

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

The Ramsey Planning Commission conducted a regular meeting on Thursday, July 25, 2024, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Chairperson Cheri Gengler
 Commissioner Bruce Anderson
 Commissioner Randy Bauer
 Commissioner Ryan Heineman (via Zoom)
 Commissioner Eric Peters
 Commissioner Gary Van Scoy

Members Absent: Commissioner Tom Hunt

Also Present: Planning Manager Todd Larson
 City Planner Adam Martin
 Building Official Andy Schreder
 City Council Liaison Matt Woestehoff

1. CALL TO ORDER

Chairperson Gengler called the regular meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

Chairperson Gengler led the group in the Pledge of Allegiance.

3. CITIZEN INPUT

None.

4. APPROVAL OF AGENDA

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

A roll call vote was completed:

Commissioner Anderson	aye
Commissioner Van Scoy	aye
Commissioner Bauer	aye
Commissioner Peters	aye

Commissioner Heineman aye
Chairperson Gengler aye

Motion Carried.

5. CONSENT AGENDA

5.01: Approve the June 27, 2024 Planning Commission Meeting Minutes

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

Further discussion: Commissioner Van Scoy commented that on page seven, there are timestamps listed that appear to be incorrect. Planning Manager Larson commented that staff can verify that.

A roll call vote was performed:

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

Motion Carried.

6. PUBLIC HEARINGS/COMMISSION BUSINESS

6.01: Public Hearing: Consider a Preliminary Plat, Final Plat and Site Plan from Voice of Hope Church at 15620 Armstrong Boulevard NW

Public Hearing

Chairperson Gengler called the public hearing to order at 7:03 p.m.

Presentation

City Planner Martin presented the staff report stating that staff recommends approval of the Preliminary Plat, Final Plat, and Site Plan contingent upon the applicant addressing all outstanding review comments.

Commissioner Bauer asked whether the Armstrong access would be eliminated, or restricted, if 157th is completed.

City Planner Martin replied that once 157th Avenue is extended, the Armstrong access would be the decision of Anoka County.

Commissioner Van Scoy stated that as shown 157th would go west about one block and then stop with trail and asked if that would be correct.

City Planner Martin commented that 157th Avenue would extend to the west a short distance from Armstrong and would then jog north to connect to the future extension of Eland Street. He stated that the trail would extend to Lake Itasca.

Commissioner Van Scoy asked how the property north and west would be developed if the road stubbed.

City Planner Martin commented that if the road were extended in the future it would jog to the north, acknowledging that there are two properties between that would need to be involved in that extension to Eland Street.

Commissioner Anderson asked why 157th could not be constructed now.

City Planner Martin replied that staff discussed that with Anoka County and based on the available room for right-of-way, if the access were put up now it would cause a skewed intersection and the County felt that may cause more accidents than the driveway onto Armstrong. He noted that the right-of-way is only 33 feet, and a street would need a minimum of 60 feet. He stated that because the property to the north is not subdividing at this time, there is not enough right-of-way.

Commissioner Anderson commented that he still sees that as a problem.

Planning Manager Larson commented that the applicant did approach the neighbor to the north in attempt to purchase the additional right-of-way but that party was unwilling at this time.

Commissioner Bauer asked about the current financial arrangement related to cost sharing for construction of a street.

Planning Manager Larson commented that this would be a local street, developer driven, and therefore would be funded in that manner. He noted that the assessment agreement would keep this party 50 percent liable for those costs and the neighbor to the north would pay the other 50 percent if they were to subdivide and the road to be built.

Commissioner Anderson asked the color of the stucco.

Citizen Input

Roman Andriychuk, builder for the applicant, replied that the color will be an off-white, linen color.

Commissioner Anderson asked if that color choice fits within the City allowance.

Planning Manager Larson replied that color is not regulated.

Commissioner Van Scoy congratulated the applicant and commented that this is awesome.

Commissioner Heineman asked the type of material that would be used for the roof.

Mr. Andriychuk replied that they would be using architectural style asphalt shingles.

