

Chair Vijums asked if the City was proposing to change the recommended sign sizes or dimensions, or would variances be considered over time.

Community Development Director Jagoe described the process that was laid out for the applicant noting a Site Plan Review was before the Planning Commission at this time and not an Ordinance Amendment for the sign code.

Chair Vijums questioned if the proposed sign was 60 square feet in size.

Kevin Weiss, 4300 Round Lake Road West, reported both signs would be 60 square feet in size, which was identical to the signs at 4200 Round Lake Road.

Community Development Director Jagoe explained the signs at 4200 Round Lake Road were approved as part of the Gateway Interstate Building.

Commissioner Bjorklund stated he liked that the new sign size would allow the property to be seen from the freeway and would create unification. He indicated he would like to see the site having identification signs installed on the site.

Mr. Weiss commented site would have directional signs on the building.

Commissioner Wicklund explained he believed the criteria for the sign code has been satisfied and for this reason he would be supporting the request.

Chair Vijums stated because similar signage was approved for an adjacent building, he would be supporting this request.

Community Development Director Jagoe commented further on how the proposed signage would be consistent between the Delkor buildings.

Commissioner Bjorklund recommended a finding be stated to this effect.

Chair Vijums suggested this finding read: the proposed signage would conform and unify the existing Delkor signage.

Commissioner Bjorklund moved and Commissioner Weber seconded a motion for Findings of Fact Item 9 to read: The proposed signage would conform and unify the existing Delkor signage. The motion carried unanimously (7-0).

Commissioner Wicklund moved and Commissioner Collins seconded a motion to recommend approval of Planning Case 23-005 for a Site Plan review at 4300 Round lake Road W and 1987 Gateway Boulevard based on the findings of fact as amended and the submitted plans, as amended by the conditions in the April 5, 2023, report to the Planning Commission. The motion carried unanimously (7-0).

- C. **Planning Case 23-006; 3610 Snelling Avenue N – Site Plan Review – Public Hearing Not Required**

Community Development Director Jagoe stated Lindey’s Prime Steakhouse opened in Arden Hills in 1961. The City established the Neighborhood Business District on September 27, 1999. Neighborhood Business sites are located at the edge of residential neighborhoods and are intended to provide a limited range of over-the-counter, convenience, retail, and service uses to accommodate the needs of the adjacent residents. Since these areas are located adjacent to residential neighborhoods, the City did adopt limitations on the type, size and intensity of uses within this district. On November 27, 2000, the City rezoned seven sites, including the Subject Property, to NB, Neighborhood Business District. Today, the Subject Property is considered legal nonconforming in this district.

Community Development Director Jagoe explained the Applicants are applying for Site Plan Review for evaluation of the site layout and parking modifications that are being proposed as a result of the operational changes impacted by the County Road E/Old Snelling Avenue Roundabout project. There are no changes to the restaurant operations or the building as part of this application. As a legal nonconforming site, the County has allowed the continuation of use of the two driveway accesses along Old Snelling Avenue and one access off of County Road E. The access off of County Road E is a smaller commercial/residential driveway. With the roadway project, the Applicants are required by Ramsey County to eliminate one of the driveway accesses along Old Snelling Avenue in order to bring the property closer to conformance with current County standards. Thus, the proposed parking lot improvements have triggered the Site Plan Review process for reconfiguration of the site layout.

Community Development Director Jagoe reported the Subject Property is approximately 1.5 acres which includes both a restaurant, a residential home, and a detached cottage. The main parking lot is located in the western and central portions of the lot. The site has significant tree canopy coverage with more green areas on the southern and eastern portion of the property. The parking lot reconfiguration will occur essentially within the same footprint that exists today with the exception of the addition of parking spaces between the building and eastern property line. For the Site Plan review, the proposed improvements include elimination of the southern most access on Old Snelling Avenue, upgrading the driveway access off of County Road E to full commercial standards, and the addition of parking stalls and a trash enclosure.

