



MEMORANDUM

**DATE:** October 5, 2022

**TO:** Planning Commission Chair and Commissioners

**FROM:** Jessica Jagoe, Community Development Director

**SUBJECT:** **Planning Case #22-018 – Public Hearing Required**  
**Applicant:** Ramsey County Sheriff’s Office  
**Property Location:** 1411 Paul Kirkwold Drive  
**Request:** Conditional Use Permit Amendment & Site Plan Review

Budgeted Amount:	Actual Amount:	Funding Source:
N/A	N/A	N/A

**Requested Action**

The Ramsey County Sheriff’s Department (“Applicant”) has submitted an application for a site plan review and amendment to the approved Conditional Use Permit for the Ramsey County Sheriff’s Office located at 1411 Paul Kirkwold Drive (“Subject Property”). The proposal is for a security fence and parking lot expansion at the Subject Property. A Conditional Use Permit (CUP) is required for fences with barbs or spikes and a Site Plan Review is required for the parking lot improvements.

**Background**

**1. Overview of Request**

The Applicant is proposing to install security perimeter fencing, vehicle gates, and two parking lot additions at the property located at 1411 Paul Kirkwold Drive. The proposed fencing includes a 6-foot tall decorative metal fencing with spikes along Paul Kirkwold Drive and a 6-foot tall vinyl coated chain link fence with three strand barbed wire along Highway 96 W. The Applicant is also proposing two parking lot additions with a total of 23 stalls.

**2. Site Data**

<b>Future Land Use Plan:</b>	Public and Institutional
<b>Existing Land Use:</b>	Institutional
<b>Zoning:</b>	CC - Civil Center District
<b>Size:</b>	35 Acres

Ramsey County owns the approximately 35-acre (1,524,600 SF) parcel located on the northwest corner of Highway 96 and Hamline Avenue. The property is zoned CC – Civic Center District and is guided as Public and Institutional in the 2040 Land Use Plan. The Subject Property neighbors other Institutional uses on the north, east, and west and residential and commercial uses to the south.

*Aerial Map of Subject Property*



### 3. History of Subject Property

The Ramsey County Public Works Facility was originally approved under a Conditional Use Permit (then called a Special Use Permit) in Planning Case #03-008. The Ramsey County Sheriff Station was approved through Planning Case #03-026, the first of two CUP Amendments issued for expansions to the existing facility. The following planning cases have been reviewed since the original CUP was adopted:

Planning Case	Application	Request	CC Action
03-008	Conditional Use Permit	Ramsey County Public Works Facility	4/28/2003 (A)
03-026	Conditional Use Permit Amendment	Ramsey County Sheriff Patrol Station	10/27/2003 (A)
04-019	Conditional Use Permit Amendment	Construct an Oil Collection Facility and Seasonal Hazardous Waste Collection Site	2/28/2005 (A)
05-010	Variance (Sign Standard Adjustment)	Monument Sign (105 Square Feet)	4/9/2005 (A)

### Plan Evaluation

#### Chapter 13, Zoning Code Review

1. 1325.05 – Design Standards, Subd. 4 – Screening, Section D – Fence Regulations

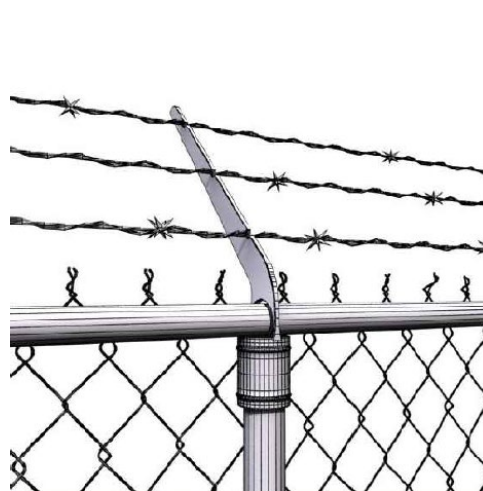
- o *No above grade fence shall have barbs or spikes or be of metal construction, which is charged or connected with electrical current within any district of the City. These fencing types shall only be permitted through a Conditional Use Permit.*

The Applicant is proposing a perimeter fence that includes barbs and spikes for security purposes at the Subject Property. The proposed fencing includes a 6-foot tall decorative metal fencing with spikes along Paul Kirkwold Drive (800 lf) and a 6-foot tall vinyl coated chain link fence with three strand barbed wire along Highway 96 W. (1,110 lf). Planning staff did confirm the proposed fence height will be 6-feet even though the Civil Plan Sheet C2.11 references 10-feet. The Sheriff's Department is proposing barbed wire fencing in another contract city and is seeking a taller height at that building.

