



**DRAFT**

Approved: May 5, 2021

---

---

**CITY OF ARDEN HILLS, MINNESOTA  
PLANNING COMMISSION  
WEDNESDAY, APRIL 7, 2021  
6:30 P.M. - ARDEN HILLS CITY HALL**

---

---

**CALL TO ORDER/ROLL CALL**

Pursuant to due call and notice thereof, Chair Paul Vijums called to order the regular Planning Commission meeting at 6:30 p.m. Due to the COVID-19 pandemic this meeting was held virtually.

**ROLL CALL**

Present were: Chair Paul Vijums, Commissioners Steven Jones, James Lambeth, Subbaya Subramanian, Kurtis Weber, and Jonathan Wicklund.

Absent: Commissioners Marcie Jefferys and Clayton Zimmerman.

Also present were: Planning Consultants Jane Kansier and Corinne Bemus; City Administrator Dave Perrault; and Councilmember Brenda Holden.

**APPROVAL OF AGENDA – APRIL 7, 2021**

Chair Vijums stated the agenda will stand as published.

**APPROVAL OF MINUTES**

*January 6, 2021 – Planning Commission Regular Meeting*

**Commissioner Subramanian moved, seconded by Commissioner Jones, to approve the January 6, 2021, Planning Commission Regular Meeting as presented. A roll call vote was taken. The motion carried unanimously (6-0).**

**PLANNING CASES**

- A. Planning Case 21-001; Boston Scientific Building 14 Addition – Amendment to Planned Unit Development – *Public Hearing***

**Planning Consultant Kansier** stated Lorne Rothbauer of Boston Scientific (“The Applicant”) is requesting Amended Planned Unit Development and Site Plan Review for a proposed project on 4100 Hamline Avenue N (“Subject Property”) to renovate 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.

**Planning Consultant Kansier** explained 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.

**Planning Consultant Kansier** reviewed the surrounding area, the Plan Evaluation and provided the Findings of Fact for review:

1. 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.
2. The last update to the PUD and Campus Master Plan took place in in 2020 when the City approved a loading dock addition to the South side of Building 10 (Planning Case 19-018).
3. 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.
4. For building construction or site modifications not included on the Master Plan, a PUD Amendment is required.
5. The proposed addition to Building 14 is not shown on the current Master Plan.
6. A public hearing for a PUD Amendment request is required before the request can be brought before the City Council.
7. The Planning Commission conducted a public hearing on April 7, 2021.

**Planning Consultant Kansier** recommended approval of the Planning Case for a PUD Amendment and Site Plan Review of 4100 Hamline Avenue, based on the findings of fact and the submitted plans, as amended by the conditions in the April 7, 2021 Report to the Planning Commission:

1. All conditions of the original Planned Unit Development shall remain in full force and effect.
2. Prior to the issuance of a grading permit, all items identified in the February 17, 2021 Engineering Division memo shall be addressed. All comments shall be adopted herein by reference.
3. The project shall be completed in accordance with the plans submitted as amended by the conditions of approval. Any significant changes to these plans, as determined by the City

- Planner, shall require review and approval by the Planning Commission and City Council.
4. The proposed structures shall conform to all other regulations in the City Code.
  5. A Grading and Erosion permit shall be obtained from the city's Engineering Division prior to commencing any grading, land disturbance or utility activities. The Applicant shall be responsible for obtaining any permits necessary from other agencies, including but not limited to, MPCA, Rice Creek Watershed District, and Ramsey County prior to the start of any site activities.
  6. Heavy duty silt fence and adequate erosion control around the entire construction site shall be required and maintained by the Developer during construction to ensure that sediment and storm water does not leave the project site.
  7. The Applicant shall be responsible for protecting the proposed on-site storm sewer infrastructure and components and any existing storm sewer from exposure to any and all stormwater runoff, sediments and debris during all construction activities.
  8. Prior to the issuance of a building permit, a landscape financial security equal to 125% of the cost of the landscaping to be installed on the site shall be submitted. The Applicant must submit a detailed cost estimate for the landscaping so staff can determine the final amount. Landscape financial security shall be held for two full growing seasons.
  9. Prior to the issuance of a building permit, the Applicant shall submit a materials board to be approved in writing by staff.
  10. All light poles, including base, shall be a maximum of 25 feet in height and shall be shoebox style, downward directed, with high-pressure sodium lamps or LED and flush lenses. Other than wash or architectural lighting, attached security lighting shall be shoebox style, downward directed with flush lenses. In addition, any lighting under canopies (building entries) shall be recessed and use a flush lens. The applicant must provide photometric calculations for the lighting at the west property line.
  11. Once construction is complete and the equipment is operational, the Applicant must conduct a noise study to ensure the facility does not exceed maximum noise standards. If necessary, steps shall be taken to correct any deficiencies.