Commissioner Heineman asked and received confirmation that the turn in would be south of the septic location. He asked if that septic site would be raised, as that could create an issue with visibility. He urged the applicant to ensure that the stormwater basin is sloped properly to manage the runoff.

City Planner Martin commented that stormwater management review is done administratively by engineering staff but invited the project engineer to provide more information.

Scott Dahlke, project engineer, stated that the soils are very granular and therefore they do not anticipate needing a mound. He commented that the grading for the stormwater pond would have reasonable slopes, very typical for stormwater ponding.

Councilmember Woestehoff referenced the tree inventory, noting that many trees were removed in the last year. He asked if the inventory was done before or after that removal.

City Planner Martin was unsure as that review was done by Senior Planner Anderson.

Mr. Andriychuk replied that the tree inventory was done after that removal. He commented that the trees that were removed were in poor condition, pretty much dead, and the live trees were left on the site.

James Bagne, 8077 155th Lane, commented that a lot of trees were removed from the east side of the property and asked if additional trees would be removed. He explained that they were attempting to determine if there would still be trees left as a buffer between the church and the homes. He asked if the church would remain in the same area that it currently is.

Mr. Andriychuk replied that they are attempting to keep the perimeter of the site as natural as possible and do not have plans in the future to remove trees around the outside of the property. He stated that they left the area to the north mostly as it is as the neighbor did not even want the dead trees removed in that area.

Brandon McDowal, 15673 Hedgehog Street NW, asked if the parking lot lights would be on all the time, or regulated. He noted that the area is mostly dark sky as it currently exists.

Mr. Andriychuk replied that was something they discussed with staff, noting that they are trying to keep all the light on the parking lot so it would not extend into the neighboring properties.

City Planner Martin commented that the City has strict guidelines on the maximum height for light poles, which is 20 feet maximum when adjacent to residential. He noted that there are also requirements that light must stay on the site to prevent light pollution onto neighboring properties.

Commissioner Van Scoy asked if there were any unresolved issues or changes that staff would be recommending.

City Planner Martin commented that the remainder of the outstanding issues are minor in nature and fall outside the purview of the Planning Commission.

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

A roll call vote was performed:

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

Motion Carried.

Chairperson Gengler closed the public hearing at 7:28 p.m.

Commission Business

Motion by Commissioner Bauer, seconded by Commissioner Van Scoy, to recommend that City Council adopt Resolution #24-201 Approving a Preliminary Plat, Final Plat and Site Plan for Voice of Hope Church at 15620 Armstrong Boulevard NW.

A roll call vote was performed:

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

Motion Carried.

6.02: Public Hearing: Consider a Variance for a Lean-To Structure at 6960 148th Lane NW (Curtis Forster)

Public Hearing

Chairperson Gengler called the public hearing to order at 7:29 p.m.

Presentation

Planning Manager Larson presented the staff report stating that staff's recommendation is that the supplied practical difficulties used to justify the variance for the lean-to structure are not reasonable and the variance should be denied. The siding material is not consistent with the applicant's siding nor other siding in the neighborhood. It is not an approved architectural material for homes. It can be found as deck and fencing material. Should the walls be removed, an open-aired lean-to would appear more in character of a residential property. However, if the property owner or the adjacent neighbor chose to build a fence along the property line, the structure would immediately look out of place. Variances cannot restrict what neighboring property owners do, therefore the variance should be denied. Staff is taking no position on the concrete slab.

Commissioner Bauer recognized that the lean-to and concrete slab were built without City involvement. He asked if the concrete slab would still require a variance, even if the lean-to were never considered as part of the project.

Planning Manager Larson confirmed that the slab would still require a variance.

Commissioner Bauer noted that there were several aspects of the lean-to that did not meet City Code. He asked if the slab would also need to be removed if the variance were denied.

