



Approved: April 12, 2021

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

CALL TO ORDER/ROLL CALL

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

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

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

Absent: None

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

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

1. AGENDA ITEMS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Councilmember Holden asked how much parking they need.

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

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

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

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

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

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

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

Mayor Grant asked about exterior building materials.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Councilmember Holmes asked for clarification of the proposed canopy.

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

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

Councilmember Scott wondered if they would have a flag pole.

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

B. Boston Scientific JCF Resolution and Neighborhood Concerns

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

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

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

Councilmember Holden wondered what trees would be take down.

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

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

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

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

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

Mr. Larson added that they equipment is significantly more efficient installed directly adjacent to the space and overhead for ductwork and air returns.

Councilmember Holmes said it seemed from the last noise study they are right at the limit borderline.

Mr. Larson reiterated they are working on the design to make sure additional sound is mitigated and the new equipment won't add to the noise.

Boston Scientific Environmental Health and Safety Specialist Sue Thompson stated that Boston Scientific is currently at 48.9 decibels. Adding in the additional units will only raise the decibels by about .8, and not make a drastic change on the amount of noise.

Councilmember Holmes suggested that Boston Scientific appoint a neighborhood liaison so neighbors have a particular person to contact with concerns.

Mayor Grant asked if they will be reusing the space once the existing HVAC equipment is removed.

Boston Scientific Facilities Director Lorne Rothbauer said there is one piece of equipment on the north side of the building that can be eliminated once the new addition is built. There will still be some equipment on that side of the building but most of the noise the neighbors are hearing is the chiller that will be eliminated when it needs to be replaced.

Councilmember Holden asked if as if the sound gets louder as the equipment ages.

Mr. Hejl responded that may be true if the equipment wasn't maintained but they have a preventative maintenance program and equipment is inspected and repaired quarterly.

Councilmember McClung asked about receptor placement during the noise studies, he wondered if they were at the height of a person, or possibly at the height of a deck or second story bedroom.

Mr. Ford said receptors are put at the height of the person who would be receiving the noise.

Mr. Rothbauer said they can ask to have the study modified.

Boston Scientific Environmental Health and Safety Specialist Nicole Lancaster explained the site operates under a permit from the Minnesota Pollution Control Agency (MPCA). Boston Scientific has held the permit since 1995 and they must complete emissions reporting to show they are in compliance. They are not close to the threshold and aren't concerned about the building expansion having a negative impact to the neighbors. There won't be any change in types of emissions coming from the facility. Boston Scientific has no knowledge of historical spills or leakage.

Ms. Lancaster said in regard to land and water testing, they have done some testing. In 2019 they had soil testing that was mitigated to the MPCA's satisfaction in October of 2020. They also partner with the Rice Creek Water District; each construction project has to be approved by the

watershed district. Boston Scientific works with multiple agencies to assure the health and safety of employees and residents.

Ms. Thompson added that they have very strict handling procedures in place for lithium, from delivery to manufacturing and waste. The safety processes will extend to the proposed addition.

Councilmember Scott expressed concern about the handling of larger quantities of lithium in the manufacturing process.

Mr. Hjel said safety measures are in place for managing, controlling and safely handling lithium.

Councilmember Holden said she wasn't concerned about anything happening with chemicals but she would like to have the noise study explained more clearly.

Ms. Lancaster explained that VOC, hazardous pollutants, lead, and carbon monoxide, nitrogen oxide and sulfur dioxide are all part of the permit they have to comply with. They are currently 30 tons under the limit of 50 tons.

City Administrator Perrault said he had a conversation with a resident that pointed out a couple of items and he said he would bring them forward. The concerns were: once the project is complete how will they make sure the noise level is acceptable, is it correct that a follow up study will be done? And there will be a point person identified for resident concerns?

Mr. Hjel replied both were correct.

Mr. Hjel responded to the second question on the resident letter regarding height and visual pollution. The proposed plan has a penthouse to hold the HVAC system, and with that they exceed the height limit by five feet. As per the Master Planned Unit Development Agreement (PUD), they are granted the option to exceed the height, in this case it is partially to mitigate the noise from the equipment and to have redundant building style. They are also planning to do extensive restoration and landscaping.

Mayor Grant said the PUD does give them the right to make requests, but the City can make certain demands as well.

Councilmember Holden clarified that the building is 35' but if the penthouse with screening brings it up to 40' it is allowed.

Mayor Grant reminded Councilmembers they have a special meeting after the work session to vote on the Boston Scientific JCF Resolution. He thanked Boston Scientific for their presentation and addressing resident concerns, and requested when they determine the liaison person they let staff know contact information.

C. 2022 PMP Arden Oaks Street Improvements Feasibility Report

Interim Public Works Director Swearingen said staff is preparing a resolution ordering a feasibility study for the Arden Oaks Street Improvements for consideration by the City Council on

March 22. He will provide a general description of the preliminary scope, budget and schedule for the project.

