



Approved: July 25, 2022

**CITY OF ARDEN HILLS, MINNESOTA
REGULAR CITY COUNCIL MEETING
JUNE 27, 2022
7:00 P.M. - ARDEN HILLS CITY COUNCIL CHAMBERS**

CALL TO ORDER/ROLL CALL

Pursuant to due call and notice thereof, Mayor David Grant called to order the regular City Council meeting at 7:00 p.m.

Present: Mayor David Grant, Councilmembers Brenda Holden, Fran Holmes, David Radziej, and Steve Scott

Absent: None

Also present: City Administrator Dave Perrault; Public Works Director/City Engineer David Swearingen; Finance Director Gayle Bauman; City Planner Jessica Jagoe; City Attorney Joel Jamnik; and City Clerk Julie Hanson

PLEDGE OF ALLEGIANCE

1. APPROVAL OF AGENDA

MOTION: Councilmember Holden moved and Councilmember Holmes seconded a motion to approve the meeting agenda as presented. The motion carried (5-0).

2. PUBLIC INQUIRIES/INFORMATIONAL

Kathryn Nelson, 3475 Siems Court, stated she has been a resident of Arden Hills for the past 36 years. She explained on February 2 she attended an open house via Zoom for the intersection of County Road E and Lake Johanna Boulevard. She expressed frustration around the lack of communication for the roundabout, as well as, the fact that it appears the County has already made their decision. She commented that she rarely sees congestion at the intersection, and pedestrian safety was important to her. She was of the opinion the four-way stop was working at this intersection. She commented further on her frustration with the entire planning process and questioned why the taxpayers were not included. She was of the opinion the County and the City were more concerned about capacity than the concerns of residents that live in this neighborhood. She discussed the grade changes at the intersection and noted roundabouts were not recommended in areas with a grade change of more than 4%.

3. RESPONSE TO PUBLIC INQUIRIES

None.

4. STAFF COMMENTS

A. Transportation Update

Public Works Director/City Engineer Swearingen reported Lexington Avenue remains closed to northbound traffic and was restricted to one lane southbound from I-694 to County Road E. He stated concrete paving of the northbound lanes began last Thursday and once the concrete has cured, traffic will be transitioned onto the new lanes. He commented further on the detours that were in place, noting this project would last until mid-July. Staff commented further on the water main replacement and elevation of the roadway.

Public Works Director/City Engineer Swearingen updated the Council on the MNDOT median cable barrier project on Highway 51 stating traffic was open to two lanes.

Public Works Director/City Engineer Swearingen explained the final paving for the City Hall parking lot occurred last Friday and striping will take place in the next couple of weeks.

Public Works Director/City Engineer Swearingen stated the Old Snelling street and utility improvements project was mostly complete, except for a few pedestrian ramps.

B. Night to Unite Update

City Clerk Hanson stated individuals interested in hosting a Night to Unite event are encouraged to register their gathering by Friday, July 15 in order to ensure a deputy visit. Events may also be visited by fire department personnel and community officials. The City also has information about Night to Unite, including the link for online registration, available on the website's main page under News and Announcements. She noted residents wishing to donate school supplies can bring items to their local neighborhood event or drop the items off at the Ramsey County Sheriff's Office located at 1411 Paul Kirkwold Drive.

C. Elections Update

City Clerk Hanson stated absentee/early voting for the August 9 Primary began Friday, June 24. She reported absentee/early in-person voting could be done at the Ramsey County Elections Office in St. Paul or the Ramsey County Library in Roseville. She explained ballots could also be requested via mail by contacting the Ramsey County Elections office. She encouraged residents with further questions to contact City Hall. She reported the City would have four seats on the November 8 general election ballot, the Mayor, two Council seats (four year terms) and one Council seat (two year term). She commented further on the filing period for the Council seats.

5. APPROVAL OF MINUTES

A. June 13, 2022, Regular City Council

MOTION: Councilmember Holden moved and Councilmember Holmes seconded a motion to approve the June 13, 2022, Regular City Council meeting minutes as presented. The motion carried (5-0).