Planning Manager Larson confirmed that if the variance were denied, that would be correct. He stated that staff did not provide an opinion on either of these variances on the agenda tonight and if the Commission supported the variance request(s) they would need to specify the practical difficulties upon which they made the decision. He stated that another option would be to allow the slab to remain on its own. He stated that the Commission would provide the direction tonight and staff would then prepare the appropriate resolution.

Commissioner Bauer asked if the variance is related to the lean-to or related only to the side yard setback.

Planning Manager Larson commented that the variance requested is for the entire structure (lean-to and slab), but staff also provided the option of allowing only the slab to remain. He noted that staff did not provide an opinion on the slab only option as that was not the request of the applicant.

Commissioner Bauer stated that if the variance request is denied, the slab itself is too close to the property line.

Commissioner Heineman asked what the roof is composed of. He commented that it sounds like regardless of the decision the siding material would need to be replaced.

Planning Manager Larson replied that the roof is a metal roof, which does not match the home. He stated that accessory structures do need to be composed of the same material and colors as the home and therefore the roof would also need to be replaced.

Citizen Input

Curtis Forster, applicant, stated that he built the structure to house his trailer and camper and protect them from the large tree. He stated that he is aware of Building Code and the structure is built to Code. He stated that the Building Official did come to the site before he built the structure, and he has been told that it could be brought up to Code. He stated that the footing size exceeds the minimum standards. He stated that he has been told that the cedar could remain, but a fire barrier could be added by framing the walls and installing drywall. He recognized that there are two parts to the request, which would be the variance and then bringing the structure up to Code with the fire barrier. He stated that he chose the steel roof for the reasons of weight and fire protection, as steel does not burn. He stated that nothing flammable is kept under the structure as he does not use this as a shed. He stated that last fall he was working with the City to put a garage on the east side of his property but was told that he could not because of the curve, the corner of the garage would be within the easement. He stated that he needed something to protect his trailer. He stated that the grass between the two properties always dies because it gets so hot and when he placed his camper in that location, the aluminum on the camper warped as well. He stated that the lean-to provides the protection that is needed. He stated that he spoke with his direct neighbor before constructing the structure, as well as the other neighbors on their dead-end street. He stated that the structure is actually six inches from the property line, not one inch.

Commissioner Peters asked why a permit was not pulled.

Mr. Forster stated that he did not have the time and therefore constructed it up to Code and realized that he would be before the City at some time.

Commissioner Peters commented that the permitting process would have told the resident that this was not an option.

Mr. Forster replied that he would have applied for a variance the same as he is now.

Commissioner Peters commented that this is an after the fact variance. He stated that those setbacks prevent people from being homeless because their neighbor's house burns down. He stated that he is troubled by how close this is to the neighbor's house. He stated that he watched a fire spread and drywall does not prevent a fire from spreading. He stated that he is troubled by the steps that were skipped in this process, especially when the resident is in construction and should be aware of the process required.

Mr. Forster stated that he is willing to work with the Building Official to make the structure up to Code. He stated that he can take down the cedar as well and just have the posts and roof.

Commissioner Van Scoy referenced the statement that drywall could be used as a fire barrier and recognized that this is open to the weather. He asked how that would hold up over time.

Mr. Forster stated that was a concern that he had as well. He stated that if drywall is used there is waterproof barrier that could be added, as he also did not believe that drywall alone would hold up.

Chairperson Gengler asked if the wall sits directly on the concrete slab or whether there would be space between.

Mr. Forster replied that there is a space. He confirmed that the slab is six inches from the property line and the cedar is at the edge of the slab and therefore the same distance from the property line.

Brian Nagel, 6940 148th Lane, commented that he is the neighbor to the east. He recognized that there is a due process that should be followed but there are a lot of people that park things next to their homes in Ramsey. He commented that this is a nice structure, along with the other structure constructed by another neighbor to house those things. He appreciated that the residents are investing in their properties to contain some of those things. He agreed that fire is scary but noted that there are many examples in Ramsey where things are constructed even closer to one another. He believed that there would be other ways to combat and find a balance to allow this structure on the street.

Commissioner Bauer asked the Building Official to respond to the comments from the applicant.