**Planning Consultant Kansier** reviewed the options available to the Planning Commission on this matter:

1. Recommend Approval with Conditions
2. Recommend Approval as Submitted
3. Recommend Denial
4. Table

**Chair Vijums** opened the floor to Commissioner comments.

**Commissioner Lambeth** reported the proposed building height was five feet higher than was allowed within City Code. He understood the excess height was due to the mechanical equipment penthouse which enclosed the equipment that would typically be mounted on the roof.

**Jeff Hale**, Facility Engineer for Boston Scientific, reported this was the case.

**Commissioner Lambeth** explained the purpose of this facility was to manufacture lithium batteries for use in medical devices.

**Mr. Hale** stated this was correct.

**Commissioner Lambeth** questioned if the mechanical penthouse was created after receiving feedback from the neighbors.

**Mr. Hale** commented this design was proposed to address the comment and concerns regarding sound raised by the neighbors.

**Commissioner Subramanian** inquired why Building 14 was selected for expansion.

**Loren Rothbauer**, Director of Facilities for Boston Scientific, reported an extensive process was taken on to determine where lithium battery growth should be managed on the Boston Scientific campus. He explained his team looked internationally, elsewhere in the United States and at three different locations on the Arden Hills campus. In the end, it was determined the best location was adjacent to the existing dry room.

**Commissioner Subramanian** questioned if the proposed mechanical penthouse could be located elsewhere.

**Mr. Hale** indicated the site south of Building 14 would be constrained vertically and by the Rice Creek Watershed. For this reason, he requested the mechanical penthouse be allowed to remain on the proposed building.

**Joseph Ford**, RSV Architects, discussed the grading around Building 14 and noted there was a steep drop surrounding the building. He commented there was a functional advantage to have the mechanical equipment overhead versus being off to the side. He reported the mechanical penthouse was approximately 8,500 square feet in size.

**Commissioner Subramanian** inquired what provisions were in place to ensure the noise levels would remain within the allowed limits.

**Mr. Hale** stated the evaluation completed by ESI this year showed the current noise levels were within the City's standards. He discussed the calculations that were completed to estimate future noise levels. He reported an additional noise study would be completed after the project was done to verify Boston Scientific has stayed within MPCA requirements.

**Commissioner Weber** commented he walked the trail the other day and noted the loudest noise he heard was coming from the air equipment on the northwest corner of Building 14. He asked if it was the intent to move this equipment.

**Mr. Hale** explained the intent would be to remove this equipment in order to have a new system that would be installed in the mechanical penthouse.

**Mr. Rothbauer** discussed the existing equipment that was attached to Building 14 and noted the processed chilled water system would be removed altogether, which would help reduce noise levels.

**Commissioner Weber** questioned if production at Building 14 would increase significantly.

**Mr. Rothbauer** stated not at first, but rather production would increase slowly over time.

**Commissioner Wicklund** asked how far away this addition would be from the closest property line.

**Mr. Ford** estimated the building was approximately 200 feet from the closest property line.

**Chair Vijums** stated the building would be constructed in a way that would assist with reducing noise. He requested further information regarding the mechanical equipment that would be replaced.

**Mr. Hale** discussed the equipment that would be replaced within the timeline of this project.

**Chair Vijums** explained the City was working to change the allowed building height in Arden Hills from 35 feet to 40 feet. However, this was not yet approved. He appreciated the fact that Boston Scientific had worked to mitigate the noise that was coming from the building.

**Commissioner Jones** indicated he was not terribly concerned about increasing the building height by five feet, especially considering this was an industrial site. He reported the screening would not be just a sight barrier, but would also be noise insulated.

