



Approved: April 12, 2021

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**CITY OF ARDEN HILLS, MINNESOTA  
CITY COUNCIL WORK SESSION  
MARCH 15, 2021  
5:00 P.M. - ARDEN HILLS CITY COUNCIL CHAMBERS**

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**CALL TO ORDER/ROLL CALL**

Pursuant to due call and notice thereof, Mayor Grant called to order the City Council Work Session at 5:00 p.m.

*Note: On March 20<sup>th</sup>, the Mayor signed a determination allowing Councilmembers to participate in City Council meetings via telephone pursuant to State Statute 13D.021*

**Present via telephone:** Mayor David Grant, Councilmembers Brenda Holden, Fran Holmes, Dave McClung and Steve Scott

**Absent:** None

**Also present:** City Administrator Dave Perrault, Interim Public Works Director David Swearingen, and Deputy City Clerk Jolene Trauba

**Also present via telephone:** Bolton & Menk Planning Consultants Jane Kansier and Corrin Bemis, HR Green Consultant Joe Vavrina, Chick-fil-A Principal Development Leader Justin Lurk, Boston Scientific Facilities Director Lorne Rothbauer, Boston Scientific Facility Engineer Jeff Hejl, Boston Scientific Environmental Health and Safety Specialists Nicole Lancaster and Sue Thompson, RSP Architects Project Managers John Larson and Joe Ford

**1. AGENDA ITEMS**

**A. Planning Case 21-003 – 3855 Lexington Ave N Redevelopment Concept Plan (Old Perkins Site)**

**Planning Consultant Bemis** stated that Chick-fil-A has submitted an application for Concept Plan Review, proposing to redevelop a 1.535-acre parcel located at 3855 Lexington Avenue. The Concept Plan Review process is an opportunity for the City Council to provide comments and have an informal discussion regarding the proposed site plan.

**Planning Consultant Bemis** said the applicant is proposing to raze the building and redevelop the site with a new single story approximately 5,000 square foot free-standing restaurant, dual

drive-thru facility with free-standing canopies, 50-stall parking lot, and associated utilities. The property is currently zoned B-3 (Service Business District), which permits restaurants with drive-thru facilities via a Conditional Use Permit. The applicant is looking for flexibility in a few areas. The City Code requires a total of 58 parking spaces for a restaurant use containing 116 indoor and outdoor seating spaces and the applicant is proposing a total of 50 parking spaces on the site. The applicant is also requesting flexibility on the drive-thru facilities, specifically of setback requirements for the two canopies proposed on the site. The applicant is proposing to install two free-standing canopies over the drive-thru lane: An order point canopy to be located north of the building, setback 14.7 feet from the property line; and an order meal delivery canopy to be located on the west side of the building, over the pick-up window, setback 2.3 feet from the property line. The Zoning Code requires accessory structures to be setback 10 feet from the property line in the B-3 District. The Zoning Code lists special requirements for drive-up facilities. One of these requirements states no drive-up facility shall be located within 1,320' of another facility. The nearest drive-up facility is the Starbucks, located to the south across Red Fox Road. The Zoning Code also requires any electronic devices, including loudspeakers, be located at least 50' from any lot line. The nearest order box on the west side of the site is located approximately 20' from the west property boundary. Finally, the applicant is requesting flexibility on landscaping. The parking and drive-thru lane on the east side of the property will be located approximately 11' from the property line. On the west side of the property, the drive thru lane is proposed to be located about 2.3' from the west lot line. The Zoning code requires a 20' setback from the front lot line and a 10' setback from the side lot line.

**Chick-fil-A Principal Development Leader Justin Lurk** said they are a family owned franchise business where franchisees are only awarded one location. Franchisees live in the community and their main priority is to have a great operation at their location. There are over 2,500 locations nationwide.

**Mr. Lurk** explained the two-lane drive-thru that continues as two lanes to the pick-up door.

**Councilmember Holden** stated her concern about the 2.3' setback from the property line. She wondered about a car jumping the curb and how they would handle snow plowing.

**Mr. Lurk** said they are requesting flexibility on that requirement and the 2.3' from the west property line is the distance to the edge of the drive-thru canopy, the columns are about 4.5' away from the property line, and the drive through lane is 5' from the property line.

**HR Green Consultant Joe Vavrina** added that from the property line to drive-thru lane is 5.5' because the curb is 6". Also, from the back of the Quality Inn property line to the curb is 6'.

**Mr. Lurk** stated that from the back of the curb line at the Quality Inn to the back of the curb line at the drive through will be about 9.5'.

**Planning Consultant Jane Kansier** shared an aerial of the property to further illustrate the property lines and distance from curbs.

**Mr. Vavrina** explained there are two areas to store snow, there will be a basin behind the building and another on the north side of the property.

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**Councilmember Holden** asked how they would stop the snow from going into the neighboring parking lot.

**Mr. Vavrina** explained they would start plowing on the outer edge and plow toward the building and the catch basin and not pushed out beyond the curb to the neighbor's property.

**Councilmember Holden** asked how much parking they need.

**Mr. Vavrina** expressed they would like to have more parking spaces but there isn't room for more.

**Councilmember Holden** stated she would like a sidewalk from the property line on the east to the property line on the west and an agreement with the Quality Inn that they would provide extra parking space if needed.

**Mr. Lurk** said they are proposing a sidewalk along Red Fox Road from Lexington to the property line and they are in discussions with the Quality Inn regarding a shared parking agreement.