6. CONSENT CALENDAR

- A. Motion to Approve Consent Agenda Item - Claims and Payroll
- B. Motion to Approve Resolution 2022-035 – Charitable Gambling License Renewals for Chops, Inc. Minnesota Fastpitch and Spring Lake Park Lions
- C. Motion to Approve Extension of Regular Leave without Pay for Arden Hills Employee
- D. Motion to Approve 2022 Street Maintenance Program – Public Works Costs
- E. Motion to Approve Public Works 2022 CIP Replacement Equipment Purchases
- F. Motion to Approve Purchase of Shelter/Shade Structures for Perry Park – Spring Lake Park Lions Donation

MOTION: Councilmember Holden moved and Councilmember Holmes seconded a motion to approve the Consent Calendar as presented and to authorize execution of all necessary documents contained therein. The motion carried (5-0).

7. PULLED CONSENT ITEMS

None.

8. PUBLIC HEARINGS

A. City Wide Speed Limit

John Morast, HR Green, stated Minnesota Statute 169.14 Speed Limits, Zones; Radar regulates highway and roadway speeds in Minnesota. Subdivision 2 sets maximum speed limits on a variety of roads within a Municipality, such as 10 mph in alleys, 30 mph in urban districts, and 25 mph on residential roadways, if adopted by the road authority. In August 2019, the Minnesota Legislature changed the Statutes governing speed limits on city streets. The changes allow cities to establish speed on roads under the City’s jurisdiction, other than the statutory limits, without conducting an engineering and traffic investigation. Any speed limit changes must be implemented in a consistent and understandable manner. “The city must erect appropriate signs to display the speed limit. A city that uses the authority under this subdivision must develop procedures to set speed limits based on the city’s safety, engineering, and traffic analysis. At a minimum, the safety, engineering, and traffic analysis must consider national urban speed limit guidance and studies, local traffic crashes, and methods to effectively communicate the change to the public.” City Council has discussed speed limit changes on various roads, and for a city-wide reduction on City owned and maintained streets, for a speed limit reduction from 30 MPH to 25 MPH.

Mayor Grant asked if Mr. Morast had gone through this process with other cities.

Mr. Morast explained he was going through this process with North Oaks and he has talked with many other cities about this process.

Mayor Grant commented the City of Minneapolis had already changed their speed limit to 20 miles per hour.

Councilmember Holmes stated most City streets had a residential speed limit of 30 MPH and the Council was proposing to reduce this to 25 MPH. She noted the speed along Lake Valentine Road and Old Snelling was still up for discussion.

Councilmember Holden asked if MSA roads could be subject to the City-wide speed limit change.

Mr. Morast reported MSA roadways would be subject to a City-wide speed limit change.

Mayor Grant explained County roads would not be within the purview of a speed limit change, which included County Road E, New Brighton Road and Lake Johanna Boulevard.

Mayor Grant opened the public hearing at 7:29 p.m.

Raymond Kreps, 1676 Chatham Avenue, reported he was a 42 year member of this community. He questioned why the City was considering a change. He was of the opinion a speed limit change on residential streets was not necessary at this time.

Noreen Tyler, 3200 Lake Lane, stated she opposed the speed limit change. She encouraged the City to spend this money to improve crosswalks in the community. She feared that a speed limit change would adversely impact minorities within the City.

Kurtis Weber, 4453 Old Highway 10, reported he fully supported lowering the speed limit across the City. He explained he worked for Hennepin County and he believed there had been a great response to lowering the speed limit in other communities. He commented further on the cost to replace speed limit signs within the City.

Mayor Grant noted for the record the City Council had received an email in support of lowering the speed limits to 25 MPH.

Mayor Grant closed the public hearing at 7:33 p.m.

B. Quarterly Special Assessments for Delinquent Utilities

Finance Director Bauman stated water customers whose accounts are 90 days past due were informed that the City intends to certify delinquent charges to Ramsey County to be collected with property taxes. These customers have the right to a hearing in front of the City Council to discuss this matter prior to certification. Staff requested the Council hold a public hearing for the quarterly special assessments for delinquent utilities.

