



Approved:

**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 Vjums 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 Vijums 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).