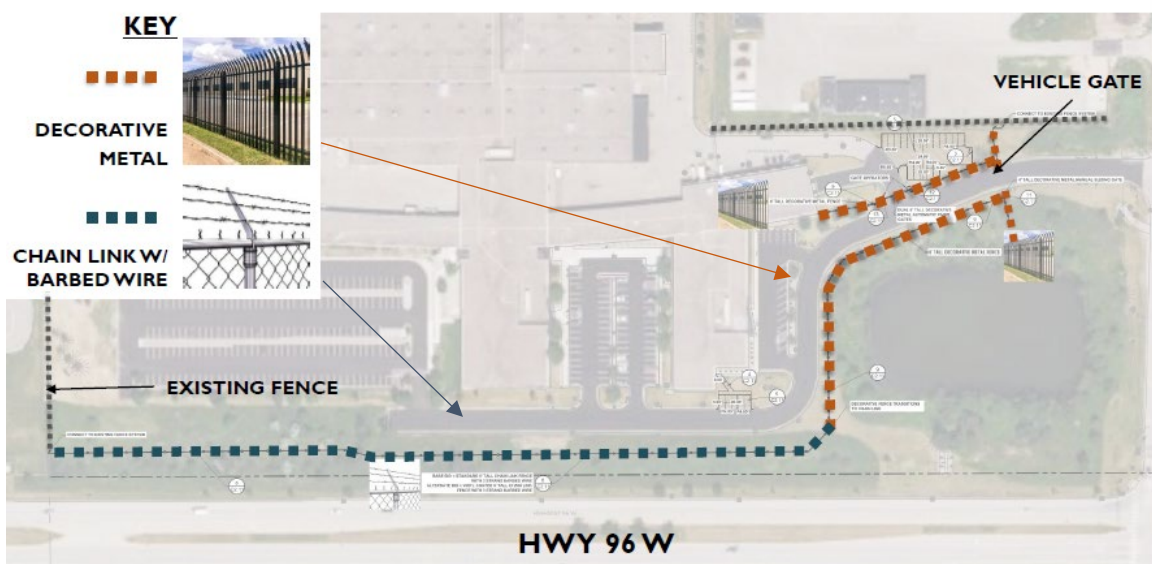
The decorative metal fencing with spikes would include two gates, one across Paul Kirkwold Drive, approximately 200 feet in from Hamline Avenue and another across the entrance to the main entrance of the building. The decorative metal fencing with spikes would connect to existing fencing on the east side of the Subject Property and the vinyl coated chain link fence with barbed wire would connect to existing barbed wire chain link fencing on the southwest corner of the Subject Property. The existing barbed wire chain link fence is on the federal government property which is exempt from local zoning and other regulations.



*Decorative Metal Fence with Spikes*



*Chain Link Fence with Barbed Wire*



At their July 18<sup>th</sup> and September 19<sup>th</sup> meeting, the City Council reviewed a concept plan from the Applicant for the proposed fencing. The discussion was originally tabled in order to allow the Applicant an opportunity to provide additional information on the cost of installation and maintenance between the decorative fencing and chain link fencing as well as stake the proposed fencing locations for a site tour to evaluate visual impacts along Highway 96 and existing screening. The Applicant hosted a site tour for the City Council and staff on August 15<sup>th</sup>. The Ramsey County Sheriff's Department has taken into consideration the feedback of the City Council in preparing their land use application for the project approvals.