**Councilmember Scott** asked if the edge of the current parking for the Perkins lot coincides with the drive-up lanes.

**Mr. Vavrina** responded that the drive thru lanes will be approximately 6' further to the east.

**Councilmember Scott** asked if the canopy would be lit but not on the outside edge, so the residents of the hotel wouldn't be exposed to any light pollution.

**Mr. Lurk** confirmed the lighting would be pointing down. And noted the new drive-thru design is in response to COVID-19 and dining rooms not being open. It's hard to predict what customers will do post COVID-19.

**Mayor Grant** asked about exterior building materials.

**Mr. Vavrina** said it will be brick on all four sides of the building, with 2 variations of brick color.

**Mayor Grant** asked if they would be asking for any variances for construction materials.

**Planning Consultant Bemis** replied that she didn't think so at this time but staff would have to look more closely as the application moves forward.

**Mayor Grant** wanted to know the setback of the building from the Lexington Avenue property line.

**Mr. Vavrina** responded that it will be 84' from the property line. The grade is steep from east to west and a preliminary grading plan shows the drive-thru lanes will work. They are also proposing to add a sidewalk on Red Fox Road.

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**Mr. Vavrina** explained further how snowplowing would be handled to bring snow to the stormwater management area north of the building. They will work with Rice Creek Water District on water quality, but they are reducing the amount of impervious that is there.

**Councilmember Holmes** wondered if the Quality Inn parking lot was part of the issue with the setbacks.

**Mr. Vavrina** responded yes, the hotel parking lot setback is at 5'6" so even in today's conditions they don't meet the setbacks.

**Councilmember Holmes** asked if they could flip the plans so the driveway was on the east side.

**Councilmember Scott** said the traffic can only go counter clockwise through the drive-thru in order to have the drivers on the correct side of the vehicle.

**Councilmember Holden** suggested they move the monument sign closer to Lexington Avenue for better visibility. She said she was opposed to have signage on the west side of the building because of the hotel and the small amount of traffic coming from that direction.

**Councilmember Holden** asked how many customers could be inside the building.

**Mr. Lurk** said there are 92 interior seats and 24 patio seats. A typical number is staff is 10-15 during the largest shift.

**Councilmember Holden** asked how they would control the sound from the drive-thru speakers.

**Mr. Lurk** said there would be landscaping between the order points and the property lines, and would clarify sound control at the next meeting.

**Mr. Lurk** noted their typical hours of operation are 6:30 am to 10 pm.

**Councilmember McClung** said he is concerned with the proposed order board facing the hotel. He wondered if they could shift the building to the east five feet to allow for a larger space between the order boards and the hotel.

**Mr. Lurk** mentioned that the real estate broker has been in discussions with the Quality Inn for shared parking and said they will contact the hotel owner to address his other concerns.

**Mayor Grant** asked if all the glass on the building would be transparent.

**Mr. Lurk** replied that the majority of the glass is transparent with the exception of the small windows near the back of the building where the kitchen will be located, they will be glazed glass.

**Councilmember Holmes** asked for clarification of the proposed canopy.

**Mr. Lurk** explained that during peak hours associates will be in the drive-thru lanes taking orders face to face under the canopy, giving the kitchen longer to prepare the food. During non-peak hours the customer would order from the order boards.

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**Mr. Lurk** noted the follow up items of signage, noise, consider moving the monument sign, distance between the Quality Inn and to discuss issues with the hotel owner. They will address as many as possible before the next meeting.

**Councilmember Scott** wondered if they would have a flag pole.

**Mr. Lurk** said yes, there will be a new flag pole on the property.

### **B. Boston Scientific JCF Resolution and Neighborhood Concerns**

**City Administrator Perrault** said at the March 8, 2021 City Council meeting Boston Scientific asked the Council to consider an application for their Job Creation Fund. Council also asked to discuss a letter from residents and address their concerns.

**Boston Scientific Facility Engineer Jeff Hejl** said he is the lead project manager for the Arden Hills Building 14 expansion. He stated they had a neighborhood review meeting on December 14, 2020.

**RSP Architects Project Manager John Larson** presented the information that was shown at the neighborhood meeting, including a map of the site and proposed expansion, explanation of the materials, equipment, landscape and tree preservation plan, artists' renderings and site photos.

**Councilmember Holden** wondered what trees would be take down.

**Mr. Hejl** stated buckthorn and one or two trees of substance will be taken out but replaced with more caliper inches than what is removed. Some trees will also be relocated.

**RSP Architects Project Manager and Joe Ford** added the range of trees being removed start at four caliper inches and go up to 14 caliper inches.

**Mr. Hjel** said they would like to respond to the letter received by the Council from Mr. Mills and other neighbors. The first concern was regarding noise. They are aware that there has been instances of garbage collection between 5:00 a.m. and 6:00 a.m., Boston Scientific has been in touch with the hauler and has started to physically block off the refuse containers between 5:00 p.m. and 7 a.m. A noise study was done in January 2021 in regard to HVAC equipment noise. Results indicated that noise levels did not exceed the night time noise limits. The argon and nitrogen gas storage delivery company has been contacted regarding delivery times and the gate will be locked during the same hours as refuse containers. In regard to previous noise studies, a study done 15 years ago did show they were above PCA levels but steps were taken to reduce the noise and they are in compliance now. They are working with a consultant to ensure the design of the new building stays within the limits.

**Councilmember Holmes** asked if the equipment could be at ground level instead of in the penthouse.

**Mr. Ford** said there were a number of constraints, one being the slope of the property. He didn't feel the sound trajectory would change being on the roof or the ground given the planned screening. Operationally the equipment works better being overhead.