Interim Public Works Director Swearingen stated the project was identified in the 2021-2025 CIP and consists of Arden Oaks Drive and Arden Oaks Court with approximately 40 single family homes. The area was developed in 1982, there was a mill and overlay done in 1996 and seal coating in 2000 and 2012. The typical life cycle of a road since a structural type project like the mill and overlay is 20-25 years, which puts this pavement at the end of its life. Current pavement condition rating is 31 out of a possible score of 100. Core samples showed signs of deterioration. The sanitary sewer that was installed in 1982 was PVC and through televising reports is showing up in good condition. The water main was also installed in 1982 and is a 6-inch ductile iron pipe and this area shows no history of main breaks, so there is no need for any water rehab along with this project. Inspections were recently done to the storm structures, they are in bad shape and need repair. The storm sewer pipe still needs to be televised to know the condition. Curb and gutter is in generally good condition except for southern curb line along Arden Oaks Drive off Snelling Ave to the cul-de-sac which has a noticeable sag, indicating poor subsurface drainage or in need of soil correction.

Interim Public Works Director Swearingen explained that staff determined that a full depth reconstruction of Arden Oaks Drive from Snelling east 400' including the cul-de-sac will need to be done. The ductile iron pipe and sanitary sewer can remain in place. The rest of Arden Oaks Drive would be a full depth reclamation, replaced with 4" bituminous pavement mat. Arden Oaks Circle would receive the same.

Interim Public Works Director Swearingen said the preliminary project budget is \$542,340 which comes under the CIP budget of \$827,000. Some of the CIP budget included a few segments of road that were included but were rehabbed in 2020 so they have since been removed from the project. The area has the potential for special assessments that will be laid out in the feasibility report. The preliminary project schedule has the feasibility study ordered next week after the Council meeting, design starting in June, have the plans accepted by the end of the year and bidding in February, 2022.

Councilmember Holmes was concerned about two projects being done in 2022.

Interim Public Works Director Swearingen responded that the scheduling of the Old Snelling round-a-bout changed the timing of several City pavement projects. Moving the Old Snelling updates to coincide with the larger Ramsey County project gives an opportunity to redo the Arden Oaks neighborhood. It's being designed as a separate project but they will want to put it at the same bidding season in an effort to get competitive bids.

City Administrator Perrault said this project was included in last year's approved CIP.

Councilmember Holden felt the street is in terrible shape. Leftover Old Snelling money could be used to fund this project.

Mayor Grant said there have been some major patches put in place to hold the street together and it's his understanding the project is moving forward because it needs to.

Councilmember Holmes requested budget information from staff.

Councilmember Scott said residents are getting frustrated with street maintenance projects getting deferred and he favored a more aggressive street maintenance plan.

Councilmember Holden agreed that budget information is needed.

Mayor Grant felt they should move forward with the feasibility report.

Councilmember McClung was in favor of getting CIP budget information and also moving forward with a feasibility report. He complimented Interim Public Works Director Swearingen's memo.

Councilmember Scott felt they should move forward with the feasibility report.

Councilmember Holden was OK with doing the feasibility report.

Mayor Grant instructed staff to move forward with the feasibility report RFP and bring it forward to the next Council meeting.

D. Preliminary Public Works 2021 Capital Equipment Discussion

Interim Public Works Director Swearingen stated that staff is asking for City Council direction is requested regarding the purchase of 2021 capital equipment items identified in the Capital Improvement Plan (CIP). With direction from Council, staff will gather updated quotes on equipment desired. The 2021 CIP includes eight equipment items for replacement or addition, consisting of two pickup trucks, a plow truck, three mowers and two pieces of safety equipment.

Interim Public Works Director Swearingen explained the first piece of equipment is Unit 210 is a 2010 Ford F350 Pickup Truck equipped with a lift gate and sign-board. The sign board is an older model and replacements parts are no longer available. Unit 210 is used primarily for traffic control during field operations and applying ice control brine on roadways in the winter months. This vehicle has reached the end of its useful life and can be replaced with equipment that is more versatile. The vehicle has 61,321 miles. Staff recommends replacement of Unit 210 with a Ford F-350, outfitted with an aluminum Tommy Gate Liftgate and an 8-foot v-plow. The truck will fulfill the duties of park maintenance and winter plowing of sidewalks, trails and parking lots.

Interim Public Works Director Swearingen said Unit 203 is another pickup truck. It is primarily used as a service vehicle for utility locating and maintenance in the summer months and for plowing sidewalks, trails, and parking lots in the winter. Purchasing of the equipment was halted due to Unit 210 not being approved to replace. Both Unit 203 and 210 must be approved in order to assemble the fleet as needed for trail plowing and safe storage for parts and tools. This unit has 97,196 miles. Staff recommends replacement of Unit 203 with a Ford F-250, outfitted with a Knapheide Flip-Top Service Body which would hold tools more safely than they are now, while abiding by the latest OSHA safety standards for storing loose objects. Plowing functions would transfer to Unit 210.

Interim Public Works Director Swearingen reported the next piece of equipment is the International Plow Truck, Unit 120. In January 2020, this vehicle encountered engine problems during a snow plowing event which triggered early replacement of the truck. Council approved replacement last year but COVID caused delays in many industries, and the City was not able to obtain the equipment in 2020 so the replacement of this unit has been carried over to 2021.