Mayor Grant opened the public hearing at 7:34 p.m.

With no one coming forward to speak, Mayor Grant closed the public hearing at 7:35 p.m.

C. Planning Case 22-011 Amending Chapter 13 Sections 1320.085, Subd. 3, 1320.09, Subd. 3, 1320.10 Subd. 4 and 1325.04, Subd. 1.B (Drive Up Windows/Drive Lanes)

City Planner Jagoe stated at the April 18th work session, the City Council discussed possible topics that could be considered for holding a Joint Meeting with the Planning Commission. Reviewing potential topics in advance would allow planning staff an opportunity to research content and flexibility for scheduling the joint meeting at a later date based on planning case submissions. From this discussion, the Council decided that fences, drive-thru commercial districts and home occupation deliveries would be worked on by staff. Topics for a future joint meeting would be signage and infill ordinances. Staff was directed to bring forward the proposed ordinance to the Planning Commission for the first review and to hold a public hearing. Following the public hearing, the draft ordinance language with recommendation of the Planning Commission would be brought to the City Council for subsequent discussion and adoption.

City Planner Jagoe provided an overview of the Ordinance Amendment stating staff has prepared a draft ordinance showing language to be removed and added in red font for your review. The general consensus of the Council was that the consumer preference for drive-up, drive-thru, and curbside pickup for restaurants and retail markets has changed dramatically over the past couple of years. The City in a number of instances has approved flexibility to the city code requirements for proximity to other establishments under the Planned Unit Development process to allow drive-thru windows and businesses within a closer distance of each other. Therefore, the Council directed the review of our current ordinance language which requires a separation of 1,320 feet (i.e. 0.25 miles) between these types of businesses. Staff commented further on the proposed ordinance amendment and requested the Council hold a public hearing.

Councilmember Holden reported this change would update City Code to allow all businesses consideration of a drive-thru window, as was done during COVID.

City Planner Jagoe reported this was the case.

Mayor Grant commented on how many businesses have transitioned to drive-up windows during and post COVID.

Mayor Grant opened the public hearing at 7:39 p.m.

With no one coming forward to speak, Mayor Grant closed the public hearing at 7:40 p.m.

D. Planning Case 22-009 2040 Comprehensive Plan Amendments (1700 West Highway 96 – Trident Development)

City Planner Jagoe stated at their February 22, 2022 meeting, the City Council reviewed a concept plan from Trident Development for the development of the northwest corner of the North Heights Lutheran Church property at 1700 Highway 96 W. Trident Development was proposing a 115-125 unit senior apartment development (apartments only, the proposed will not have an

assisted living or memory care component). The Applicant indicated their intention would be to subdivide and purchase approximately 10.27 acres in the northwest corner of the Subject Property. In preparation for the February 22, 2022 meeting, the Developer had held a neighborhood meeting to garner resident feedback. At the meeting, residents voiced concerns regarding traffic, additional park demand, and noise concerns.

City Planner Jagoe explained for a residential project to be feasible on the site, Trident would need to amend the Comprehensive Plan. This Planning Case is only focused on the Comprehensive Plan Amendments and a proposed project for this property would come forward at a future meeting for review. At this stage, the City is being asked to amend the vision for future growth and development for this property. The Comprehensive Plan is the planning tool that guides the future development of land irrespective of a specific project.

City Planner Jagoe reported following the review of the proposed Comprehensive Plan Amendments, the Applicant will be required to submit another land use application for the development approvals. Based on the concept review plans, staff believes a future land use application for a proposed project would require the following land use requests:

- Preliminary Plat and Final Plat for Subdivision
- Vacation of Easements (i.e. drainage/wetland)
- Rezoning of the development site from B-1, Limited Business and R-1 – Single-Family Residential District to R-4 – Multiple Dwelling District
- Conditional Use Permit for Multiple Family Dwelling in the R-4 District
- Master and Final Planned Unit Development

City Planner Jagoe commented further on the Comprehensive Plan requirements, along with the application review process and recommended the Council hold a public hearing.