Building Official Schreder stated that recommendations and referrals are not something they can typically do, but he did speak with the applicant about ways to encapsulate the interior walls. He stated that the Building Code requires five feet of separation between unprotected elements and anything within that setback would need to meet a one-hour fire resistance of construction. He stated that something like this would need to have fire resistant sheet rock. He stated that typically zero lot line setbacks are reserved for commercial or multi-family residential and not single-family. He stated that this could possible meet Building Code, but the steps necessary are not well defined in the Building Code because that five foot setback is violated.

Commissioner Anderson asked if there is a utility easement between the homes.

Planning Manager Larson confirmed that there is a utility easement and therefore if the variance were approved, the Council would also need to approve a utility easement encroachment agreement. He stated that through the Zoning Code update, a few exemptions were added such as driveways. He stated that if it were just the slab, an encroachment agreement would not be necessary.

Commissioner Anderson asked how much of the slab would need to be cut to meet the five-foot setback.

Mr. Forster replied that would be five feet.

Commissioner Anderson asked how much room would be left if five feet were removed.

Mr. Forster replied that would leave around 15 feet. He stated that the trailer cannot be placed under the hangover from the garage because it is too high.

Commissioner Anderson stated that he is concerned with the easement location and there is a reason that five feet is required from the property line.

Mr. Forster stated that all his utilities are located on the other side of the home and therefore he would find it unlikely that there are any utilities within that easement.

Planning Manager Larson commented that it is a platted drainage and utility easement, explaining that those are generally low spots that allow drainage from the roofs of the homes/garages and driveways to flow to the street or other drainage area.

Mr. Forster commented that the concrete does slope with the elevation of the ground to allow for drainage.

Commissioner Anderson commented that he has been to the property and the metal roof is nice because it does shed snow. He stated that his concern would be that this would encumber on the neighbor's property and potentially cause damage to that siding.

Mr. Forster commented that there are two rows of snow breaks on the roof.

Commissioner Anderson commented that would not slow the rainwater.

Mr. Forster commented that he does have gutters as well. He stated that he has worked with his neighbor on the design and the neighbor helped him construct the structure. He stated that they worked together to address those concerns with the snow breaks and gutters. He noted that he actually has additional snow breaks that could be installed if necessary.

Commissioner Anderson stated that his other concern was with fire protection, as that is a State regulation.

Mr. Forster stated that the only reason he is there tonight is because when he spoke with the Building Official, he was told that the structure could pass Code with improvements. He stated that he is committed to making the structure pass Code.

Commissioner Heineman asked if the applicant would find the structure acceptable if the variance were granted but required the sides and the back to be removed and the posts to be wrapped.

Mr. Forster replied that if that is what he has to do to keep this and have his items covered, he would be willing to do that.

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

A roll call vote was performed:

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

Chairperson Gengler closed the public hearing at 8:00 p.m.

Commission Business

Commissioner Heineman stated that he would be okay with approving the variance for the slab and roof only, insisting that attempts be made to fireproof the posts. He understood that there were a lot of steps missed, but it is also the job of the Commission to consider all aspects.

Commissioner Van Scoy stated that he attempted to do research on why the setbacks were required, noting the main aspects he found were safety, privacy and aesthetics. He stated that his main concern is safety, and the applicant knows the process for building things and chose not to follow that process. He stated that he does not support the variance as this was built to the property line and impacts the neighbor and neighborhood.

Commissioner Peters stated that he does see people park their fifth wheels on grass throughout the community and appreciates that the applicant wanted to do something more to park on a surface. He stated that there were some big steps that were missed that would have prevented this situation and he leans towards the side of Commissioner Heineman that if the sides were removed, he would be open to letting the posts and roof remain.

Commissioner Van Scoy stated that he does not see any practical difficulties. He stated that his garage being ten feet from another garage is not a practical difficulty as that is Code and there are hundreds and hundreds of homes in the same situation. He stated that regardless of the lack of process he could not find a practical difficulty in this situation.