**Mr. Hale** stated this was the case.

**Chair Vijums** opened the public hearing at 7:14 p.m.

**Chair Vijums** invited anyone for or against the application to come forward and make comment.

\_\_\_\_\_ **Mills**, 1280 Winridge Drive, thanked the Boston Scientific group for working with the neighbors in a positive manner. He appreciated City Administrator Perrault for facilitating these actions. He reported this was the only industrial site in Arden Hills that was adjacent to neighborhood homes. He encouraged the Commission to consider only win-win situations. He feared how a louder and taller building would impact his neighborhood. He recommended the City work with the applicant to reduce the noise levels and that the proposed expansion fall within the building height requirements.

**Commissioner Lambeth** questioned when Mr. Mills moved into his home.

**Mr. Mills** stated he moved into his home in July of 2018.

**Commissioner Lambeth** asked if Mr. Mills was aware that the structure he was complaining about was built 10 years prior to that date.

**Mr. Mills** reported he was aware that in 2006 Building 14 was expanded and the noise measured at that time was not in compliance with MPCA requirements.

**Commissioner Lambeth** inquired if Mr. Mills did any due diligence regarding the Boston Scientific campus prior to closing on his home.

**Mr. Mills** stated he has lived in this exact neighborhood since 2009.

**Commissioner Lambeth** commented then, that Mr. Mills would have been aware of the noise coming from this facility before he closed on the house.

**Mr. Mills** explained, at the time, the noise being exhibited is different than the noise that was being projected two years ago due to a number of factors. He discussed how the removal of Boston Scientific trees to the west and south had adversely impacted the noise levels to adjacent residential property owners.

**Commissioner Lambeth** questioned if the trash removal from Boston Scientific was early and loud.

**Mr. Mills** reported this was the case.

**Chair Vjums** encouraged Commissioner Lambeth to keep his line of questioning focused on the proposed building expansion and noted the garbage removal situation could be handled by staff with Boston Scientific.

**Commissioner Lambeth** pointed out that Building 14 was not built until 2007/2008, which was 10 years earlier than Mr. Mills moved into his home.

**Mr. Mills** stated he did not appreciate the interrogation from Commissioner Lambeth. He discussed the letter that was sent to the City on behalf of himself and his neighbors.

**Todd Vandeburg**, 1266 Winridge Drive, explained he lived 42 years from the proposed addition. He reported he had noise concerns with Building 14 and noted these concerns were brought to the City in 2007. At that time, it was determined Boston Scientific was not in compliance with MPCA requirements and a noise study was completed. He noted he attended this noise study. He indicated he was not invited back for the second noise test. He requested a noise test be added for the enclosed mechanical room for Building 14. He stated noise concerns date back to 2007 when the last addition was put onto Building 14. He recommended Boston Scientific be held to the highest level of accountability given the fact this manufacturing plant abuts a residential neighborhood.

**Maria Peters**, 1250 Winridge Drive, clarified the letter sent to the City by Mr. Mills was signed by all the members of the community, including herself. She noted she supported this communication. She explained she moved into her home on June 29, 2015. She discussed how she was woken up by the noise coming from Boston Scientific her first night in her house.

**David Brown**, 1292 Winridge Drive, explained he has lived in his home since June of 2002. He reported one of the goals for moving into his home was to not have neighbors right next to him and to not have any disturbing noises. He stated he was concerned about how the new building height would impact the view from his property. He indicated he was concerned about the lack of screening and/or buffering along the west property line. He recommended the landscaping plan

be a living document. He commented he did not move into his home to see an industrial skyline, but rather to live in a natural neighborhood. He noted he was a project engineer himself and he challenged Boston Scientific to be a good corporate citizen in order to minimize the impact of the proposed expansion to the adjacent residential neighbors. He encouraged the City to consider the impact of this project on others and recommended a noise study be completed, as was done in 2007.

**Andrew Santani**, 1253 Winridge Drive, commented this was his neighborhood too and he wanted to support his neighbors. He indicated he was a licensed architect in Minnesota. He questioned if there was any planning or consideration given to lowering the building five feet into the ground in order to stay within the 35 foot height restriction. He noted this project was adjacent to a residential neighborhood and did not abut I-694. He stated there were eight individual properties that would be impacted by this building expansion. He applauded Boston Scientific for working with these neighbors. He discussed the physical plant items that had been discussed on this property that were creating a noise nuisance. He questioned if a decibel reading had been taken from the back yards of the neighbors. He suggested this be completed by Boston Scientific. He discussed the difference between hope and scope. He recommended that this be taken into consideration when thinking about the sound being generated by the water chillers.