Councilmember Holden stated she was struggling with this request because the City Council did not have a clear understanding of what would be going onto this property. She explained without knowing where the new building would be placed and how many trees would be lost, she was having a difficult time supporting the proposed comprehensive plan amendments. She asked if the entire parking lot on the site would be changed.

City Planner Jagoe reviewed the proposed area that would be changed to high density residential as the future land use designation under the Comprehensive Plan.

Councilmember Holden recalled North Heights Church had requested to build dorms in the past and asked if the senior housing proposal would help the church survive. She explained she lived near Presbyterian Homes and stated after the expansion she did not see an increase in traffic. She questioned what defined neighborhood character.

City Planner Jagoe stated she did not have a specific definition, but anticipated this was defined by building materials, the design of a building, similar residential use, and landscaping.

City Attorney Jamnik commented on the subjective determination and the mix of properties in this area. He discussed the potential uses for this site noting the Council does not have a specific

request before them to consider. He reported the Council was considering the long-term vision for this area with the surrounding uses being neighborhood and a church.

Mayor Grant discussed how difficult it would be for the Council to separate the two, the request before the Council for the Comprehensive Plan Amendments, and the future plans for the site (potential senior housing project).

Councilmember Scott asked if the 10.7 acres being requested for rezoning would remain tax exempt.

City Planner Jagoe stated the zoning of the property was not being considered this evening. She explained this would come with a future application and if the land use were to change this would be evaluated by Ramsey County.

Mayor Grant commented on the uses that were allowed within the Institutional zoning district.

Mayor Grant opened the public hearing at 8:04 p.m.

Roger Fink, Trident Development, stated he was a representative for the applicant. He thanked the Council for considering his request. He understood it was difficult to act on this request without knowing what come to the City in the future. He discussed his concept plans noting Trident was under contract with the church to acquire this site. He reported the conceptual plans include a three story, 124-unit senior living building with an underground parking lot. He indicated this plan remains consistent. He stated the Comprehensive Plan Amendment was the first step in the application process. He indicated as part of the site improvements he would be resurfacing and restriping both the churches parking lot and the new senior living parking lot. He explained there was a growing need for independent senior housing in Arden Hills. He believed this was a perfect location for this concept. He indicated Trident Development would be the owner of this property so that tax status would change. He thanked staff for providing the Council with a detailed staff report and noted his application could be modified to show a land use change only on the land the senior housing project was on and not the entire North Heights property.

John Oldfield, North Heights Church, commented on the concern the Planning Commission raised regarding the tree loss. He noted he shared this concern. He reported he has had volunteers plant over 700 trees on the North Heights campus over the past year in order to maintain the beauty of the property. He reported at the last special meeting of the church 86% of the members voted in favor to support the selling the property for this development. In addition, over 70 members have expressed an interest in renting units in this building. He indicated North Heights has had a long term goal of owning high density residential property and would like to have a first right of refusal on the Trident senior housing.

TJ Anderson, senior pastor at North Heights Church, explained North Heights has been committed to the care and support of the community. He stated as the population ages, the church was considering how to care for the physical, spiritual, mental and emotional needs of the elderly. He believed it was important to address the changing demographics in Arden Hills. He discussed the Young at Heart ministry within North Heights Church, which was a group that was working to address the needs of the 55+ community. He commented on how this population was often

overlooked, isolated and disconnected. He noted he had staff members and many volunteers committed to work with the aging population. He was excited about the opportunity to move forward with the proposed project.

Kurtis Weber, 4453 Old Highway 10, indicated the applicant has now testified what they intend to do on this property. He stated he served on the Planning Commission, but noted he was speaking as a resident that lives near the subject property. He reported at the Planning Commission meeting Trident discussed how important it was to have support from the neighborhood. However, after hearing much resistance from the neighbors and a recommendation for denial from the Planning Commission, Trident has opted to move the request forward. He explained this indicates to him that neither North Heights Church or Trident Development are concerned with what the neighborhood thinks, if they believe the Council will offer support. He commented he received 28 signatures from his neighbors that do not support the proposed Comprehensive Plan Amendment. He then read a letter in full for the record stating his reasons for not supporting this request. He encouraged the Council to consider the number of neighbors that oppose this request and deny the Comprehensive Plan Amendment application.