Interim Public Works Director Swearingen said next is the replacement of the 1997 Toro Groundskeeper, Unit 409. Unit 409 is used for trail and off-road mowing including climbing steep hills. It has 2,929 hours of operation and parts are becoming difficult to find. The CIP includes a budget of \$60,000 for this equipment in 2021. Looking at preliminary quotes, replacement of this equipment will be well under budget.

Interim Public Works Director Swearingen said the Toro “Z” mowers are in the trade in program, currently trading in on a three year cycle. Unit 458 has 597 hours, Unit 459 has 673 hours. Staff recommends continuing replacement of these machines every 3 years to minimize down time costs and maximize trade in value.

Interim Public Works Director Swearingen stated the next piece of equipment is the portable message board. The mounted message board on unit 210 has become obsolete and almost unusable. A trailer mounted unit would be more versatile and safer. The CIP includes a budget of \$16,000 for this equipment, based off of a quote received last year.

Interim Public Works Director Swearingen said the last piece is a portable light tower. Public Works staff is currently working in dark conditions loading and unloading trucks during after hour emergencies. The equipment follows OSHA safe work space compliance. The CIP includes a budget of \$10,000 for this equipment.

Interim Public Works Director Swearingen explained the Capital Improvement Program for equipment purchases was restructured in 2020 to allow for early replacement of the snow plow Unit 210. Attachment A provides the annual and total five-year financial impact for the current CIP. Staff requests direction from the City Council regarding gathering current quotes to move forward with purchasing the presented equipment. He would also like to move forward with a fleet management program.

Mayor Grant asked where they proposed to store the portable light tower.

Interim Public Works Director Swearingen felt there was space inside the building or the back lot but would defer to the Public Works Superintendent for his plan.

Councilmember Scott was in favor of moving forward with all items as presented.

Councilmember Holden said she won't approve these unless there is a fleet management plan.

Mayor Grant asked about Unit 120 maintenance.

Interim Public Works Director Swearingen said the repairs were being done to get the vehicle through the summer.

Councilmember McClung said everything looked good to him.

City Administrator Perrault asked if the Council's expectation were that the fleet management plan would be completed prior to moving forward with the items?

Mayor Grant said he'd like to see some progress.

Councilmember Holden thought they'd agreed that one would be put together and they would try to get the plan implemented by fall, that they would have an idea of how they would approach it.

City Administrator Perrault said they'd like to have a fully formed plan by the end of the year. They would be ready to move the CIP items but the plan wouldn't be ready for the next meeting.

Mayor Grant would like to see something tangible and suggested the fleet management plan be put on the Council Tracker.

City Administrator Perrault clarified that items will be moved forward to the Council for approval at an upcoming meeting and they will add the fleet maintenance plan to the Council tracker, with a preliminary plan by fall and a more finalized plan toward the end of the year.

Councilmember Scott called a point of order to extend the meeting for another 20 minutes. Council voted and approved.

E. Solicitors, Park Shelter/Pavilion Rentals, and Garage Sales Discussion

Mayor Grant wanted to allow all items.

Councilmember Holden felt door to door solicitation should not be allowed until the end of June.

Mayor Grant agreed.

Councilmember Holmes disagreed, saying you didn't have to answer your door to solicitors.

Councilmember McClung suggested July 1 for solicitors.

Councilmember Scott was fine with July 1 for solicitors.

Mayor Grant directed staff to open park shelters, pavilion rentals and garage sales, but to hold off on soliciting until July 1.

City Administrator Perrault noted that he will bring a COVID operations update discussion to the work session in April.

F. Council Participation in City Planner Interviews

City Administrator Perrault stated the City Council previously authorized recruitment for the City Planner position but who would be participating in the interview process was not finalized. Staff understanding is that Council participation would be in the second/final round of interviews.

Councilmember McClung said he would take himself out of consideration.

Councilmember Scott felt it should be the Personnel Committee members.

Councilmember Holmes would like to be in the interviews as she is on the Personnel Committee and is the liaison to the Planning Commission; however, she is not available on Wednesdays or Fridays.

Councilmember Holden had no bad dates and could attend.

Mayor Grant suggested that Councilmember Holden attend the interviews, and either Councilmember Holmes or himself, depending on scheduling.

City Administrator Perrault said the second/final round will most likely be done in person, socially distanced with masks on.

G. Council Tracker

Councilmember Holden asked to make sure two items were added to the tracker: fleet management, and talking to Ramsey County about adding a sidewalk from Red Fox onto Lexington Avenue to the bus stop.

2. COUNCIL COMMENTS AND STAFF UPDATES

Mayor Grant said there is a catch basin in one of the cul-de-sacs off of Chatham that was caught with a snow plow and needs repair.

Councilmember Holden noted the League of Minnesota Cities was holding a meeting to discuss the new COVID money if anyone wanted to register.

ADJOURN

Mayor Grant adjourned the City Council Work Session at 8:16 p.m.

Jolene Trauba
Deputy City Clerk

David Grant
Mayor