Community Development Director Jagoe reviewed the surrounding area, site data, the Plan Evaluation and provided the Findings of Fact for review:

1. The Applicants have submitted an application for Site Plan Review at 3610 Snelling Avenue N. to resurface and reconfigure their existing parking lot that would include as part of the project scope the addition of a parking area along County Road E.
2. The Subject Property is located within the Neighborhood Business (“NB”) District and is guided as Low Density Residential on the 2040 Land Use Plan.
3. The Subject Property was developed prior to the City’s adoption of the Neighborhood Business District and is considered legal nonconforming as the existing parking lot does not comply with current city code requirements.
4. Through the Site Plan Review, the Applicants are seeking approval to resurface and restripe the existing portion of the parking lot within the same footprint.
5. The Applicants are proposing to add approximately 7,073 square feet of new impervious surface for an additional 13 parking spaces on the east side of the Subject Property.

6. Flexibility through the Site Plan Review process as allowed in the NB District is requested for the following areas: buffer yards, parking setbacks, sidewalks, and perennials and shrubberies.
7. The proposed plan does not conflict with the general purpose and intent of the Zoning Code or the Comprehensive Development Plan for the City.
8. The application is not anticipated to create a negative impact on the immediate area or the community as a whole.
9. The proposed plan will not produce any permanent noise, odors, vibration, smoke, dust, air pollution, heat, liquid, or solid waste, and other nuisance characteristics.
10. The proposed plan is not anticipated to have any impact on traffic or parking conditions.
11. The accessory off-street parking would be in compliance with all other provisions of the Zoning Code.
12. A public hearing is not required for Site Plan Review.

Community Development Director Jagoe stated staff recommends approval of Planning Case 23- 006 for Site Plan Review at 3610 Snelling Avenue North, based on the findings of fact and the submitted plans, as amended by the conditions in the April 5, 2023, Report to the Planning Commission:

1)

Community Development Director Jagoe reviewed the options available to the Planning Commission on this matter:

1. Recommend Approval with Conditions

That the project shall be completed in accordance with the plans submitted as amended by the conditions of approval. Any significant changes to these plans, as determined by the Community Development Director, shall require review and approval by the Planning Commission and City Council.

- 2) The proposed parking area shall conform to all other regulations in the City Code.
- 3) A building permit shall be obtained for the parking lot expansion.
- 4) All light poles, including base, shall be a maximum of 14 feet in height and shall be shoebox style, downward directed, with high-pressure sodium lamps or LED and flush lenses. Other than wash or architectural lighting, attached security lighting shall be shoebox style, downward directed with flush lenses. If complaints are received the lighting adjacent to residential uses shall utilize house shields as directed by the City. In addition, any lighting under canopies (building entries) shall be recessed and use a flush lens.
- 5) All retaining wall materials shall be complementary to the building materials and shall be approved in writing by the Planning Division prior to issuance of a building permit. Retaining walls greater than four (4) feet in height shall be engineered and detailed calculations shall be submitted to the City.
- 6) A Grading and Erosion permit shall be obtained from the City's Engineering Department prior to commencing any grading, land disturbance or utility activities. The Applicants shall be responsible for obtaining any permits necessary from other agencies, including but not limited to, Rice Creek Watershed District and Ramsey County prior to the start of any site activities. Verification of approved permits or documentation from other agencies that a permit is not necessary shall be provided to the City.

- 7) A grading as-built and utility as-built plan shall be provided to the City upon completion of grading and utility work.
 - 8) Restaurant Pedestrian Trail Connection to be maintained by property owner/business.
 - 9) Provide geotechnical engineer recommendations and/or geotechnical report for review by City Engineer.
 - 10) Provide statement of estimated quantities (SEQ) sheet and separate items to be funded by Owner and funded by County per the Funded Improvement Sketch plan sheet that was provided to Council at the January 9th 2023 City Council Meeting.
2. Recommend Approval as Submitted
 3. Recommend Denial
 4. Table

Chair Vijums opened the floor to Commissioner comments.