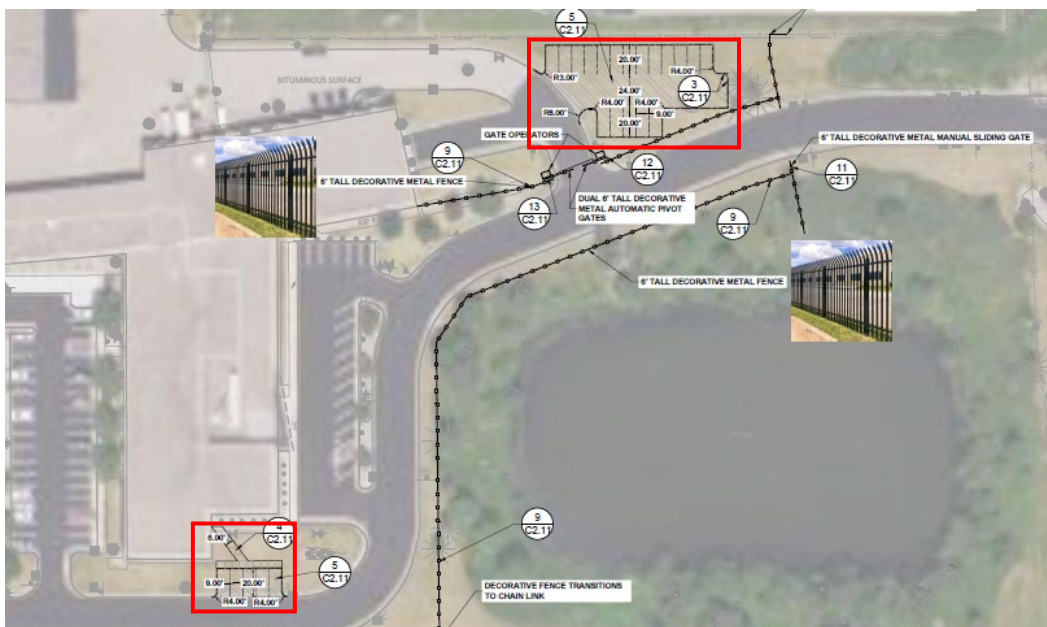
**2. 1320.11 – Special Requirements for Civic Center District, Subd. 4 – Development Standards, Section D.2 – Fences**

- *If fences are used for landscape screening, they must conform to the following: a) No higher than six (6) feet in rear yards only; b) No barbed wire, razor wire, or spikes allowed; c) Fences must blend into the landscape and minimize corrosion. Wood, brick, stone or wrought iron is encouraged. If chain link is allowed by the City Council, it must have black or dark green vinyl coating.*

In addition to the CUP requirement for fencing with barbed wire or spikes, there are special requirements for the CC Zoning District on development standards pertaining to fences. In this zoning district, the city code states that if chain link is allowed by the City, it must have black or dark green vinyl coating. The Applicant is proposing black vinyl coated chain link fencing.

**3. 1325.06 – Off-Street Parking Requirements**

The Applicant is also proposing two parking lot additions totaling 23 parking stalls which would increase the impervious surface area by approximately 0.6%. The southern five-stall parking lot addition with concrete sidewalk to the building will be open to the public. The northern 18-stall parking lot addition will be behind the proposed security gates and will be for facility employee use only. To construct the parking lots, the Applicant will be removing two trees. Tree mitigation is not required because the Applicant is removing less than 10% of the trees located on the property.



The number of off-street parking spaces for this property is based on the decision of the City Council for the land uses. In 2003, the CUP Amendment (PC 03-026) stated there would be a total of 310 parking spaces as determined by the City Council for the Subject Property. The Applicant intends to comply with all other off-street parking construction standards with the proposed parking lot additions.

**Plan Summary**

The table below provides the performance standards for the CC District and the preliminary analysis for the proposed development:

	CC District Standards	Ramsey County Proposal
Minimum Lot Area	20,000 square feet	1,524,600 square feet
Maximum Structure Coverage	40% of lot area	19%
Minimum Landscape Lot Area	20% of lot area	27.2%
Minimum Front Yard Setback	20 feet	Complies
Minimum Rear Yard Setback	20 feet	Complies
Minimum Side Yard Setback	10 feet (min)/20 feet (total)	Complies
Off-Street Parking	As determined by City Council	Meets requirements, Adding 23 parking stalls

**Administration and Procedures – Conditional Use Permits**

**1. 1355.04 Procedural Requirements for Specific Applications**

A public hearing for a CUP request is required before the request can be brought before the City Council. The applicant or its representative shall be given the opportunity to appear before the Planning Commission to answer questions or give explanations regarding the proposal. Upon completion of the public hearing and its study and consideration of the application, the Planning Commission shall submit its written report, containing its findings, conclusions, and recommendations as to the application, to the City Council.

