



DRAFT

Approved: August 22, 2022

**CITY OF ARDEN HILLS, MINNESOTA
REGULAR CITY COUNCIL MEETING
JULY 25, 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; Community Development Director 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

None.

3. RESPONSE TO PUBLIC INQUIRIES

None.

4. STAFF COMMENTS

A. Transportation Update

Public Works Director Swearingen reported paving on the northbound lanes of Lexington Avenue was now complete and this week crews would be finishing up the utilities on the east

side. He encouraged residents to visit the Ramsey County project page for up to date information regarding this project.

Public Works Director Swearingen stated the initial paving course has been laid for the Old Snelling improvements project. He explained construction in this area was still active and encouraged vehicles to use caution when traveling through this area.

Public Works Director Swearingen explained the Arden Oaks Street Improvement project was underway and reclamation work was being completed at this time.

B. Night to Unite Update

City Clerk Hanson stated Night to Unite would be held on Tuesday, August 2, 2022. She reported to date the City has 20 registered events. She noted street barricades could be requested by contacting City Hall.

C. Elections Update

City Clerk Hanson stated absentee voting for the August 9 primary continues. She encouraged residents to return their mail in ballots as soon as possible. She explained residents could cast their ballots in person in which they mark their ballot and place the ballot directly in the ballot machine themselves from Tuesday, August 2 through Monday, August 8 at two different locations. These locations are the Ramsey County Elections Office in St. Paul or the Ramsey County Library in Roseville. She reported Arden Hills has four Council seats on the November ballot and noted the filing period was August 2 through August 16 with a filing fee was \$2.

5. APPROVAL OF MINUTES

- A. June 27, 2022, Regular City Council
- B. July 11, 2022, Special City Council Work Session
- C. July 11, 2022, Regular City Council

Councilmember Holmes stated she had a minor correction to the June 27 Regular City Council minutes on Page 13 at the bottom of the page and this correction was provided to the City Clerk.

MOTION: **Councilmember Holden moved and Councilmember Radziej seconded a motion to approve the June 27, 2022, Regular City Council meeting minutes as amended, and the July 11, 2022, Special City Council Work Session minutes and July 11, 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 2022 2nd Quarter Financials
- C. Motion to Approve Transfer Fund Balance from General Fund to PIR Capital Fund

- D. Motion to Approve Quote for Replacement of Control Panel – Lift Station No. 14
- E. Motion to Approve Payment No. 2 – T.A. Schifsky & Sons, Inc. – Snelling Avenue North Street and Utility Improvements Project
- F. Motion to Approve Payment of Invoice for Watermain Break on Parkshore Drive – St. Paul Utilities
- G. Motion to Approve Appointment of Community Development Director

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. **Planning Case 2022-012 – Preliminary Plat, Final Plat, Master Planned Unit Development, Final Planned Unit Development, Conditional Use Permit and Site Plan Review – 3737 Lexington Avenue N and 1133 Grey Fox Road – Launch Properties**

Community Development Director Jagoe stated Launch Properties (“Applicant”) is requesting a Preliminary Plat, Final Plat, Master Planned Unit Development, Final Planned Unit Development, Conditional Use Permit, and Site Plan Review for a proposed project on 3737 Lexington Avenue N. and 1133 Grey Fox Road (“Subject Property”). The Property is currently owned by STORE Master Funding III, LLC. The site is currently developed as a vacant industrial building with an associated parking lot. This area includes Red Fox and Grey Fox roads and is bounded by Lexington Avenue, Highway 51, Interstate 694, and the Canadian Pacific railway. This area is used by a number of small and large businesses for a variety of retail, manufacturing, distribution, warehousing, and office uses. This area was largely developed between the 1950’s and 1970’s, though the retail area along Lexington Avenue has had some new development and redevelopment in the last 15 years. This area is marked as an area of possible redevelopment in 2040.

Community Development Director Jagoe reviewed the Plan Evaluation, Design Standards and Conditional Use Permit requirements in further detail and recommended the Council hold a public hearing.

