



**DATE:** April 26, 2021

**TO:** Honorable Mayor and City Councilmembers  
Dave Perrault, City Administrator

**FROM:** Jane Kansier, AICP, Planning Consultant, Bolton & Menk

**SUBJECT: Planning Case # 21-001 – Public Hearing Required**  
**Applicant:** Lorne Rothbauer, Boston Scientific  
**Property Location:** 4100 Hamline Avenue N  
**Request:** Amended Planned Unit Development and Site Plan Review

<b>Budgeted Amount:</b>	<b>Actual Amount:</b>	<b>Funding Source:</b>
N/A	N/A	N/A

**Council Should Consider:**

Motions to approve, table, or deny the following:

- Hold the required public hearing for Planning Case 21-001 for application for a Planned Unit Development and Site Plan for a project located at 4100 Hamline Avenue N (“Subject Property”). The City Council will be asked to make a formal decision regarding the application under Agenda Item 10B.

*Approval of an amended PUD requires an affirmative vote of four councilmembers.*

**Background**

The Boston Scientific campus at 4100 Hamline Avenue North operates under a Planned Unit Development (PUD) that was originally approved in 2002 for the Guidant Corporation. The last update to the PUD and Campus Master Plan took place in 2020 when the City approved a loading dock addition to the South side of Building 10. Before that, in 2017, the City approved a 5,330 square foot building addition on the northeast corner of Building 9 (Planning Case 17-013). New building construction or site modification identified on the approved Campus Master Plan requires the submittal of a Site Plan Review application prior to construction. For building construction or site modifications not included on the Master Plan, a PUD Amendment is required. The proposed

addition to Building 14 is not shown on the current Master Plan and a PUD Amendment is therefore being requested.

*1. Proposal and Use:*

The Applicant is proposing to construct a 17,450 square foot addition to the south side of Building 14, in the northwest corner of the Arden Hills campus near Innovation Way. The purpose of this facility is the development and production of lithium batteries for use in medical devices. The primary space in the facility is a ‘dry room,’ a space maintained at less than 1% relative humidity, which is required for handling lithium. Ancillary functions in the addition include office and conference space.

*2. Previous City Council Review*

The City Council discussed this project at a Work Session on March 15, 2021. During the meeting Councilmembers discussed the concerns expressed in a letter from neighboring residents, and Boston Scientific’s response to those comments. Minutes from the meetings are included in Attachment J.

**Plan Evaluation**

A PUD proposal shall identify any requested modifications from the applicable zoning requirements as well as the reasons why the modifications would be in the public interest and would be consistent with the purpose of the underlying I-1 District. Modifications to these requirements may be granted by the City without a variance through the PUD process. A full evaluation of the proposal was presented to the Planning Commission on April 7, 2021. The memo to the Planning Commission on this case is provided in Attachment H. Draft minutes from the meeting are included in Attachment I.

*1. Chapter 13, Zoning Code Review*

*A. Building and Landscaping – Meets Requirements*

The Zoning Code requirements for the I-1 district allow a maximum building footprint of 30% and a minimum landscape area of 35 percent. Landscaping is defined as all plantings, including trees, grass, and shrubs. The table below identifies the proposed percentages.

	<b>Proposed Master PUD (Sq. Ft.)</b>	<b>Proposed Master PUD (PCT)</b>	<b>Permitted (I-1 District)</b>
<b>Structure Coverage</b>	614,740 sq. ft.	18.16%	Max. of 30%
<b>Landscape Coverage</b>	1,610,953 sq. ft.	47.58%	Min. of 35%

*B. Building and Parking Setbacks – Meets Requirements*

Setbacks in the I-1 District are 50 feet for the front yard, 20 feet for the side yard with minimum of 40 feet total for both side yards, and 20 feet for the rear yard. The proposed addition meets all of the required setbacks.

*C. Building Height - Flexibility requested*

The proposed building has a flat roof, with a height of 40 feet. Maximum height in the I-1 district is 35 feet. The first floor of the building is 21’ in height. The remaining height is attributed the

mechanical equipment penthouse, which encloses equipment that would typically be mounted on the roof.



## 2. Design Standards

### A. Aesthetics

Exterior elevation plans submitted by the Applicant indicate that the proposed addition will utilize precast panels and prefabricated metal panels complimentary in color and texture to the existing building. As a condition of approval, staff recommends that The Applicant submit a materials board to compare proposed materials against the existing buildings on campus.

