



Approved: September 23, 2019

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**CITY OF ARDEN HILLS, MINNESOTA  
SPECIAL CITY COUNCIL WORK SESSION  
AUGUST 12, 2019  
5:30 P.M. - ARDEN HILLS CITY COUNCIL CHAMBERS**

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**CALL TO ORDER/ROLL CALL**

Pursuant to due call and notice thereof, Mayor Grant called to order the City Council Work Session meeting at 5:30 p.m.

**Present:** Mayor David Grant; Councilmembers Brenda Holden, Dave McClung and Steve Scott

**Absent:** Councilmember Fran Holmes (excused)

**Also present:** City Administrator Dave Perrault; Interim Public Works Director/City Engineer Todd Blomstrom; Community Development Manager/City Planner Mike Mroska, Deputy Clerk Jolene Trauba, and Bolton & Menk Consultant Planner Jane Kansier

**1. AGENDA ITEMS**

**A. Old Snelling and County Road E PMP**

**Interim Public Works Director/City Engineer Blomstrom** stated the City's adopted 2019-2023 Capital Improvement Program includes proposed improvements to Old Snelling Avenue from County Road E to Trunk Highway 51 and improvements to the intersection at County Road E. The Ramsey County Transportation Improvement Program currently identifies project funding for intersection improvement at County Road E and Old Snelling, which is anticipated to include construction of a roundabout. The County is supportive of the City leading the delivery of these improvements under a cooperative agreement.

**Interim Public Works Director/City Engineer Blomstrom** reported the purpose of this project is to address infrastructure challenges within the proposed project corridor. Pavement conditions along Old Snelling Avenue have deteriorated, with transverse cracking, alligator cracking and potholes. The pavement condition rating of Old Snelling Avenue is below 30. The intersection of County Road E and Old Snelling currently has significant delays and queuing issues during the PM peak hour. In addition, the City and County have recently identified deteriorated sections of sanitary sewer and storm sewer within the intersection and extending north of County Road E. A potential trail extension along Old Snelling Avenue is also being considered.

**Interim Public Works Director/City Engineer Blomstrom** explained Old Snelling Avenue improvements are anticipated to involve funding derived from special assessments. The special assessment process must follow the City's current special assessment policy and maintain compliance with the requirements of Minnesota Statutes Chapter 429. The initial step in the special assessment process is to complete a feasibility report. Due to project specific challenges, including soil conditions, utility coordination and potential easement acquisition, the feasibility report is recommended to include a site survey, geotechnical investigation, and preliminary schematic layout.

**Councilmember McClung** asked if there was enough space along the roadway for a trail.

**Interim Public Works Director/City Engineer Blomstrom** indicated there was adequate space.

**Councilmember Holden** questioned how much property would have to be acquired in order to complete a roundabout.

**Interim Public Works Director/City Engineer Blomstrom** discussed the amount of the right of way available at this intersection. He anticipated the City would have to acquire some right of way in the southwest corner of this intersection. He commented further on how the City and County would fund this project.

**Councilmember Holden** expressed concern that the City would be forced to pay \$400,000 because the County deemed it necessary to turn this intersection into a roundabout. She asked what the next step would be.

**Interim Public Works Director/City Engineer Blomstrom** indicated the City would have to complete a feasibility report, survey, geotechnical work and neighborhood meeting. After these items were completed the Council could proceed with design of the project. He recommended the Council order a feasibility report at the next Council meeting in order to allow the Council to hit the February bid dates.

**Councilmember Holden** stated she was concerned with the fact the City would have two major roadway projects being completed in 2020 with this project and Lexington Avenue.

**Interim Public Works Director/City Engineer Blomstrom** reported the County has pushed the Lexington Avenue project to 2021.

**Councilmember Holden** supported this item moving forward but recommended the City receive several bids for the feasibility study.

**Mayor Grant** questioned how much a feasibility study would cost the City.

**Interim Public Works Director/City Engineer Blomstrom** estimated the expense to be roughly \$50,000 and noted this would include the geotechnical engineering work. Soil borings would be contracted directly by the City.

**Mayor Grant** supported moving forward with this project given the fact the County wants to move forward with this improvement project. He noted the City had fund set aside for this project.

**Councilmember McClung** asked who the City has used in the past for its feasibility reports.

**City Administrator Perrault** explained the City has used SEH, Kimley-Horn, WSB, and Bolton & Menk.

**Councilmember McClung** recommended staff speak with these companies and request an RFP for the project.

**Councilmember Holden** supported staff pursuing several bids for the feasibility report as well.

Council consensus was to direct staff to request bids for the feasibility report and bring back an order for a feasibility report at the August 26, 2019 City Council meeting.