Motion by Commissioner Bauer, seconded by Commissioner Anderson, to deny the variance request for the slab and lean-to structure.

Further discussion

Commissioner Heineman stated that the practical difficulty in this situation is that there is not another spot on the property where a structure of this nature could be constructed. He stated that if someone wants to invest in their property, reduce blight and improve the land, this would be the logical location. Commissioner Anderson stated that the lean-to could be removed, the slab could be reduced by five feet and the structure could be rebuilt and used without a variance. Commissioner Heineman commented that the trailer would not fit in that scenario. He asked City staff to provide the resident with his options, should this variance be denied. Planning Manager Larson replied that if the Commission denied the variance, the applicant could appeal to the City

Council. He stated that the same option would be available to a neighbor, explaining that if the Commission approved the variance and a neighbor did not agree, a neighbor could then appeal the decision and the City Council would hear the request. Commissioner Van Scoy stated that it would appear that there would be room for a structure on the east side of the home. Planning Manager Larson stated that he spoke with the applicant last year about potentially constructing a structure in that location, but the structure needs to have the same setback as the home and there would be some sloping as well. He noted that may also require a variance. Commissioner Heineman asked if the utilities are located on that side of the home. Planning Manager Larson stated that typically utilities run direct from the street to the home. Mr. Nagel stated that he looked into building an accessory structure on his property and there is not enough room between the front setback and wetland buffer to have a structure that would house a trailer or anything of similar size. He explained that is why there is space between his home and the applicant's home, as there was not enough buildable area to construct a home. He noted that there is also a large slope. Planning Manager Larson commented that reasons for denial would need to be articulated. Commissioner Bauer commented that there are no practical difficulties to support the variance.

A roll call vote was performed:

Commissioner Heineman	nay
Commissioner Peters	nay
Commissioner Bauer	aye
Commissioner Van Scoy	aye
Commissioner Anderson	aye
Chairperson Gengler	aye

Motion Carried.

**6.03: Public Hearing: Consider a Variance for a Lean-To Structure at 6850 148th Lane NW
(Michael Ploumen)**

Public Hearing

Chairperson Gengler called the public hearing to order at 8:12 p.m.

Presentation

Planning Manager Larson presented the staff report stating that staff's recommendation is that, as it exists today, does not look out of character of a typical residential property. However, the closeness of the structure to the property line will appear out of place should the applicant or the neighbor decide to build a fence along the property line. Granting a variance cannot restrict a neighboring property owner from their right to do something. It is recommended that the structure be removed. Staff is taking no position on the placement of the slab.

Commissioner Peters asked if the front stake was ever located.

Planning Manager Larson confirmed that the surveyor did find that stake.

Citizen Input

Michael Ploumen, applicant, stated that this spring he received a Code violation on his garage relating to the concrete pad and the lean-to that was recently constructed. He stated that he questioned it because when he moved in there was a metal stake in the woodland area and his neighbor is an original homeowner and stated that was the property line, therefore he based his decisions on that knowledge. He stated that he measured from the stake to the mailboxes and believed that he was therefore not within the setback. He stated that he reached out to a land surveying company that surveyed his lot for \$800, and he was frustrated with those results as his structures are now within that setback. He commented that there are gutters on the lean-to to ensure there is not a water issue for his neighbor. He stated that his neighbor directly to the east does not have an issue with the structure. He stated that he did not get a permit and does not have an excuse for that. He stated that he had the funds and assistance with labor and went forward with the project. He stated that he would be responsible for any fines or penalties associate with that as he did overlook the permit. He commented that he is a reasonable and simple person, as is his variance. He commented that this does not impact anyone else as the neighbor adjacent has submitted a letter in support. He believed that this fits with the character of the neighborhood and does not stick out at all. He stated that he has received many compliments, and the structure serves a purpose. He stated that if his neighbor wanted to put up a fence or install a fence, he would be willing to make alterations or take the lean-to down, as his relationship with his neighbor is more important than the structure.