### B. Lighting – Meets Requirements

Architectural lighting strips are located in the south wall of the addition, and there is a wall mounted light on the west side of the building. In addition, parking lot lighting on the south and east side of the building is proposed. Given the minimal outdoor lighting for the project and the distance from the adjacent residential areas, staff do not anticipate any issues with regard to lighting. However, as a condition of approval staff recommends the Applicant be required to provide photometric calculations for the lighting at the west property line.

### C. Screening and Fencing – Meets Requirements

Screens and fencing help minimize adverse impacts of public nuisances, such as noise. According to City Code Section 1325.05, subd. 4, mechanical equipment requires screening to be constructed and located so as to completely screen them from view of adjacent streets and differing land uses. In addition to the mechanical penthouse, the Applicant is proposing a parapet wall to screen rooftop mechanical equipment. The height of this wall has been increased to meet the noise standards.

### D. Tree Preservation and Tree Selection – Meets Requirements

A Tree Preservation Plan is required as part of an application when City grading permit or erosion control permit is required. The Tree Protection Plan submitted by the Applicant shows that 95 caliper inches of significant trees are set for removal. The Ordinance allows 10% (36.2 caliper inches) to be removed without replacement. The remaining 58.8 caliper inches to be removed must be replaced at a ratio of 1 caliper inch for each 2 inches removed. The Applicant is required to replant 29.4 caliper inches. The proposed landscaping plan identifies a total of 63.5 caliper inches of replacement trees. The proposed replacement trees included a variety of deciduous and

evergreen trees. As a condition of approval, staff recommends a landscaping letter of credit or escrow be required.

*E. Parking, Traffic and Circulation - Meets Requirements*

The Applicant is proposing to provide an additional 10 parking spaces, and submitted Proof of Parking calculations for an addition 88 spaces. The addition of 17,450 square feet of floor area requires an additional 18 spaces. The new spaces plus proof of parking meets this requirement.

*F. Noise Study*

The Applicant submitted a noise study to measure the impact of the project on the adjacent residential neighborhood (see Attachment G). The study involved measuring the existing noise in the area and calculating future noise from the proposed project. The results were compared to the MPCA noise requirements, as shown in the table below.

Noise Area Classification	Receiver Type	Daytime (7AM - 10PM)		Nighttime (10PM - 7AM)	
		L10	L50	L10	L50
1	Residential	65 dBA	60 dBA	55 dBA	50 dBA
2	Commercial	70 dBA	65 dBA	70 dBA	65 dBA
3	Industrial	80 dBA	75 dBA	80 dBA	75 dBA

The results of the measurements are shown in the following table. The study estimates the noise contributed by the project is below the state requirements. The report also notes there was a lot of traffic noise from Hwy 694 at the site, making it difficult to separate the existing BSC noise from the traffic sources. To account for that, the study combined that level with the new noise from the chillers.

Metric	Location		Notes
	A	B	
L <sub>90</sub>	49 dBA	45 dBA	for 24 hour period
L <sub>50</sub>	49 dBA	45 dBA	lowest hourly level
L <sub>10</sub>	51 dBA	47 dBA	lowest hourly level

To address the neighborhood concerns about the noise levels, the Planning Commission recommended a condition of approval requiring Boston Scientific to submit an annual noise study on Building 14 and to submit these findings to the City. Staff reviewed this condition with the City Attorney, who noted the City Council has the authority to impose conditions on approval of a PUD, as long as the condition is reasonable and proportionate to the impact of the project. The Council may look at both the impact of the immediate project, and the cumulative impact of the entire campus. If the City Council chooses to include this condition, the City Attorney suggested the Council may want to identify parameters, such as when the test occurs (time of year), and the level of detail (noise readings vs. a full study).

## **Public Notice and Comments**

A Notice was published in the Pioneer Press on April 16, 2021. A public neighborhood notice was prepared by the City and mailed to property owners within 1,000 feet of the subject property.

## **Neighborhood meeting**

The Applicant conducted a neighborhood meeting via Zoom on December 15, 2020. Following the meeting, a letter signed by several residents of the residential area to the west was submitted (see Attachment E). The Applicant reviewed these comments and addressed them at a City Council Workshop on March 22, 2021, and submitted the attached letter (see Attachment F). The applicant was also planning to have an informal meeting with several residents on March 31, 2021.

## **Attachments**

- A. Application Narrative
- B. Location Map
- C. Submittal Documents
- D. Engineering Comment Letter
- E. Neighborhood Letter
- F. Response Letter
- G. Summary of Noise Study
- H. Planning Commission Memo
- I. Draft Planning Commission Minutes
- J. March 15, 2021 City Council Work Session Minutes
- K. City Council PowerPoint Presentation