Gunnar Unger, 1700 Highway 96, stated he was a representative of North Heights Church. He understood the neighbors had with this development but noted the property had a large buffer to the east, roadways to the west and no residents to the north. He believed the impact to the neighbors was quite small given the distance these neighbors were from the proposed project. He commented on the traffic impact, stating he believed it would be minimal because seniors did their traveling throughout the day and would not surge during the AM and PM peak traffic times.

Ryan Jenner, 1555 McClung, indicated he believed this project would adversely impact the neighborhood in many ways. He stated there was already increased traffic along McClung and Colleen from the church because this was the route to Hamline Avenue. He reported the lack of a plan for direct access to Highway 96 was concerning to him. He believed this area was not feasible for high-density residential given the poor access to the site. He discussed how the TCAAP site would provide senior housing and recommended the North Heights Church property not be reguided for high density residential. He noted his wife was a realtor and it was his understanding the community needed more single family homes. He suggested single family homes be considered for this property and not high density residential. He feared that the community was building too many senior housing units at this time and they would all turn into low income housing in the future. He reported he was not against low income housing, but rather was against all of the traffic that would come with the new senior housing development and how it would change the character of the neighborhood. He believed that making this change without detailed plans was indefensible.

Jim Ostlund, 1576 Royal Hills Drive, indicated he has lived in his home for 30+ years. He noted this is the third or fourth proposal that came from North Heights Church. He was of the opinion this was the best proposal to come forward. He understood North Heights wanted to develop the northwest corner. He explained he worked in banking and he understood development came with increased traffic. He recommended additional buffering be put in place and encouraged the Council to put a lot of conditions in place with the PUD.

Luke Hemken, 4444 Snelling Avenue North, stated he supported his neighbors and implored the Council to hear the concerns of the neighbors, noting the majority was not in support of this.

Noreen Tyler, 3200 Lake Lane, explained she does not live near the project area. She understood the developer and the church wants to get the zoning change so their plans can move forward. She did not understand why the Council should change the zoning without having plans in place. She commented after viewing Trident Development’s website she believed their plans were boring and bland.

Mayor Grant closed the public hearing at 8:29 p.m.

9. NEW BUSINESS

A. Resolution 2022-036 Adopting and Confirming Quarterly Special Assessments for Delinquent Utilities

Mayor Grant noted the presentation was previously given by Director Bauman and noted it was a quarterly item the Council considered.

MOTION: Councilmember Holden moved and Councilmember Holmes seconded a motion to adopt Resolution #2022-036 – Adopting and Confirming Quarterly Special Assessments for Delinquent Utilities to Ramsey County. The motion carried (5-0).

B. Ordinance 2022-004 Amending Chapter 13 Sections 1320.085, Subd. 3, 1320.09, Subd. 3, 1320.10 Subd. 4, and 1325.04, Subd. 1.B – Planning Case 22-011 (Drive Up Window/Drive Lanes) and Authorization for Publication of Summary Ordinance

City Planner Jagoe stated the City Council was asked to hold the required public hearing for Planning Case 22-011 under Agenda Item 8C. A full evaluation of the proposed amendment and supporting documents are included in the staff report under Agenda Item 8C. The remainder of this memo focuses on the requested approvals, findings of fact and the staff recommended options and motion language. Staff offered the following Findings of Fact for the Council’s consideration:

1. The City of Arden Hills is proposing to amend ordinance language to allow the City Council to add conditions of approval for uses with drive-up windows and drive lanes through a Planned Unit Development.
2. The proposed ordinance will include amendments to the language of Chapter 13 – Zoning Code of the City Code.
3. Amendments to the Zoning Code regulations require a public hearing prior to action by the City Council.
4. The Planning Commission conducted a public hearing on June 8, 2022.