Commissioner Anderson asked if the boat would still fit if the concrete was cut by 1.5 feet and the posts moved in.

Mr. Ploumen replied that he was unsure as that would be a very tight fit. He stated that he recently bought a trailer dolly to maneuver the boat into the structure as he cannot back it up in there with his truck.

Commissioner Van Scoy asked if the setback from the property line is to the base of the structure or furthest extension of the structure.

Planning Manager Larson commented that setback is generally measured to the wall of the structure with overhangs generally allowed. He stated that Building Code setbacks are to the closest point, not necessarily the wall, therefore the measurements for the slab, posts, and overhang would be included in the variance if approved.

Commissioner Van Scoy commented that this looks like a nice structure. He stated that if the posts were moved onto the edge of the slab, the setback to the wall would be 3 feet eight inches and would be a smaller variance. He asked if that would be a possibility.

Mr. Ploumen replied that he is unsure, but could try to work with that if that is the decision of the Commission, but noted that would also make things more difficult in terms of space.

Commissioner Bauer asked if this could be requested, providing the applicant with additional time to determine if that adjustment would still fit the boat.

Planning Manager Larson replied that would be an option, noting the 60-day review timeline.

Mr. Ploumen asked if the Commission wanted him to get the exact measurements of the boat compared to the slab.

Commissioner Bauer stated that he would be more open to the smaller variance request, if that worked for the applicant as well.

Councilmember Woestehoff stated that the case does not list a resolution and the direction would be for staff to prepare a resolution, therefore this would come back to the next meeting anyway.

Planning Manager Larson commented that staff could prepare the resolution with the larger setback if that is desired.

Commissioner Anderson referenced the statement in the staff report that variances to Building Code are not allowed and asked staff for assistance in understanding this request.

Planning Manager Larson replied that the Commission could not approve this as is because the structure would need to be modified to meet the Building Code. He stated that the variance could be approved for the setback and then the applicant would need to work with the Building Official to make the structure meet the requirements for fire protection.

Mr. Ploumen stated that he has been in conversation with the Building Official to discuss some things that could be done to bring the structure up to Code. He stated that if alterations are required to get the structure to Code, he would be willing to do that.

Councilmember Woestehoff stated that if the Commission decides to approve the variance, the City Council would still need to approve an encroachment agreement because this would be within the easement.

Commissioner Anderson commented that because there is an easement, if that needs to be dug up, they would bulldoze that structure down. He stated that they are trying to figure out how this could work.

Commissioner Peters asked what could be done to the structure for it to meet Code.

Building Official Schreder commented that this is not unlike the other structure where the elements within that five-foot setback would need to meet the one-hour fire resistance requirement. He stated that one hour fire rating would need to be designed by the applicant through an architectural plan for the posts and under side of the roof.

Commissioner Van Scoy asked if the practical difficulties section has been identified for this request.

Commissioner Anderson asked if everything were brought back to the five-foot mark, would that address the fire protection issue.

Building Official Schreder replied that would satisfy the Building Code and no other modifications would be needed.

Commissioner Van Scoy asked if gypsum is appropriate for that type of protection.

Building Official Schreder commented that could be part of the fire resistance but that would be vulnerable to the elements and therefore would need a water-resistant barrier and exterior covering.

Planning Manager Larson referenced statements within the applicant letter that would address the variance criteria. He explained that only one practical difficulty needs to be met, although the more that are met, the higher the request would rank.

Commissioner Van Scoy commented that with the width of the lot, there would not be any additional space to place this type of structure and would think that could be a difficulty in this case.

Brian Nagel, 6920 148th Lane, referenced the discussion from the Commission about whether the structure should be reduced in size, as that would still be within the five foot area. He asked why one would be better than the other as they would both be variance requests. He stated that from his perspective the only downside would be for the property owner that would need to cut concrete and move footings to only gain a one-foot difference essentially on paper.

Commissioner Van Scoy replied that in his opinion the difference would be that he would prefer to limit the scope of a variance to the least degree.

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

A roll call vote was performed:

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

Motion Carried.