Councilmember Holden asked why the City would be getting another car wash when there were three car washes already in the area.

Community Development Director Jagoe explained City Code does allow for this use in the B-3 zoning district as a conditional use. She stated the City does not put restrictions on the number of car washes.

Councilmember Holmes indicated she was concerned about the traffic flow given the fact the site would have two drive thru.

Community Development Director Jagoe discussed how traffic would flow through the site for both Panera and the car wash.

Councilmember Holmes stated she had concerns regarding the amount of parking onsite for the car wash.

Community Development Director Jagoe indicated the car wash would have 10 parking spaces. She commented further on how there would be shared parking throughout the site.

Councilmember Scott recalled that Mr. Car Wash was included in the previous plans for this site and the car wash vendor was now Rocket Car Wash.

Community Development Director Jagoe explained the applicant indicated that Mister Car Wash following the concept review was going to require additional flexibilities and the applicant made the determination to work instead with Rocket Car Wash on this site.

Councilmember Holden questioned what type of screening was in place for the vacuums at the car wash.

Community Development Director Jagoe stated there was no proposed screening for the vacuums.

Councilmember Holden asked what the park dedication fee would be for this lot split.

Community Development Director Jagoe reported she did not calculate a park dedication fee based on City Ordinance, but rather the Planning Commission recommended the fee be equal to the cost for the sidewalk along Lexington Avenue.

Councilmember Holden inquired if water utilities would be completed under the new sidewalk.

Public Works Director/City Engineer Swearingen reported new water utilities would be extended below the sidewalk.

Mayor Grant questioned if the snow storage areas were the same areas that were proposed for landscaping.

Community Development Director Jagoe reported this was the case.

Councilmember Holden recommended routine maintenance be required on the vacuums to ensure they are operating properly.

Councilmember Holmes asked what flexibility for signage was given to the Lexington Station Phase III grocery store.

Community Development Director Jagoe indicated this development was granted flexibility for two wall signs 90 square feet and one wall sign at 180 square feet.

Further discussion ensued regarding the proposed signage for this development.

Mayor Grant opened the public hearing at 7:46 p.m.

With no one coming forward to speak, Mayor Grant closed the public hearing at 7:47 p.m.

9. NEW BUSINESS

A. **Planning Case 22-012 - Preliminary Plat, Final Plat, Master Planned Unit Development, Final Planned Unit Development, Conditional Use Permit (Resolution 2022-039 and Resolution 2022-040) and Site Plan Review – 3737 Lexington Avenue N and 1133 Grey Fox Road – Launch Properties**

Community Development Director Jagoe stated the Applicant has submitted a land use application for Preliminary Plat, Final Plat, Master Planned Unit Development, Final Planned Unit Development, Conditional Use Permit, and Site Plan Review, proposing to redevelop a 2.48-acre site located at 3737 Lexington Avenue N. and 1133 Grey Fox Road. The site is currently developed with a vacant industrial building and associated parking lot. The applicant is proposing to demolish the existing building and redevelop the site. Lot 1 would be for a new +/- 4,900 square foot drive-through car wash for Rocket Car Wash. Lot Page 2 of 6 2 would be a multi-tenant building with a +/- 8,950 square foot building developed for Panera (~3,500 square feet), Pacific Dental (~3,000 square feet), and Bank of America (~2,200 square feet). The Subject Property would remain two lots and function as a single entity with shared site operations such as parking, access, snow removal, etc. as part of the Planned Unit Development (PUD).

Community Development Director Jagoe discussed the requested PUD and CUP in further detail with the Council and offered the following Findings of Fact:

1. The property located at 3737 Lexington Avenue N. and 1133 Grey Fox Road is designated for Commercial uses on the 2040 Comprehensive Plan.
2. New building construction or site modification identified requires the submittal of a Site Plan Review application prior to construction.
3. For proposals for new construction, redevelopment of a site, and significant modifications to existing sites a PUD is required.
4. The PUD process allows for flexibility within the City's regulations through a negotiated process with a Developer.
5. The Applicant has proposed a Master and Final Planned Unit Development in order to develop the property with shared access, parking, and maintenance between the two parcels.
6. The Master and Final Planned Unit Development generally conforms to the requirements of the City Zoning Code and design standards.
7. Where the plan is not in conformance with the City Code, flexibility has been requested by the Applicant.