#### **B. Neighborhood Meeting Notification Discussion**

**Community Development Manager/City Planner Mrosla** explained at their May 16, 2011 meeting the City Council approved the Land Use Application Public Notification Policy. The policy requires staff to notify residents within a given distance from the subject parcel where the development is occurring by mail of upcoming meeting Planning Commission and City Council meetings. The notification mailing distance is determined by whether the planning case requires a public hearing, and if the project is large and has special circumstances. Staff has been utilizing the Land Use Application Public Notification Policy mailing distances when notifying residents of neighborhood meeting. The rationale for utilizing this policy is that the intent of a neighborhood meeting is to reach the same people who will be notified of the public hearing.

**Community Development Manager/City Planner Mrosla** stated the intent of a neighborhood meeting is to allow the applicant to garner feedback from those directly impacted by the project and allow them to make improvements to reduce concerns and impacts. In most communities, neighborhood meetings are generally held for applications for preliminary plats, conditional use permits, planned unit developments and/or rezoning proposals that are located adjacent to or within a residential zoning district. The intent of the neighborhood meeting is to expand and enhance the distribution of information to the residents directly impacted by a development proposal. However, different communities have varying policies when it comes to neighborhood meetings notification requirements. A review of five (5) adjacent communities was reviewed with the Council.

**Community Development Manager/City Planner Mrosla** reported cities generally have the same requirements when it comes to neighborhood meetings. Only Vadnais Heights and Roseville require neighborhood meetings for certain application types. All cities provide addresses to the applicants for mailings. The majority of cities above require notices to be mailed to all properties within 350 feet of the subject property, and then allow staff to use their discretion to expand the notification area if deemed necessary. None of the cities surveyed post

neighborhood meetings notification on their websites or on social media unless the City is facilitating the development. The cities do post public hearings on their websites.

**Community Development Manager/City Planner Mrosła** commented staff is reviewing options to post land use application information on the city's website. A growing number of cities are providing development information on their websites. The information generally includes a brief summary of the project and contact information. This allows residents not impacted by the project to review the proposal and contact staff if they have any questions or concerns. He requested feedback from the Council on the neighborhood meeting notification process.

**Councilmember Holden** stated she heard from several different people at National Night Out that more people should be invited to neighborhood meetings and not just adjacent property owners.

**Mayor Grant** supported the City notifying residents that live within 500 feet of a project area to neighborhood meetings. He indicated he could be lobbied to go even higher on this.

**Planning Consultant Kansier** recommended the Council find a number and stick with it. She did not believe the Council should be using different numbers for different projects.

**Mayor Grant** suggested the notification radius be set at 1,000 feet.

**Community Development Manager/City Planner Mrosła** stated this could be set as the notification standard.

Council consensus was to set the neighborhood meeting notification radius to 1,000 feet.

**Community Development Manager/City Planner Mrosła** asked if the Council wanted to require developers to hold neighborhood meetings for all preliminary plats, conditional use permits, planned unit developments, rezonings, comprehensive plan amendments that are located within neighborhood developments.

**Councilmember Holden** asked when these meetings were held.

**Community Development Manager/City Planner Mrosła** reported the neighborhood meeting could be held prior to the developer making application or after an application has been submitted.

**Councilmember McClung** stated he liked the idea of developers meeting with neighbors prior to submitting an application.

**Mayor Grant** supported neighborhood meetings for all of the staff listed requests.

**Councilmember McClung** agreed.

**Community Development Manager/City Planner Mrosła** commented a second neighborhood meeting could be held after an application is submitted after plans have been revised to take into consideration the neighbors concerns and prior to the item being reviewed by the City Council.

**Councilmember Holden** supported this recommendation.

**Community Development Manager/City Planner Mrosła** asked if the Council would allow staff to provide developers with lists of addresses. He explained other cities do provide this service.

**Mayor Grant** commented there was not a huge cost to the City to provide the addresses. For this reason, he supported the City providing developers with addresses.

**Councilmember Holden** expressed concern with Roseville properly notifying Arden Hills residents of potential developments.

**Community Development Manager/City Planner Mrosła** described how technology had changed to allow cities to grab addresses within the GIS system across city lines.

**Councilmember McClung** stated he could support the 1,000-foot notification radius while allowing staff to increase this for certain or special projects.

**Councilmember Holden** indicated she would like to see the City's neighborhood meeting notices streamlined.

**Community Development Manager/City Planner Mrosła** commented he would look at revising the information that was included on the notifications.