**Chair Vijums** asked if Boston Scientific had a response to the public.

**Mr. Hale** thanked the public for voicing their concerns. He reported Boston Scientific has worked hard to engage and partner with the public since December. He discussed the landscaping plan noting additional plantings were being planned for the west side of the building. He explained the noise concerns were based on past concerns and Boston Scientific was focused on today, how to promote better noise levels going into the future.

**Tony Baxter**, ESI, commented on the noise findings that were taken in 2006, 2013 and again in January of 2021. He noted the recent measurements helped him to understand the noise from the overall environment. He stated he measured closer in to make sure he could separate out the noise generated by Boston Scientific versus other noise sources, such as traffic from I-694. He expected if measurements were taken from the adjacent yards, the noise levels would be the same or slightly lower as location A. He projected the noise generated by the new chillers would be lower than MPCA requirements. He reported combined with the existing noise from Boston Scientific, the noise levels would still be below 50 dba. He was confident that the new chillers that would be put on the roof addition will not significantly increase noise levels in the neighborhood.

**Mr. Hale** reiterated that he would continue to evaluate the existing equipment that produces the majority of the noise from the campus to see how it can be reduced. He stated this was important to him to comply with MPCA requirements, and noted he was hearing the concerns of the neighbors. He then discussed the architectural features on the building. He reported the building could not be dropped five feet noting this would not lend well to coordinating efforts between the two dry rooms.

**Mr. Rothbauer** thanked the Commissioners for their time and the public for voicing their concerns. He stated he prides himself for working at Boston Scientific. He believed Boston Scientific was a real stand up company. He discussed how hard Boston Scientific worked to be a

good neighbor. He reported the feedback being provided was not going unheard. He noted Boston Scientific would be addressing the noise and landscaping concerns.

There being no additional comment Chair Vijums closed the public hearing at 7:48 p.m.

**Chair Vijums** summarized the comments voiced by the public noting the request before the Commission was for a five foot variance to the building height. He stated it was his understanding the noise currently being generated by Boston Scientific was meeting MPCA requirements. He explained Condition 11 required Boston Scientific to complete a noise study after the building expansion was completed. He recommended that yearly noise studies be taken and that these results be shared with the City and that any deficiencies be addressed by Boston Scientific. He commented further on how the mechanical equipment would now be placed in a mechanical penthouse, along with the chillers, and believed this would greatly assist with addressing the noise concerns. He was of the opinion this was a win-win situation.

**Commissioner Weber** supported the additional language for Condition 11, requiring Boston Scientific to completely yearly noise studies on Building 14.

**Commissioner Wicklund** asked if it was a standard practice to require yearly inspections when there are noise issues. He questioned if this should be handled by another agency or on an as needed basis.

**Planning Consultant Kansier** stated she was uncertain how the City has managed noise concerns in the past but noted it was her experience this was not something staff should do. Rather, Boston Scientific would complete the study and the results would be submitted to staff for consideration. She explained most cities do not have the proper equipment to complete noise studies. She recommended that if Condition 11 is amended that it be made clear that the property owner would be responsible for completing the noise study.

**Commissioner Wicklund** questioned if there were any other properties within Arden Hills that were required to submit annual noise audits to the City.

**Councilmember Holden** reported there were not.

**Chair Vijums** asked for motion to move Planning Case 21-001 forward adding Condition 12 requiring Boston Scientific to complete yearly noise studies.

**Commissioner Lambeth moved and Commissioner Weber seconded a motion to recommend approval of Planning Case 21-001 for a PUD Amendment and Site Plan Review of 4100 Hamline Avenue, based on the findings of fact and the submitted plans, as amended by the conditions in the April 7, 2021 Report to the Planning Commission adding Condition 12 to require Boston Scientific to complete yearly noise studies on Building 14 and to report these findings to the City of Arden Hills.**

**Commissioner Wicklund** stated he was in favor of the 11 conditions, but stated he did not support making a yearly noise audit a requirement for a five foot building height variance. He was of the opinion this would be addressed by Condition 11 as written by staff.



