best,
Chloe



Chloe McGuire Brigl, AICP | cmcguire@cityoframsey.com
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Our Mission: To work together to responsibly grow our community, and to provide quality, cost-effective, and efficient government services.

From: Richardx.Bailey <Richardx.Bailey@target.com>

Sent: Monday, July 6, 2020 4:26 PM

To: Chloe McGuire Brigl <CMcGuire@ci.ramsey.mn.us>

Cc: 'rjeo13@gmail.com' <rjeo13@gmail.com>

Subject: Project 20-117

Hi Chloe,

My name is Rick Bailey, and I live @ 5021 Xkimo Ct. Nw. We received the notice of the sketch plan application for Project #20-117 in our cul-de-sac, and had a few questions/concerns I'm hoping you can assist with.

The biggest question/concern around the project for us is a potential increase to an already problematic noise level. Since the building of Stoney River across County 47 (which seems to deflect traffic noise in our direction), coupled with a noticeable increase in traffic in general, noise volumes are already undesirably high. The only noise buffer we have between us and 47 are the woods on the property being discussed for development. Regarding this, could there be included a requirement of any developer to preserve some of the woods as well as have them be responsible for building a high quality noise barrier, similar to what exists farther up 47 towards Alpine? I'm hoping something of this nature would both help control the noise issue as well as preserving a balance of urban and rural/nature that Ramsey values.

A second question/concern, would be around the increase in traffic. Xkimo St., which we intersect with, has a particularly high level of traffic given the presence of Holiday, and as it's used as a thoroughfare for other neighborhoods, causing a bottleneck near the traffic lights. What this means for us, is that it can be a challenge to get out of the cul-de-sac because traffic actually blocks our street depending on the time of day. Adding 4 more households seems like it would exacerbate the issue, not to mention the morning traffic may cause the driveways of the new homes to be blocked while others in the cul-de-sac wait to enter traffic onto Xkimo St.

I also wanted to find out more on the type of homes that are being considered. Is there a photo/nearby development that could be a reference for what these would look like? Can you confirm if these will be single family owned homes vs. multi-unit or rented properties?

Other questions would be:

Is the final review/approval something that citizens have a vote regarding?

Is this city owned property or privately held?

What is the timing of the development?

Thanks in advance!

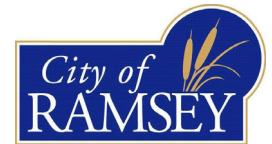
Rick

Rick Bailey |  **Target** | Sr. Manager | Planning, Alignment, & Program Management | FRS Operations and Product Team

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TH 47 Sound Wall Gap



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