8. Flexibility through the PUD process has been requested in the following areas: building positioning, building materials, transparency, drive-through facilities, and wall signage.
9. A public hearing for a Preliminary Plat, Final Plat, Master Planned Unit Development, Final Planned Unit Development, and Conditional Use Permit request is required before the request can be brought before the City Council.
10. The Planning Commission conducted a public hearing on July 6, 2022.

Community Development Director Jagoe reported the Planning Commission reviewed this application at their July 6, 2022 meeting. At that time, they recommended approval of Planning Case 22-012 and Resolution 2022-039 and Resolution 2022-040 for a Preliminary Plat, Final Plat, Master Planned Unit Development, Final Planned Unit Development, Conditional Use Permit, and Site Plan Review at 3737 Lexington Avenue N. and 1133 Grey Fox Road, based on the findings of fact and the submitted plans, as amended by the conditions in the July 25, 2022 Report to the City Council:

1. The project shall be completed in accordance with the submitted plans 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.
2. The Master and Final Planned Unit Development approval shall expire one year from the date of City Council approval unless a building permit has been requested or a time extension has been granted by the City Council. The City Council may extend the expiration date of such approval upon written application by the person to whom the approval was granted.
3. A violation of any condition set forth in the permit shall be a violation of this Code, and shall be cause for revocation of the permit.
4. A Master and Final PUD Development Agreement shall be prepared by the City Attorney and subject to City Council approval. The Master and Final PUD Development Agreement shall be fully executed prior to the issuance of building permits.
5. The applicant shall file the Final Plat with Ramsey County within 180 days of the approval from the City.
6. 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. For any landscaping that is not in accordance with the approved landscaping plan at the end of two growing seasons, the Developer shall replace the material to the satisfaction of the City before the guarantee is released. Where this is not done, the City, at its sole discretion, may use the proceeds of the performance guarantee to accomplish performance.
7. 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, MnDOT and Ramsey County prior to the start of any site activities.

8. Prior to the issuance of a grading permit, all items identified in the June 20, 2022 Engineering Division memo shall be addressed. All comments shall be adopted herein by reference.
9. The final plans shall be subject to approval by the City Engineer, Building Official, and Fire Marshal prior to the issuance of a grading and erosion control permit.
10. Final grading, drainage, utility, and site plans shall be subject to approval by the Public Works Director, City Engineer, and City Planner prior to the issuance of a grading and erosion control permit or other development permits.
11. Upon completion of grading and utility work on the site, a grading as-built and utility as-built shall be provided to the City for review.
12. 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.
13. 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. Temporary stormwater facilities shall be installed to protect the quality aspect of the proposed and existing stormwater facilities prior to and during construction activities. Maintenance of any and all temporary stormwater facilities shall be the responsibility of the Applicant.
14. A right-of-way permit shall be required for work performed within the City right-of-way.
15. 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.
16. All rooftop or ground mounted mechanical equipment shall be hidden from view with the same materials used on the building in accordance with City Code requirements.
17. A separate sign permit shall be required for all signs on the site.
18. Any future trash enclosures shall utilize wooden gates and be constructed on three sides using the same materials and patterns used on the building. Locations shall be approved by the Planning Department.
19. The Applicant shall be financially responsible for all applicable water and sanitary charges. Rates applied shall be memorialized in the Development Agreement.
20. All disturbed boulevards shall be restored with sod. All areas of the site, where practical, shall be sodded or seeded and maintained. The property owner shall mow and maintain all site boulevards to the curb line of the public streets.
21. The Applicant shall provide an agreement for shared management and maintenance of the site access, parking areas, landscaping, snow removal and common areas for the City Attorney to review and for the City Council's approval prior to the approval of the Master and Final PUD Development Agreement.
22. The proposed structures shall conform to all other regulations in the City Code.
23. The Applicant shall provide a copy of the Stormwater Management Report and verification of Rice Creek Watershed approval prior to the approval of Development Agreement.
24. The Applicant shall reduce the menu board signage for the fast food restaurant in the multi-tenant building to be compliant with Section 1240.04.
25. The Applicant shall be required to pay a park dedication fee equivalent to the City's portion of the cost for the sidewalk installation along Lexington Avenue as part of the

Lexington Avenue Road Improvement Project as well as the supplementary difference of landscaping coverage in lieu of plantings.