Commissioner Weber asked who made the determination that the work was repair, replacement, restoration or maintenance.

Community Development Director Jagoe stated in preparation of the application she determined the site plan review process was the proper pathway. She explained the parking lot was not being expanded, but rather three-fourths of the parking lot was being reclaimed. She commented further on the flexibility that was allowed through the site plan review process.

Commissioner Weber reported this appeared to be a more invasive project because the entire parking lot was being rebuilt. He was curious if this process was avoiding a jam that the property owner would be in given the fact the property was legally non-conforming.

Commissioner Blilie stated she did not have big concerns noting this was a well established business in the community that was being forced to do this work, for reasons out of their control by Ramsey County. She reported Lindey's was not pursuing this project of their own accord, but rather was being forced.

Commissioner Weber asked if the City was cost participating in the sidewalk.

Community Development Director Jagoe stated the City and the County would be assisting with a portion of the project improvements. She indicated the sidewalk would be part of the roadway project scope.

Commissioner Weber believed the City and the County were being extremely generous in covering the costs for this project. He did not believe the City should be paying for the sidewalk to be redone.

Further discussion ensued regarding the proposed cost sharing for this project.

Commissioner Bjorklund explained he lived near Lindey's. He asked if the City has received a series of complaints regarding the parking, snow storage or lights from this restaurant.

Community Development Director Jagoe stated staff to her recollection has not received any complaints regarding these topics.

Commissioner Bjorklund understood that the proposed project would cure and address some of the non-conforming issues on the property. He stated he would be supporting the request noting this business has been in the community for the past 61 years.

Commissioner Wicklund requested further information regarding the trees on the property.

Community Development Director Jagoe reviewed the size and location of the trees on the site. She commented on the potential of a perimeter fence, but noted the applicant was not committing to the fence at this time.

Commissioner Wicklund stated it would be difficult to further screen the property given the location and size of these mature trees.

Chair Vijums explained he was not proposing a fence be installed given the fact the residential property to the north was not complaining. He appreciated the fact only two trees would be lost on the site and recommended no additional screening be required.

Paul Schrader, SRF Consulting, thanked staff for all of their assistance on this project. He noted he had reviewed the conditions and his only concern was with Condition 5. He clarified for the record there would be no retaining walls on the Lindey's property, but rather a retaining wall would be installed as part of the roadway project and would be installed by the roadway contractor. He explained this retaining wall would be on a portion of land the County would be purchasing from Lindey's and the retaining wall would be maintained by the County going forward. For this reason, he requested Condition 5 be removed from consideration.

Mark Lindemer, Lindey's representative, thanked the Commission for considering his request. He reported he has received no feedback from the neighboring properties regarding this project. He stated it was his hope to have some type of screening along the north property line at some point in the future.

Commissioner Weber asked if there would be any updates planned for the home on the property.

Mr. Lindemer stated general maintenance would be done at this point.

Chair Vijums noted the applicant would like Condition 5 struck from the Site Plan Review due to the fact the County would be installing the retaining wall.

Commissioner Collins moved and Commissioner Mitchell seconded a motion to strike Condition 5. The motion carried unanimously (7-0).

Chair Vijums moved and Commissioner Wicklund seconded a motion to recommend approval of Planning Case 23-006 as amended for Site Plan Review at 3610 Snelling Avenue North based on the findings of fact and the submitted plans, as amended by the

conditions in the April 5, 2023, report to the Planning Commission. The motion carried unanimously (7-0).

UNFINISHED AND NEW BUSINESS

Community Development Director Jagoe introduced Senior Planner Elena Fransen to the Planning Commission.

REPORTS

A. Report from the City Council

Councilmember Rousseau provided the Commission with an update from the City Council. She explained racial covenants were discussed at the Council’s last worksession meeting.

B. Planning Commission Comments and Requests

None.

ADJOURN

Chair Vjums moved, seconded by Commissioner Wicklund, to adjourn the April 5, 2023, Planning Commission Meeting at 8:37 p.m. The motion carried unanimously (7-0).