Chairperson Gengler closed the public hearing at 8:39 p.m.

Commission Business

Commissioner Anderson stated that he would like to table this to the next month, to provide the applicant with time to determine if the structure could be reduced to the five-foot mark, as that would eliminate the issue with the Building Code.

Commissioner Peters commented that would also provide the applicant with time to determine what would need to be done to modify the structure to meet the one-hour fire rating if it were to stay in the same location.

Motion by Commissioner Anderson, seconded by Commissioner Bauer, to table consideration of this item to the next meeting to allow the applicant additional time to investigate whether the five-foot setback could be reached or bring back a plan to fireproof the structure to the one-hour rating.

Further discussion

Mr. Nagel asked for clarification on whether the roofline would need to come into the five-foot mark as well. He stated that if that needs to come in five feet the boat would not fit. Commissioner Peters commented that is why he suggested that the applicant also determine the plan to meet the one-hour fire rating, in the case that it would not be feasible to modify the size of the structure. Mr. Ploumen asked for clarification on which element would need to be at the five-foot mark, whether that is the posts, roof, or slab. He commented that if the overhang needs to come in five feet the structure would be useless. Planning Manager Larson stated that perhaps the applicant provides some measurements on what could be modified and to what degree, noting that if the five-foot mark could be met, the Commission would not need to see this again. Mr. Ploumen stated that he obviously would like the structure to remain as is, but respects the opinions of the Commission and will attempt to work out some math. Commissioner Van Scoy asked if the applicant has considered purchasing 2.5 feet from the neighbor. Mr. Ploumen stated that he has thought about that, but was unsure how that would work out. Commissioner Van Scoy noted that is an option that could also be looked into. Commissioner Anderson asked for clarification and confirmed that the five-foot mark would be to the post. Commissioner Heineman stated that if a variance were given today, the applicant would have the option to fireproof to the one-hour fire rating or move the posts to meet the five-foot mark. He stated that there is a reason for Code but there also is a reason for variances and this resident made his best attempt, created something that looks nice and fits with the neighborhood. He did not see a reason to spend thousands of dollars to reduce the structure by one foot and believed a variance is acceptable in this situation. Commissioner Anderson stated that the applicant has the option to come back with his plan to fireproof as well. Commissioner Heineman stated that the variance should just be given now.

A roll call vote was performed:

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

Motion Carried.

6.04: Public Hearing: Consider a Conditional Use Permit for Motor Vehicle Rental and Self-Storage Facilities for U-Haul at 8725 Riverdale Dr NW

Public Hearing

Chairperson Gengler called the public hearing to order at 8:49 p.m.

Presentation

City Planner Martin presented the staff report stating that staff recommends approval of the Conditional Use Permit, contingent upon satisfying the conditions listed in Resolution #24-202 and having updated plans in time for City Council review.

Commissioner Bauer asked for more information on access using Riverdale from both directions of Highway 10 and whether that would change following the highway project.

Planning Manager Larson replied that there would be no changes at this time but recognized that once this project is completed there would be pressure to extend the freeway west towards Elk River. He stated that most likely that intersection would be eliminated and become a frontage road.

Commissioner Van Scoy asked if the change marks noted in the staff presentation are reflected in the draft resolution.

City Planner Martin commented that the draft resolution includes all the change marks, but staff reviewed those this morning and has been in conversation with the applicant. He confirmed that the draft resolution includes all change marks identified thus far.

Commissioner Anderson asked when this would go before the City Council.

City Planner Martin replied that the intent would be for the Planning Commission recommendation to go to the City Council on Monday, August 12th.

Citizen Input

Lucy Aveen-West, representing the applicant, thanked the Commission for considering the request and for the cooperation of staff throughout this process.

Commissioner Anderson asked where motor vehicles would be repaired.

Ms. Aveen-West replied that repair would not be completed at this location as that is handled at their shop in Coon Rapids.

Commissioner Anderson asked if the plantings near Highway 10 would be trees or shrubs.