Councilmember Holden requested further information regarding the environmental cleanup on the site.

Bruce Carlson, Senior Vice President of Construction for Launch Properties, explained he was excited to be bringing this project forward. He reported the existing building was built in the 1960's and he has been told by Braun Intertec that the site had \$500,000 worth of underground contamination and hazardous materials. He stated he has wanted to go onto the site and do more testing, but this cannot occur until after Launch Properties owns the property.

Councilmember Radziej asked if the applicant had any concerns with the conditions listed for approval.

Mr. Carlson stated he did not have any concerns. He reported the Planning Commission held a great discussion on this Planning Case and made great recommendations for this request. He explained he as excited to be working with Rocket Car Wash on this project. He discussed the snow removal for the site, noting snow would be hauled off site for visibility purposes. He commented further on how well the four proposed businesses would work together. The manner in which traffic would flow through the site was reviewed and he stated he believed the proposed site plan would be traffic calming.

Councilmember Scott thanked the applicant for including an electric vehicle charging station within the project plans. He noted this would be the first commercial charging station in the City. He asked if the car wash would be a conveyor type system.

Jason Ricks, COO of Rocket Car Wash, reported the car wash would have a conveyor system with soft touch cleaning materials.

Councilmember Radziej questioned what the decibel level would be for the vacuum cleaners.

Mr. Ricks explained most of his competitors use single individual vacuum units at each location. He reported his vacuum system has one main unit that would be enclosed within the trash enclosure. He indicated there would be some suction noise when the vacuums are being used, but this noise would be minimal. He commented further on how Rocket Car Wash was expanding in the Midwest.

Councilmember Holmes requested further information on the parking.

Mr. Ricks discussed the number of employees that would be onsite and noted the site would have 10 customer parking spaces.

Councilmember Holmes believed the site did not have enough parking stating she had concerns with the fact the uses have overlapping peak times.

Mr. Carlson stated this may be a question for all of the tenants versus just the car wash. He anticipated the car wash was feeling good about their parking. He discussed how the four businesses would share parking on the site. He was of the opinion the site was adequately parked.

Councilmember Holden questioned why the car wash had nine vacuums and questioned if one or two of these spaces could be used for employee parking. She asked when peak times were for the car wash.

Jeremiah Harder, Director of Project Management and Development for City Ventures a parent company of Rocket Car Wash, explained store data across the country shows there was a need for nine vacuums. He stated peak hours for the car wash would be from 4:00 p.m. to 7:00 p.m.

Councilmember Holden inquired what the hours of operation would be for the dental office and requested further information on how the dental chairs would work.

Mr. Carlson stated this would generally be from 10:00 a.m. to 5:00 p.m. He provided the Council with further information on how the nine dental chairs would operate.

Councilmember Holmes requested further information on the proposed signage for the Rocket Car Wash. She was of the opinion that the proposed signage would not be effective given the buildings location.

Mr. Harder discussed the proposed signage, noting the visuals were rough draft models. He indicated the signs do have a lot of dead space within the logo, stating the sign actually has only 63 square feet. He explained all signs would be site specific and would be located at the peak of the building.

Councilmember Holden questioned if the sign on the east elevation would be in a different location.

Mr. Harder stated this might be the case noting that this decision would be part of the final sign package with the sign company based on this specific site and they are aware they have to submit a separate sign permit to the City.

Councilmember Holden expressed concern with having a sign located only in the peak.

Mr. Carlson stated he would continue to advocate for the proposed signage given the fact this building would be setback quite far.