City Code Section 1355.04 Subd. 3 of the Arden Hills Zoning Code lists the criteria for evaluating a Conditional Use Permit. The Planning Commission should consider the effect of the proposed use upon the health, safety, convenience and general welfare of the owners and occupants of the surrounding land and the community, in general, including but not limited to the following factors:

1. Existing and anticipated traffic and parking conditions;
2. Noise, glare, odors, vibration, smoke, dust, air pollution, heat, liquid or solid waste, and other nuisance characteristics;
3. Drainage;
4. Population density;
5. Visual and land use compatibility with uses and structures on surrounding land;
6. Adjoining land values;
7. Park dedications where applicable;
8. Orderly development of the neighborhood and the City within the general purpose and intent of the Zoning Code and the Comprehensive Development Plan for the City.

Under state law, a conditional use is a use that is generally allowed in a designated district upon showing by the applicant that the standards and criteria stated in the ordinance will be satisfied. Conversely, if the applicant is unable to show that the ordinance standards are met, the application can be denied, but because the use is listed as permitted, the City's discretion is more limited in these matters than in a comprehensive plan or rezoning application.

### **Findings of Fact**

The Planning Commission 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. Staff offers the following findings of fact for consideration:

1. The Subject Property located at 1411 Paul Kirkwold Drive is zoned CC - Civil Center District and is designated for Public and Institutional uses in the 2040 Comprehensive Plan.
2. The Applicant is proposing a security perimeter fence that will include barbed wire or spikes.
3. A vinyl coated chain link fence is allowed in the Civic Center District, but a Conditional Use Permit is required when fencing types include barbed wire or spikes.
4. The proposed security perimeter fencing is an addition to the site plan and a CUP Amendment is required.
5. The Applicant has requested Site Plan Review for the proposed parking lot additions.
6. The proposed changes for the installation of security perimeter fencing and parking lot additions would be in compliance with all provisions of the Zoning Code.
7. The proposed plan does not conflict with the general purpose and intent of the Zoning Code or the Comprehensive Plan for the City.
8. The proposed plan as narrated by the Applicant is not anticipated to have an adverse effect upon the health, safety, convenience and general welfare of the owners and occupants of the surrounding land and the community because of its compatibility to adjacent properties.
9. A public hearing for a CUP Amendment request is required before the request can be brought before the City Council.

### **Options and Motion Language**

Staff has provided the following options and motion language for this case. The Planning Commission should consider providing additional findings of fact as part of the motion to support their recommendation for approval or denial.

1. Recommend Approval with Conditions: Motion to recommend *approval* of Planning Case 22-018 for a Conditional Use Permit Amendment & Site Plan Review to allow security perimeter fencing, vehicle gates, and two parking lot additions at 1411 Paul Kirkwold Drive, based on the findings of fact and submitted plans, subject to the following conditions:
  1. All conditions of the original Conditional Use Permit shall remain in full force and effect.
  2. A separate zoning permit shall be required for all proposed fencing.
2. Recommend Approval without Conditions: Motion to recommend *approval* of Planning Case 22-018 for a Conditional Use Permit Amendment & Site Plan Review to allow security

perimeter fencing, vehicle gates, and two parking lot additions at 1411 Paul Kirkwold Drive, based on the findings of fact and submitted plans in the October 5, 2022, Report to the Planning Commission.

3. **Recommend Denial:** Motion to recommend *denial* of Planning Case 22-018 for a Conditional Use Permit Amendment & Site Plan Review to allow security perimeter fencing, vehicle gates, and two parking lot additions at 1411 Paul Kirkwold Drive, based on the following findings of fact: *the Planning Commission should identify findings to deny should specifically reference the reasons for denial and why those reasons cannot be mitigated.*
4. **Table:** Motion to *table* Planning Case 22-018 for a Conditional Use Permit Amendment & Site Plan Review to allow security perimeter fencing, vehicle gates, and two parking lot additions at 1411 Paul Kirkwold Drive for the following reasons: *the Planning Commission should identify a specific reason and/or information request should be included with a motion to table.*

### **Notice and Public Comments**

Notice was published in the *Pioneer Press* on September 23, 2022. Notice was prepared by the City and mailed to property owners within 1000 feet of the subject property.

### **Deadline for Agency Actions**

The City of Arden Hills received the completed application for this request on September 20, 2022. Pursuant to Minnesota State Statute, the City must act on this request by November 18, 2022 (60 days), unless the City provides the petitioner with written reasons for an additional 60 day review period. The City may, with the consent of the applicant, extend the review period beyond the initial 120 days.

### **Budget Impact**

N/A

### **Attachments**

- A. Land Use Application
- B. Location Map
- C. Narrative
- D. Civil Plans
- E. Supplemental Information