City Planner Jagoe reported the Planning Commission reviewed this matter at their June 8, 2022 meeting and recommended approval of Planning Case 22-011 for a Zoning Code Amendments in

Sections 1320.085 - Subd. 3, 1320.09 - Subd. 3, 1320.10 – Subd. 4, 1325.04 – Subd. 1.B of the Arden Hills City Code for the business zoning districts that would amend language requiring a distance of separation between drive-up businesses by a 6-0 vote.

MOTION: Councilmember Holden moved and Councilmember Radziej seconded a motion to adopt Ordinance 2022-004 and authorize publication of a summary ordinance for Planning Case 22-011 for Zoning Code Amendments in Sections 1320.085 - Subd. 3, 1320.09 - Subd. 3, 1320.10 – Subd. 4, 1325.04 – Subd. 1.B of the Arden Hills City Code for the business zoning districts to remove the requirement for a distance of separation between drive-up businesses, and allows the City Council to add conditions for approval of uses with drive-up windows and drive lanes based on the findings of fact and the June 27, 2022 Report to the City Council.

Councilmember Scott commented he brought this item forward to the City Council and stated he was pleased this Ordinance was being approved as it would allow greater flexibility for businesses with drive-thrus or drive-up windows.

The motion carried (5-0).

C. 2040 Comprehensive Plan Amendments – Planning Case 22-009 (1700 West Highway 96 – Trident Development)

City Planner Jagoe stated at the February 22, 2022 meeting, the City Council reviewed a concept plan from Trident Development for the development of the northwest corner of the North Heights Lutheran Church property at 1700 Highway 96 W. Trident Development was proposing a 115-125 unit senior apartment development (apartments only, the proposed will not have an assisted living or memory care component). The Applicant indicated their intention would be to subdivide and purchase approximately 10.27 acres in the northwest corner of the Subject Property. For a residential project to be feasible on the site, Trident would need to amend the Comprehensive Plan. This Planning Case is only focused on the Comprehensive Plan Amendments and a proposed project for this property would come forward at a future meeting for review. At this stage, the City is being asked to amend the vision for future growth and development for this property. The Comprehensive Plan is the planning tool that guides the future development of land irrespective of a specific project

City Planner Jagoe explained the City Council must make a finding as to whether or not the proposed application would adversely affect the surrounding neighborhood or the community as a whole based on the aforementioned factors. At their June 8, 2022 meeting, the Planning Commission held a public hearing and voted to recommend denial of Planning Case 22-009. The Planning Commission had concerns with traffic, access, noise, neighborhood character, and the potential for additional high density units in this neighborhood. The Planning Commission was presented with the following findings of fact for City Council consideration:

1. The Arden Hills 2040 Comprehensive Plan designates the future land use for the Subject Property as P/I, Public and Institutional.

2. The Applicant has requested a Comprehensive Plan Map Amendment to change the future land use designation of approximately 10.75 acres in the northwest corner of the Subject Property to HDR, High Density Residential.
3. The 30 +/- acres of developed land on the Subject Property would remain guided as P/I, Public and Institutional.
4. The Applicant has requested a Comprehensive Plan Text Amendment to modify the boundaries described in existing language of Chapter 6 to include the Subject Property.
5. The proposed text amendment incorporates a defined area of land west of Snelling Avenue North to existing Comprehensive Plan language that allows an increase in the maximum density as part of a Planned Unit Development.
6. The applicant represented the application is not anticipated to create a negative impact on the immediate area or the community as a whole.
7. The purpose of the Comprehensive Plan is to establish the policies that guide the future physical and community development of Arden Hills.
8. The Metropolitan Council has previously approved similar amendments adding language supporting increasing the densities above the maximum permitted in a specific land use district.
9. The proposed map and text amendments have been discussed with the Metropolitan Council.

City Planner Jagoe reported the Planning Commission reviewed this application at their June 8, 2022, meeting. At that time, the Commission recommended denial of Planning Case 22-009 for two amendments to Chapter 6, Land Use of the Arden Hills 2040 Comprehensive Plan by a 5-1 vote.