**Commissioner Jones** explained he also supported the request with the 11 conditions as written by staff. He recommended that noise complaints drive the need for additional noise studies.

**A roll call vote was taken. The motion carried unanimously (6-0).**

**B. Planning Case 21-002; Bethel Football Field Improvements – Amended Conditional Use Permit and Site Plan – *Public Hearing***

**Planning Consultant Bemus** stated Bethel University (“The Applicant”) is requesting a Conditional Use Permit (CUP) Amendment and Site Plan Review for a proposed project at 3900 Bethel Drive (“Subject Property”) to update the existing football and practice fields located in the southern quadrant of the Bethel University Campus. Specific improvements include converting the football field to artificial turf with a new running track constructed around it. The proposed project will also include sports field lighting, scoreboards, spectator plazas, and perimeter fencing, as well as updates to the existing grandstand and press box. Seating capacity will remain as is.

**Planning Consultant Bemus** reported Bethel University is proposing to update the existing football and practice fields located in the southern quadrant of their main campus at 3900 Bethel Drive. The Applicant is proposing to convert the existing grass football field into a synthetic turf stadium field with a new track constructed around it and the existing grass practice field into a synthetic turf multi-purpose field. The Applicant is also proposing changes to the lighting around the two fields, the spectator plazas, the perimeter fencing, and the grandstand and press box.

**Planning Consultant Bemus** explained Bethel University operates under a CUP Master Plan. As the university comes forward with plans, they are reviewed against the Master Plan for consistency. Building plans that are consistent with the Master Plan require a Site Plan Review. A CUP Amendment is required when plans are not included in the approved Master Plan. The two proposed improvements to the football field and the practice field are not included on the Master Plan and a CUP Amendment is therefore required.

**Planning Consultant Bemus** reviewed the site data, the Plan Evaluation and provided the Findings of Fact for review:

*General Findings:*

1. The Bethel University main campus at 3900 Bethel Drive is located in the Institutional Zoning District.
2. A Higher Education, College Campus is a Conditional Use in the Institutional District.
3. Bethel University operates under a Conditional Use Permit Master Plan.
4. The proposed additions are not included on the Master Plan and a CUP Amendment is required.
5. Bethel University has requested Site Plan Review approval for the proposed changes to the football and practice fields.
6. The proposed changes to the football and practice fields would be in compliance with all provisions of the Zoning Code.
7. A public hearing for a PUD Amendment request is required before the request can be brought before the City Council.
8. The Planning Commission conducted a public hearing on April 7, 2021.

*Conditional Use Permit Evaluation Findings:*

9. The proposed plan is not anticipated to have any impact on traffic or parking conditions because the additions do not include an increase in football field seating.
10. The proposed plan includes the addition of LED lights and will increase illumination around the football fields.
11. The proposed plan will not produce any permanent noise, odors, vibration, smoke, dust, air pollution, heat, liquid, or solid waste, and other nuisance characteristics.
12. The proposed plan will impact drainage on the site.
13. The proposed plan will not impact population density.
14. The proposed plan is not expected to have a visual impact on surrounding properties or on land use compatibility with uses and structures on surrounding land or adjoining land values because the new additions will not be easily visible from outside the Bethel University campus.
15. Park dedication requirements are not applicable.
16. The proposed plan does not conflict with the general purpose and intent of the Zoning Code or the Comprehensive Development Plan for the City.

**Planning Consultant Bemus** recommended approval of Planning Case 21-002 for a Conditional Use Permit Amendment and Site Plan Review at 3900 Bethel Drive, based on the findings of fact and the submitted plans, as amended by the conditions in the April 7, 2021, Report to the Planning Commission:

- a. All conditions of the original Conditional Use Permit shall remain in full force and effect.
- b. Prior to the issuance of a grading permit, all items identified in the March 11, 2021 Engineering Division memo shall be addressed. All comments shall be adopted herein by reference.
- c. The project shall be completed in accordance with the plans submitted as amended by the conditions of approval. Any significant changes to these plans, as determined by the City Planner, shall require review and approval by the Planning Commission and City Council.
- d. The proposed structures shall conform to all other regulations in the City Code.
- e. A Grading and Erosion permit shall be obtained from the city's Engineering Division prior to commencing any grading, land disturbance or utility activities. The Applicant shall be responsible for obtaining any permits necessary from other agencies, including but not limited to, MPCA, Rice Creek Watershed District, and Ramsey County prior to the start of any site activities.
- f. Heavy duty silt fence and adequate erosion control around the entire construction site shall be required and maintained by the Developer during construction to ensure that sediment and storm water does not leave the project site.
- g. The Applicant shall be responsible for protecting the proposed on-site storm sewer infrastructure and components and any existing storm sewer from exposure to any and all stormwater runoff, sediments and debris during all construction activities.
- h. Prior to the issuance of a grading permit, a landscape financial security equal to 125% of the cost of the landscaping to be installed on the site shall be submitted. The Applicant must submit a detailed cost estimate for the landscaping so staff can determine the final amount. Landscape financial security shall be held for two full growing seasons.

- i. Prior to the issuance of a grading permit, the Applicant shall provide updated information about the size and type of trees being removed.
- j. Prior to the issuance of a grading permit, a landscaping letter of credit or escrow shall be required.
- k. The Applicant shall be required to provide photometric calculations for the lighting at the property lines of all adjacent residential properties.

**Planning Consultant Bemus** reviewed the options available to the Planning Commission on this matter:

1. Recommend Approval with Conditions
2. Recommend Approval as Submitted
3. Recommend Denial
4. Table

**Chair Vijums** opened the floor to Commissioner comments.

**Commissioner Lambeth** asked if the four proposed light fixtures would adequately light the football field.

**Chair Vijums** reported based on his experience playing football and running track this was how light fixtures were placed in stadiums. He did not believe there would be a problem with lighting on the football field.

**Jay Pommeroy**, Anderson Johnson & Associates, explained he was a representative for Bethel University. He indicated newer stadiums have a four pole configuration. He stated this was a unique high performance stadium and the proposed lighting would adequately light the football field along with the ends of the track. He reported there would be very little light spill due to the high tech LED light source.

**Chair Vijums** questioned if the 43 trees would be lost due to the construction of the track.

**Mr. Pommeroy** discussed the grading plan with the Commission noting the expansion of the track required extensive grading and tree removal.

**Chair Vijums** opened the public hearing at 8:20 p.m.

**Chair Vijums** invited anyone for or against the application to come forward and make comment.

There being no comment Chair Vijums closed the public hearing at 8:20 p.m.

**Commissioner Wicklund moved and Commissioner Lambeth seconded a motion to recommend approval of Planning Case 21-002 for a Conditional Use Permit Amendment and Site Plan Review at 3900 Bethel Drive, based on the findings of fact and the submitted plans, as amended by the conditions in the April 7, 2021, Report to the Planning Commission. A roll call vote was taken. The motion carried unanimously (6-0).**

**C. Planning Case 21-004; 3783 Lexington Avenue (Lexington Station 3<sup>rd</sup> Addition) – Amended Planned Unit Development and Site Plan – *Public Hearing***

**Planning Consultant Kansier** stated Dan Rae of Kensington Development Partners (“The Applicant”) is requesting an Amended Planned Unit Development and Site Plan Review for a proposed project on 3787 Lexington Avenue (“Subject Property”). This development includes the demolition of the existing multitenant building to accommodate a 43,000 square foot grocery store. The existing PUD Master Plan for Phase III depicts (2) separate one-story buildings, one 17,841 SF Retail Anchor and one 15,210 SF Retail/Office building.

**Planning Consultant Kansier** reported in 2013, the City approved a Master Planned Unit Development (PUD) for Roberts Management’s proposed Lexington Station redevelopment project, located at the southwest corner of Lexington Avenue North and Red Fox Road. The total project area is 7.57 acres and is comprised of three parcels. The proposed development would be completed in three (3) phases. Phase I of the redevelopment was completed in 2013-2014 and included the demolition of the former Blue Fox Restaurant and the construction of a 15,340 square foot multi-tenant commercial building with a drive through. Phase II consisted of removing the existing building at 1120 Red Fox Road and constructing a new 16,922 square foot multi-tenant commercial building with a drive through. Phase II was completed in in the fall of 2018. The approved plan for Phase III or the Subject Site consists of a 15,210 square foot multi-tenant commercial building with a drive through and a standalone 17,841 square foot box retail building on 4.24 acres.