Mr. Harder indicated the free vacuum sign could be centered to break up the space.

Further discussion ensued regarding the materials that would be used on the car wash building.

Councilmember Holden stated she was concerned with how long the car wash was and how the long face would have the same building materials with nothing to break it up.

Mr. Ricks explained he wanted to construct a building the community would be proud of. He commented further on the clear polycarbonate panels that would be used on this property. He noted the panels would have a film on it to ensure water residue and cleaning chemicals do not stick. The warranty on the panels was discussed and it was noted Rocket Car Wash would be able to get replacement parts in a timely manner.

MOTION: Councilmember Holden moved and Mayor Grant seconded a motion to approve Planning Case 22-012 and adoption of Resolution 2022-039 and Resolution 2022-040 for the Launch Properties Preliminary Plat, Final Plat, Master Planned Unit Development, Final Planned Unit Development, Conditional Use Permit, and Site Plan Review on 3737 Lexington Avenue North and 1133 Grey Fox Road to redevelop the parcels with two separate one-story buildings, one approximate 4,900 square foot drive-through car wash and one 8,950 square foot multi-tenant retail building.

Mayor Grant requested further information regarding the sidewalks that would be installed within the development.

Mr. Carlson noted Launch Properties plans to install a sidewalk along Grey Fox Road and the County was installing a sidewalk along Lexington Avenue as part of the road project. It was his understanding the Planning Commission would like Launch Properties to pay for the City's portion of the sidewalk cost along Lexington Avenue in lieu of paying a park dedication fee.

Councilmember Scott stated he supported Launch Properties paying for the City's portion of the sidewalk along Lexington Avenue in lieu of a park dedication fee given how this property would benefit from the sidewalk.

Councilmember Holden agreed and asked what the cost would be.

Community Development Director Jagoe estimated this cost for the sidewalk along Lexington Avenue to be \$10,500.

AMENDMENT: Councilmember Holden moved and Councilmember Holmes seconded a motion to add Condition 26 to read: The applicant will revise the east elevation exterior to incorporate differing materials and/or design features to eliminate any uniform or unbroken plain wall appearance greater than thirty (30) feet.

Councilmember Scott reported this would provide contrasting material along this elevation and noted he would support this condition.

The amendment carried (5-0).

Councilmember Holmes discussed Condition 24 and asked if this condition was still necessary.

Community Development Director Jagoe believed it was reasonable to keep this condition in place.

Councilmember Holden encouraged Rocket Car Wash to keep its vacuums operational.

Mr. Harder stated the vacuums would be properly managed and maintained by Rocket Car Wash staff.

The motion to approve Planning Case 22-012 for the Launch Properties Preliminary Plat, Final Plat, Master Planned Unit Development, Final Planned Unit Development, Conditional Use Permit (including adoption of Resolution 2022-039 and Resolution 2022-040) and Site Plan Review, based on Findings of Fact and Submitted Plans, as amended by the 26 conditions as indicated above carried (5-0).

10. UNFINISHED BUSINESS

None.

11. COUNCIL COMMENTS

Councilmember Scott congratulated Ms. Jagoe for being appointed to the Community Development Director position.

Councilmember Scott indicated he attended the Penny Carnival last Friday and noted on Saturday he and his wife attended the Sheriff Department's Open House.

Councilmember Scott stated he was looking forward to attending Night to Unite block parties on Tuesday, August 2.

Councilmember Holmes congratulated Ms. Jagoe for being appointed to the Community Development Director position.

Councilmember Holmes commented on a letter the Council received from Betty McCollum regarding congressional spending. She suggested the Council discuss this topic further at a future work session.

Councilmember Holden reported the local rotary would be hosting the Taste of Hops on Thursday, August 11.

Mayor Grant thanked all of the residents that were planning to host a Night to Unite block party on Tuesday, August 2.

Mayor Grant congratulated Ms. Jagoe for making a tremendous contribution to the City of Arden Hills and for being appointed to the Community Development Director position.

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 8:57 p.m.

Julie Hanson
City Clerk

David Grant
Mayor