Councilmember Holden asked when the City would be able to address the right-in, right-out from the church in order to address the traffic concerns from the neighbors.

City Attorney Jannik reported this would be addressed with the PUD application and site plan approval. He stated from a traffic management standpoint, this was very difficult to regulate.

Councilmember Holden explained the Council had to ensure the community was well served, while taking into consideration the concerns of the neighbors. She commented on the previous proposals from North Heights Church, one that included a large number of townhouses.

Councilmember Holmes stated she was not struggling with this request. She reported the Council held a worksession and discussed the proposed Trident Development. In addition, a neighborhood meeting was held. She understood not all of the details have been worked out, but the Council has a good idea what would be constructed. She indicated this plan would not be coming before the Council unless Trident had a plan in place. She was of the opinion this was the first step in moving this development forward and she supported this application moving forward.

Mayor Grant asked if an agreement was in place between Trident Development and North Heights Church.

Roger Fink, Trident Development, explained he had a written agreement with North Heights to purchase the proposed tract of land once it is subdivided.

Councilmember Holden stated she recalled the development would have 105 units.

City Planner Jagoe reported the developers concept plan had a range of units and noted the developer was proposing to have 124 units. She indicated high density residential allows for nine to twelve units per acre. She noted the number of units had been reduced to 124 in order to account for the land that was designated as wetlands.

Mr. Fink stated the original plan was to purchase 10.27 acres and this was renegotiated in order to accommodate the wetlands and stormwater on the site. Trident was now requesting to purchase 10.75 acres of land in order to accommodate 12+ units per acre. He anticipated the request that would come to the Council would be about 14 units per acre, when all of the wetlands and stormwater land was removed from the property.

Mayor Grant requested staff speak to the history of this property.

City Planner Jagoe provided a detailed history of this property. It was noted the site was guided for Public and Institutional in 1998.

Mayor Grant reported this property was bordered by Highway 10 and Highway 96 and two churches, which made it a difficult property to develop.

Councilmember Scott explained he lived in the Briarknoll neighborhood and he agreed this was the best option to come to the City thus far. He indicated he would be supporting the comprehensive plan amendment because it gives the City additional flexibility in the future.

MOTION: **Councilmember Holmes moved and Councilmember Holden seconded a motion to approve Planning Case 22-009 for a Future Land Use Map and Chapter 6 Text Amendments to the 2040 Comprehensive Plan at 1700 Highway 96 West, based on the findings of fact and the report submitted to the City Council on June 27, 2022, and direct the City Attorney to prepare a Resolution.**

Mayor Grant encouraged Trident Development to work carefully with the community on this project. He stated he would be supporting the Comprehensive Plan Amendment. He then asked staff to complete a roll call vote for this item.

Councilmember Holden noted she would not be supporting this request. She stated she did not support 14+ units per acre on this property and she could not support this moving forward until she knew what the plan was.

A roll call vote was taken. The motion to approve Planning Case 22-009 for a Future Land Use Map and Chapter 6 Text Amendments to the 2040 Comprehensive Plan at 1700 Highway 96 West, based on the findings of fact and the report submitted to the City Council on June 27, 2022, carried 4-1 (Councilmember Holden opposed).

D. Resolution 2022-037 Variance - 4073 Valentine Court – Planning Case 22-008

City Planner Jagoe stated 4073 Valentine Court, the Subject Property, is zoning R-1, Single Family Residential District. It is designated for Low Density Residential in the 2040 Comprehensive Land Use Plan. The subject property is the site of a single-family dwelling owned by the Applicant. All surrounding parcels are also zoned R-1, Single Family Residential District and designated for Low Density Residential Uses in the Lane Use Plan. The Subject Property is a legal non-conforming lot. The current structure is located approximately 20 feet from the side yard property line and today's minimum side yard setback on a corner lot is 40 feet.