**Planning Consultant Kansier** explained the Subject Site is currently owned by Roberts Management and contains an existing building that was constructed in 1980 and is approximately 63,000 square feet. The Applicant is proposing to amend the Master PUD to accommodate a standalone 43,000 square foot grocery store. The proposed grocery store would be new to the Minnesota market. However, at this time the Applicant is unable to disclose the name of the proposed user due to non-disclosure agreement (NDA).

**Planning Consultant Kansier** reviewed the surrounding area, the Plan Evaluation and provided the Findings of Fact for review:

1. The Lexington Station development located at 3787, 3833 and 3845 Lexington Avenue operates under a Planned Unit Development (PUD) that was originally approved in 2013.
2. New building construction or site modification identified on the approved Master Plan requires the submittal of a Site Plan Review application prior to construction.
3. For building construction or site modifications not included on the Master Plan, a PUD Amendment is required.
4. The proposed change to the Master Plan from two buildings to a single building is a significant change to the current Master Plan.
5. A public hearing for a PUD Amendment request is required before the request can be brought before the City Council.
6. The Planning Commission conducted a public hearing on April 7, 2021.

**Planning Consultant Kansier** recommended approval of Planning Case 21-004 for a PUD Amendment and Site Plan Review of Lexington Station III at 3787 Lexington Avenue , based on

the findings of fact and the submitted plans, as amended by the conditions in the April 7, 2021 Report to the Planning Commission:

1. All conditions of the original Planned Unit Development shall remain in full force and effect.
2. Prior to the issuance of a grading permit, all items identified in the March 4, 2021 Engineering Division memo shall be addressed. All comments shall be adopted herein by reference.
3. The project shall be completed in accordance with the plans submitted as amended by the conditions of approval. Any significant changes to these plans, as determined by the City Planner, shall require review and approval by the Planning Commission and City Council.
4. The proposed structures shall conform to all other regulations in the City Code.
5. A Grading and Erosion permit shall be obtained from the city's Engineering Division prior to commencing any grading, land disturbance or utility activities. The Applicant shall be responsible for obtaining any permits necessary from other agencies, including but not limited to, MPCA, Rice Creek Watershed District, and Ramsey County prior to the start of any site activities.
6. Heavy duty silt fence and adequate erosion control around the entire construction site shall be required and maintained by the Developer during construction to ensure that sediment and storm water does not leave the project site.
7. The Applicant shall be responsible for protecting the proposed on-site storm sewer infrastructure and components and any existing storm sewer from exposure to any and all stormwater runoff, sediments and debris during all construction activities.
8. Prior to the issuance of a building permit, a landscape financial security equal to 125% of the cost of the landscaping to be installed on the site shall be submitted. The Applicant must submit a detailed cost estimate for the landscaping so staff can determine the final amount. Landscape financial security shall be held for two full growing seasons.
9. Prior to the issuance of a building permit, the Applicant shall submit floor plans for review by staff.
10. Separate sign permits shall be submitted for all signs on the site.

**Planning Consultant Kansier** reviewed the options available to the Planning Commission on this matter:

1. Recommend Approval with Conditions
2. Recommend Approval as Submitted
3. Recommend Denial
4. Table

**Chair Vijums** opened the floor to Commissioner comments.

**Commissioner Jones** stated he supported the proposed plans.

**Commissioner Lambeth** asked for clarification purposes, what the address of the building was and what would be done with the building that has unoccupied space.

**Planning Consultant Kansier** explained the building address was 3787 Lexington Avenue. She reported there was an existing building that may have some current tenants and the intent was to remove this building and the tenants would be relocated.

**Commissioner Weber** stated he supported the project, but noted he did have some concerns regarding the lack of parking. He feared parking would become a concern around the holidays or on the weekends. He questioned if the building could move closer to the County right-of-way.

**Planning Consultant Kansier** reported the County had reviewed the plans and did not have any concerns. Further discussion ensued regarding access to the site and building placement.

**Dan Ray**, Kensington Development Partners, thanked the Planning Commission and staff for reviewing his request. He explained the retailer has a parking requirement of four (4) per 1,000 square feet. He indicated currently he was meeting this requirement. He reported the building would have food prep space that would take away from the retail area. He noted he has been in contact with Arby's and Big O Tire's and neither facility was interested in cost sharing for a cross access.