### C. B2 Zoning

**Planning Consultant Kansier** explained the City Council discussed setback requirements for buildings and parking lots in the B-2 District at the work session on June 18, 2018. The B-2 District is generally located along the County Road E corridor between Highway 51 and Lexington Avenue North. For new development in the B-2 District, the Zoning Code currently requires buildings to be located along County Road E and parking to be located behind buildings. The City Council directed staff to bring forward possible changes to the design standards that would allow for more flexibility in the placements of buildings and parking in the B-2 District. The City Council also requested that the façade transparency requirements also be reviewed.

**Planning Consultant Kansier** stated it should be noted the additional design standards for the B-2 District included in Section 1325.05, Subd. 8 of the Zoning Code also apply to the B-3 District. Any changes made to these design standards would also apply to new development and redevelopment in both the B-2 and B-3 Districts. The B-3 District is generally located along the west side of Lexington Avenue from County Road E to I-694. The B-3 District also includes several properties on the north side of Red Fox Road and on the south side of Grey Fox Road in proximity to Lexington Avenue.

**Planning Consultant Kansier** indicated the Council reviewed potential language relating to setbacks and building facades at the September 17, 2018, workshop. The staff recommended revising the front yard setback requirement from 20 feet to 50 feet. Staff also recommended removing the requirement that at least 50 percent of the largest building on each site be

constructed at the front setback line of 20 feet. Staff recommended the following parking location requirements be deleted:

- Placing parking between the street right-of-way and a building shall be discouraged
- No more than 50 percent of the parking on a site may be between buildings or in the side yards

**Planning Consultant Kansier** explained the Council agreed with the recommended changes in setbacks; however, the Council did have some concerns about changes to the building façade requirements.

**Councilmember Holden** asked if the proposed changes would address the snow removal concerns.

**Planning Consultant Kansier** reported this was the case. She commented further on the building materials standards that were being proposed. She explained the proposed changes would ensure the appearance of blank walls and would not face the street. Furthermore, spandrel glass would alleviate concerns about storage and maintenance rooms.

Further discussion ensued regarding spandrel glass.

**Mayor Grant** thanked staff for provided an update on the B2 Zoning District.

#### **D. Clear Cutting and Grading**

**Planning Consultant Kansier** explained at the August 20, 2018, City Council workshop, the City Attorney reviewed a draft ordinance that was intended to address vegetation removal and clear cutting. At that meeting, the City Council was concerned the ordinance did not address the issue of clearcutting a lot and claiming the trees were diseased after the fact. To address the Council's concerns, additional language is proposed. The additional language includes:

- Adding a definition of Land Disturbance Activity to the Zoning Code definitions. The definition is the same as that included in Chapter 15, Erosion and Sedimentation Control.
- An amendment to Section 1325.055, Tree Preservation, Subd. 2, stating *"It shall be unlawful for any person to engage directly or indirectly in a land disturbing activity, as defined in this ordinance, unless such person has applied for and obtained approval of a tree preservation plan. No preliminary plat, building permit, grading permit, or other City required permit shall be granted unless approval of a tree preservation plan has been obtained."*
- An amendment to Section 1325.055, Subd. 5, D, stating, *"Prior to removal, all diseased or nuisance trees must be clearly identified on the site, and the diseased or nuisance state must be certified by a certified tree inspector, forester or arborist."*

**Planning Consultant Kansier** reported the proposed language is intended to codify the need for a tree preservation plan prior to clearcutting a site. Clearcutting is part of a larger infill development discussion. Staff is meeting with the City of Edina staff on August 15<sup>th</sup> to discuss their ordinances and policies in regards to residential infill development. Following the meeting

with Edina, staff intends on having future discussions on setbacks, neighborhood characteristics, and infill construction management.

**Councilmember Scott** asked if additional language should be considered for trees that are damaged during a storm.

**Planning Consultant Kansier** stated this could be considered. Further discussion ensued regarding tree loss and the percentage of significant tree loss that should be allowed.

**Councilmember Holden** stated she did not believe the current clearcutting language made any sense because a developer could clear two out of three lots at this time within the Ordinance.

**Community Development Manager/City Planner Mrosla** indicated the language within the Ordinance could be strengthened to address clearcutting concerns. He noted the infill and erosion control language could also be amended. He stated he could report back to the Council after meeting with the City of Edina to see how this City addressed these items.

**Councilmember McClung** indicated he would like to develop a little bit of tooth on how to address these matters and for there to be a clear penalty in place.