City Planner Jagoe reviewed the Site Data, Plan Evaluation and offered the following Findings of Fact:

1. The odd and unusual shape of the lot and topography are unique characteristics of the Subject Property, and those factors restrict alternative options for increased accessory storage.
2. There is limited ability to extend the existing driveway to a detached structure in another location, and single family residential properties are limited to one driveway access per property so a second driveway access would not be permitted off of Valentine Avenue.
3. The garage addition will not impede sight lines or obstruct the clear vision area from the roadways.
4. This is a legal nonconforming lot that was developed in 1953 at which time City Code allowed a 10 foot side yard setback. The scope or scale of the variance request is to locate the proposed garage at a 7.82 foot setback.

City Planner Jagoe reported the Planning Commission reviewed this application at their June 8, 2022, meeting. At that time, they recommended approval with conditions of Planning Case 22-008 to decrease the required side yard setback from 40 feet to 7.82 feet from the northwest side yard property line at 4073 Valentine Court by a 6-0 vote.

Councilmember Holden asked if any of the pine trees would be removed.

City Planner Jagoe stated the applicant has not stated that any of the pine trees within the right of way would be removed as part of this application.

MOTION: **Councilmember Holden moved and Councilmember Radziej seconded a motion to adopt Resolution 2022-037, approving Planning Case 22-008, for a Variance at 4073 Valentine Court as presented in the June 27, 2022 Report to the City Council as amended by the conditions as recommended by staff.**

Councilmember Holden requested further information regarding the setback.

City Planner Jagoe reviewed the garage placement and the proposed setbacks for the property if the garage were constructed.

Councilmember Holmes stated she was not in support of this variance. She indicated she did not believe a three car garage was a must in Arden Hills and noted the Council has denied other variances requests for three car garages.

Mayor Grant was of the opinion this was a unique request because the property owner had a 20 foot buffer in the side yard. While he did not like expanding legal non-conforming uses, he was willing to make an exception with this case.

Councilmember Scott commented the last time this variance came before the Council he supported the request, along with the late Councilmember McClung. He stated this property had a great deal of cover, noted the garage would be well screened and the neighbors generally supported the request. For this reason, he would be supporting the variance request.

The motion to adopt Resolution 2022-037, approving Planning Case 22-008, for a Variance at 4073 Valentine Court as presented in the June 27, 2022 Report to the City Council as amended by the conditions as recommended by staff carried 4-1 (Councilmember Holmes opposed).

10. UNFINISHED BUSINESS

None.

11. COUNCIL COMMENTS

Councilmember Radziej noted he attended the State Farm Open House and he wished Samantha Ferrell all the best with her new agency.

Councilmember Radziej wished everyone a safe and happy 4th of July weekend.

Councilmember Scott reported he attended the PTRC's park tour last week where the group visited Hazelnut, Sampson and Floral Parks. He noted the PTRC has vacancies and is looking for additional volunteers.

Councilmember Holmes noted the Council received an email from a resident concerning the City's lack of a sound ordinance. She supported the Council improving its noise ordinance in order to address this concern.

Councilmember Holden thanked Public Works for spraying the tennis courts.

Councilmember Holden noted she attended the League of Minnesota Cities conference last week. She encouraged the City to consider using QR codes on future street improvement projects.

Councilmember Holden asked if the Council would be interested in considering a sound wall near Glenhill at Snelling Avenue, near Johanna Marsh.

Mayor Grant supported this matter being placed on a future work session agenda.

Mayor Grant reported Ramsey County would be hosting an Open House on July 7 regarding the design of the trail on Lake Johanna Boulevard. The meeting will be held at City Hall.

Mayor Grant commented he attended the State Farm ribbon cutting and grand opening.

Mayor Grant indicated he received a notice from Ramsey County regarding the household hazardous waste events that would be held on Fridays and Saturdays in July.

Mayor Grant reported staff tagged a number of trees along Highway 96 that are set to be removed. He asked staff to double check these trees to ensure they should be removed as some of the trees appeared to be healthy.

ADJOURN

MOTION: Councilmember Holden moved and Councilmember Holmes seconded a motion to adjourn. The motion carried (5-0).

Mayor Grant adjourned the Regular City Council Meeting at 9:22 p.m.

Julie Hanson
City Clerk

David Grant
Mayor