**Commissioner Wicklund** asked what the guarantee was that the County would install the traffic signal in 2022.

**Planning Consultant Kansier** explained the County was very confident this project would happen in 2022. She noted the plans were approved (at 90%). She indicated the applicant has many of the same concerns. She reported the City Council would consider this request next week and the City would be entering into an MOU with the County. She commented a second MOU would also be put in place that should the project be delayed, the City can authorize the developer to install a temporary signal at the developer's cost.

**Chair Vijums** stated he believed this was a great development. He was eager to learn what grocer would be coming to the City of Arden Hills. He indicated he was not concerned about the parking. He agreed that the traffic signal was a must for this development. He requested further information regarding the proposed monument and wall signs.

**Planning Consultant Kansier** reviewed the size and scale of the proposed signs. She noted the monument sign would be 20 feet in height and would have 171 square feet of sign area. She commented the wall signs were a new flexibility. She reported in 2012, Cub Foods received approval of 800 square foot of signage on the site. She noted the applicant was requesting 532 square feet, which was significantly less than was approved for Cub Foods.

**Chair Vijums** asked why the applicant was nearly doubling the amount of signage on the property.

**Mr. Pommeroy** stated he was proposing to have three signs, two 90 square foot signs and one 180 square foot sign. He explained the 180 square foot sign would be above the main entry.

**Chair Vijums** commented going forward, the City should take a look at its sign code.

**Chair Vijums** opened the public hearing at 8:52 p.m.

**Chair Vijums** invited anyone for or against the application to come forward and make comment.

There being no comment Chair Vijums closed the public hearing at 8:52 p.m.

**Commissioner Lambeth** understood the applicant could not speak to who the future tenant would be. He asked if the applicant could confirm the site would not be occupied by Cub Foods, Target or Trader Joe's.

**Mr. Pommeroy** confirmed that the tenant would not be any of these businesses.

**Commissioner Wicklund moved and Commissioner Subramanian seconded a motion to recommend approval of Planning Case 21-004 for a PUD Amendment and Site Plan Review of Lexington Station III at 3787 Lexington Avenue based on the findings of fact and the submitted plans, as amended by the conditions in the April 7, 2021 Report to the Planning Commission. A roll call vote was taken. The motion carried unanimously (6-0).**

**D. Planning Case 21-006; 4073 Valentine Court – Variance Request to Allow a 3<sup>rd</sup> Stall Garage Addition – *Public Hearing Not Required***

**Planning Consultant Kansier** reported the notifications sent the adjacent property owners for this item had an improper meeting date. She stated the meeting date within the notification was May 5, 2021 versus April 7, 2021. She questioned how the Planning Commission wanted to proceed with this item. She noted a public hearing was not required for this item, but the notifications sent by the City were sent as a courtesy. She reported the Commission had several options. The first would be to table action on this time to May 5, 2021. A second option would be to make a recommendation on this item and direct staff to send out notices for the City Council meeting on April 26, 2021.

**Councilmember Holden** recommended the Planning Commission table action on this item to May 5, 2021.

**Chair Vijums** agreed the item should be tabled to allow for public comments.

**Chair Vijums moved and Commissioner Jones seconded a motion to table action on Planning Case 21-006 a Variance at 4073 Valentine Court to the May 5, 2021 Planning Commission meeting. A roll call vote was taken. The motion carried unanimously (6-0).**

**UNFINISHED AND NEW BUSINESS**

None.

**REPORTS**

**A. Report from the City Council**

**Councilmember Holden** provided the Commission with an update from the City Council. She indicated the City was contacted by Chic Fil A regarding the Perkins property. She noted the City

Council met with Chic Fil A to discuss a concept plan. She reported across from International Paper there was a vacant building that Grove Community Church was looking to purchase and renovate. She stated the bingo hall sold to a new owner that was seeking a liquor license. She discussed the road construction that would be completed in the community this summer. She thanked Community Developer Manager Mroska for all of his efforts on behalf of the City of Arden Hills and wished him all the best in his new position. She explained TCAAP was still being reviewed by the courts.

**B. Planning Commission Comments and Requests**

None.

**ADJOURN**

**Commissioner Jones moved, seconded by Commissioner Subramanian to adjourn the May 7, 2021, Planning Commission Meeting at 9:12 p.m. A roll call vote was taken. The motion carried unanimously (6-0).**