

7.01: “Rum River Retreat” - Preliminary Plat and Variance Request for 17400 and 17650 Erkium Street NW (Project No. 26-106); Case of Sundance Woods, LLC

Planning Manager Larson presented the proposed Rum River Retreat development, consisting of approximately 61 acres zoned Rural Residential. The preliminary plat would create 15 lots, including 14 new homes and one containing an existing home, with lots ranging from approximately 2.69 to nearly nine acres. Two eastern lots would be approximately 185 feet deep rather than the required 200 feet and therefore require a variance. He explained that Erkium Street would be reconstructed to City standards. At the same time, a new segment of 177th Avenue would serve nine homes and terminate temporarily at the western property boundary to allow for a potential future connection. The approximately 1,100-foot dead-end roadway is expected to generate 141 daily vehicle trips and 14 afternoon peak-hour trips, well below the threshold requiring a traffic study. The Planning Commission recommended approving the lot-depth variance, which would preserve mature trees and avoid additional grading otherwise necessary to meet the 200-foot requirement.

Planning Manager Larson also reviewed environmental considerations, including oak forest, floodplain, wetlands, and proposed tree removal, noting that the Environmental Policy Board recommended approval and that tree removal would remain below the allowable limit. Staff recently identified concerns about grading at the southern end of Erkium Street, where constructing the turnaround could require two substantial retaining walls approximately 10.5 feet high. Staff requested additional time to explore alternatives and determine how to address future maintenance responsibility, including a possible assessment agreement with affected homeowners.

Planning Manager Larson therefore suggested that Council could consider the variance separately while delaying final action on the preliminary plat until the retaining-wall issue is resolved.

Mr. Paul Olson, 5750 177th Avenue NW, raised concerns regarding the proposed 1,100-foot dead-end street and the City's interpretation that it is temporary and therefore not subject to the City's 600-foot maximum. He referenced a 2006 development proposal involving the same property in which, according to his research, the City required variances for roads exceeding the 600-foot limitation even though future road connections were contemplated. He questioned what ordinance provision exempts a temporary street or cul-de-sac from the 600-foot maximum, what ordinance or factual distinction justified treating the current proposal differently from the 2006 proposal, and what legally enforceable easement, agreement, funding mechanism, or deadline ensures the proposed road will ever connect through his property. He explained that his family owns the adjoining 35-acre property and has no intention of selling it. He believed that describing the road as temporary when it could remain a dead end indefinitely created a public-safety concern because the neighborhood would have only one point of entry and exit.

Councilmember Buscher requested that the City Attorney or staff respond to the attorney's letter included in the Council packet on behalf of the neighboring property owners.

City Attorney Johnson explained that staff was aware of the letter and had provided a similar letter to the Planning Commission. She explained that staff considers the roadway temporary based on its physical design rather than any specific deadline for future extension. Unlike a conventional permanent cul-de-sac with lots arranged around the bulb, the roadway terminates at the property boundary and is intentionally designed to continue into the adjoining property. She explained that staff therefore did not consider the 600-foot cul-de-sac limitation applicable. She further noted that the requested lot-depth variance requires Council to determine whether practical difficulties exist and that Council has discretion when applying those criteria. Councilmember Buscher asked when staff determined the roadway should be considered temporary.

Planning Manager Larson could not identify an exact date but explained that staff discussed it further after the Planning Commission packet was published. Staff considered whether the proposal represented a true cul-de-sac or good forward-looking planning intended to preserve future access to adjoining developable properties. Staff ultimately concluded that the roadway differed from a conventional permanent cul-de-sac because it was deliberately designed for potential extension.

Councilmember Buscher asked how the current proposal differed from the City's handling of the property in 2006.

Planning Manager Larson indicated he had not reviewed the plans from the 2006 proposal and therefore could not answer.

Councilmember Buscher indicated she would not support approving the application that evening. She wanted additional information regarding the earlier proposal and believed the unresolved retaining-wall issue also meant the application was not ready for final Council action.

Councilmember Riley confirmed that staff did not consider the proposed roadway a cul-de-sac and therefore did not believe the 600-foot maximum applied. He was uncomfortable approving the preliminary plat while the retaining-wall issue remained unresolved and did not want the City assuming responsibility for maintaining large retaining walls. He also said describing the roadway as temporary did not provide certainty about when, or whether, it would ever be extended, and noted the condition could effectively remain indefinite.

Councilmember Stewart believed the development appeared well planned and designed to minimize unnecessary tree removal. Based on her real-estate experience, she noted that temporary road endings can remain for decades until neighboring properties eventually develop. She recognized that Mr. Olson intends to retain his property but observed that ownership and development circumstances could change in many years. She believed preserving the road alignment would facilitate orderly development if that occurred. She supported the overall project but questioned why Council was being asked to consider the proposal before the retaining-wall issue had been resolved.

Councilmember Specht asked staff why the application was being presented to Council before the retaining-wall matter had been resolved.

Planning Manager Larson explained that the application and supporting materials were already included in the Council packet, and staff anticipated neighboring residents might attend the meeting. Rather than cancel discussion after residents had made plans to participate, staff believed it would help Council review the proposal, identify additional concerns, and provide direction. In contrast, staff continued working on the retaining-wall issue. He added that the City's 600-foot roadway standard originated when fire engines carried about that length of hose and struggled to maneuver on dead-end streets. Modern Ramsey fire equipment and required turnarounds address many of those concerns. He noted that several existing City streets exceed 600 feet, including Bauer's Drive, which extends approximately one mile. Staff would be willing to prepare an ordinance amendment if Council wished to reconsider or clarify the 600-foot standard. He confirmed that the City had adequate time under the application-review deadline to postpone action.

Councilmember Olson indicated the explanation of the historical basis for the 600-foot standard changed his perspective somewhat. He asked whether the development could be redesigned to create another road connection rather than the proposed extended dead-end configuration.

Planning Manager Larson explained that the Planning Commission had considered the same issue. Depending on the direction in which another roadway was routed, it would either encounter Trott Brook and require a permanent cul-de-sac or terminate at another neighboring property and create essentially the same situation while waiting for that property to develop.

Mr. Olson clarified that future extension through his property would mean the current development's preferred road layout could effectively dictate the future layout of his property. He also disagreed with characterizing the 600-foot standard as archaic, explaining that he believed Ramsey fire engines carry approximately 600 feet of large-diameter hose and noting that the proposed development is not within a hydrated area. He maintained that the roadway length therefore remains a legitimate safety issue.

Motion by Councilmember Buscher, seconded by Councilmember Riley, to table the matter.

Mayor Heineman supported allowing staff additional time to resolve the retaining-wall issue. He thanked Mr. Olson for his concerns. He recognized his right to determine the future of his property while also recognizing the current property owner's right to develop property consistent with City requirements. He acknowledged that development of large or historic open properties can be difficult for neighbors but believed the proposed lot sizes were appropriate for the area. He emphasized the importance of applying City standards consistently.

Motion carried. Voting Yes: Mayor Heineman, Councilmembers Buscher, Olson, Peters, Riley, and Specht. Voting No: Stewart.

City Attorney Johnson requested clarification regarding whether Council also wanted staff to prepare possible amendments to the City's cul-de-sac regulations. She noted that the current Code contains limited language defining cul-de-sacs and that the 600-foot requirement functions as a development standard rather than a definition.

Councilmember Buscher supported reviewing additional language to improve the Code generally but did not want a new definition created specifically to determine the outcome of the pending Rum River Retreat application.

Council directed staff to bring back proposed language for consideration, with a Councilmember observing that the frequency with which variances are granted may indicate it is time to reconsider the underlying standard.

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