#### **E. Code Enforcement Discussion**

**Community Development Manager/City Planner Mrosla** explained a general question was raised if the City's ordinance relating to code enforcement needs to be clearer for enforcement, or if it is sufficient. Community Development staff with the City's prosecuting attorney (Kelly and Lemmons) discussed the City's ordinance and how effective it is with regards to code enforcement. Staff and the attorney also discussed a specific complaint regarding cars and recreational vehicle (RV) parked on a property, as well as a non-conforming fence. Staff and the attorney agreed the current ordinance is sufficient for general code enforcement, and does not need further clarification at this time.

**Community Development Manager/City Planner Mrosla** stated however, every code enforcement case has its own unique set situations and complexities. Generally, if a violation of the code is found to exist, a letter will be sent which outlines the steps that need to be taken to correct the violation. In many instances, residents are simply unaware of the Code and correct the situation immediately. In the event the correction is not made in a reasonable amount of time, staff has numerous means to resolve the matter. Below are common code enforcement issues that our inspectors encounter with regards to vehicle and RV parking on residential lots.

##### Code Section: 800.03 - Parking Regulations

- **Prohibited Parking Areas.** In all residential districts, parking shall be prohibited on any area of private property except on designated driveways or parking lots.
- **Parking in Driveways.** In all residential districts, there shall be no more than four vehicles parked on a driveway.

Code Section: 1325.12 – Recreational Vehicle, Utility Trailer, Riding Lawn Mower, and Watercraft Outdoor Storage:

- No more than three (3) RVs, utility trailers, riding lawn mowers, or watercraft are permitted. Not more than one (1) of the three (3) may be a motor home, travel trailer, camper, or other similar type of RV. RVs and watercraft on a trailer shall be considered as one.
- The rear yard is fully enclosed by a six-foot privacy fence or is substantially screened from adjacent properties as determined by the Zoning Administrator; which may include fencing, vegetation, or both.
- RVs, utility trailers, riding lawn mowers, and watercraft shall not be stored within the principal structure side yard setback as required in the underlying zone, and shall be at least ten (10) feet from the rear property line. If both side and rear yards are available for storage, then the location with the least visibility from streets and neighboring property, as determined by the Zoning Administrator, shall be used for such storage.
- It shall not be stored forward of the principal structure, except as otherwise provided for in this section.
- Short-Term Parking without Permit. Licensed and operable RVs, utility trailers, riding lawn mowers, and watercraft of any length or height may be parked in driveways for the sole expressed purpose of loading, unloading, and cleaning for a period not to exceed seventy-two (72) hours, provided that they are not within five (5) feet of the curb or, if there is no curb, the edge of the road driving surface, and do not encroach upon a pedestrian walkway.

**Councilmember Holden** discussed how RV's were defined within City Code.

Further discussion ensued regarding a specific lot in the City that had numerous code violations.

**City Administrator Perrault** reported the City would be taking a more aggressive role in enforcing these issues.

**Community Development Manager/City Planner Mrosła** commented on how it was important for certain standards to be met in with respect to the City's housing stock in order to keep housing values high.

**Councilmember Holden** asked if the City was aware of any hoarding houses.

**Community Development Manager/City Planner Mrosła** stated he was not aware of any hoarding houses in Arden Hills. He provided further comment on the letters that would be sent regarding park land encroachment. He reported staff was considering including a brochure with these letters to note common code violations in the City.

**Councilmember McClung** supported this idea and suggested this same brochure be sent out in utility bills on a yearly basis. He wanted to see the City being more proactive when pursuing code enforcement issues that were complaint based. He stated the community was aging and he wanted to see the City encouraging homeowners to keep their house in alignment with City Code.

**Community Development Manager/City Planner Mrosła** stated education was key and staff was also going to be putting more information regarding code violations in the City newsletter. He reported additional information would be placed on the City's website as well.



**2. COUNCIL COMMENTS AND STAFF UPDATES**

**Councilmember Holden** asked if staff had updated water usage information.

**City Administrator Perrault** reported he would have Finance Director Bauman distribute this information to the Council.

**Mayor Grant** discussed the City getting new monitors on the Council dais.

**Mayor Grant** asked if the City newsletter situation had been addressed with Arden Manor.

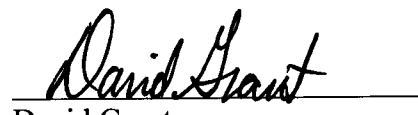
**City Administrator Perrault** reported the situation had been remedied with the printer.

**Councilmember Holden** requested a copy of the City's records retention policy.

**ADJOURN**

Mayor Grant adjourned the City Council Work Session meeting at 7:49 p.m.

  
Jolene Trauba  
Deputy Clerk

  
David Grant  
Mayor