City Planner Martin replied that it would be a mix of trees and shrubs. He stated that the plantings were reviewed by the Environmental Policy Board and that group deemed the planting plan to be sufficient.

Chairperson Gengler asked how the entrances to this property would align with the entrances to Riverstone South.

City Planner Martin replied that engineering and planning staff worked with the applicant to find a proposal that would best align the driveways. He stated that the first concept aligned the driveways, but there was appropriate spacing and therefore the entrances are offset. He noted that would also provide Riverstone residents with a view of a buffer rather than direct into the U-Haul site.

Commissioner Bauer referenced the three-story climate-controlled building and asked if there is a through path to drive in and out for loading and unloading.

Ms. Aveen-West replied that vehicles would pull into the building and then come back out through the same entrance. She confirmed that there is room inside for more than one vehicle at a time.

City Planner Martin explained that there are three garage doors for the climate-controlled building use with an additional entrance for the back of house activities.

Chairperson Gengler asked the height of the berms facing Riverdale.

City Planner Martin replied that the berms would be about two to three feet with a combination of trees and shrubs planted on the top. He confirmed that there is also berming across the street.

Commissioner Van Scoy commented that this will be a great addition.

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

A roll call vote was performed:

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

Motion Carried.

Chairperson Gengler closed the public hearing at 9:15 p.m.

Commission Business

Motion by Commissioner Anderson, seconded by Commissioner Van Scoy, to recommend that City Council adopt Resolution #24-202, Approving a Conditional Use Permit for Equipment Rental and Self-Storage Facilities at 8725 Riverdale Drive NW, subject to the conditions specified within the resolution.

A roll call vote was performed:

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

Motion Carried.

6.05: Public Hearing: Comprehensive Plan Text Amendment Pertaining to Low Density Residential

Public Hearing

Chairperson Gengler called the public hearing to order at 9:16 p.m.

Presentation

Planning Manager Larson presented the staff report stating that staff recommends approval of the Comprehensive Plan text amendment.

Commissioner Van Scoy asked if the Metropolitan Council accepts the overall density, but is concerned that the City did not meet its own definition of residential density. He asked how the City is measuring density per acre.

Planning Manager Larson confirmed that to be the case. He explained how the City calculates residential density and the items that are taken out of the calculation, such as arterial roadways and wetlands.

Commissioner Van Scoy recalled that many years ago the City did not exempt the local streets, and when they began doing that there were problems with the calculations.

Planning Manager Larson confirmed that the Metropolitan Council would be satisfied with the definition change. He noted that the density range was quite high when compared to other communities for low density residential. He stated that dropping that range would fix the issue and make the City comparable to other communities.

Commissioner Heineman commented that he has heard from many residents that they do not like as many houses in a small area, but noted that this change would lower the minimum number of lots required and therefore would grow the minimum lot size for this land use.

Citizen Input

No comments.

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

A roll call vote was performed:

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

Motion Carried.

Chairperson Gengler closed the public hearing at 9:28 p.m.

Commission Business

Motion by Commissioner Van Scoy, seconded by Commissioner Bauer, to recommend that City Council adopt Resolution #24-186, a Comprehensive Plan amendment pertaining to Low Density Residential.

A roll call vote was performed:

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

Motion Carried.

7. COMMISSION BUSINESS

8. COMMISSION / STAFF INPUT

Commissioner Anderson commented that he would not be at the August meeting.

Planning Manager Larson reviewed his staff update noting the upcoming Council meeting date and recent City Council activity. He also noted some upcoming items that will come before the Planning Commission.

Commissioner Van Scoy commended the public works department for assistance in a recent event he experienced with a downed tree.

9. ADJOURNMENT

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

A roll call vote was performed:

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

Motion Carried.

The regular meeting of the Planning Commission adjourned at 9:34 p.m.

Respectfully submitted,

Todd Larson
Planning Manager

ATTEST:

Abdihafid Sahal
Planning Assistant

Drafted by Amanda Staple
TimeSaver Off Site Secretarial, Inc.