



Approved: November 22, 2021

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**CITY OF ARDEN HILLS, MINNESOTA  
REGULAR CITY COUNCIL MEETING  
OCTOBER 25, 2021  
7:00 P.M. - ARDEN HILLS CITY COUNCIL CHAMBERS**

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**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, and Steve Scott

**Absent:** Councilmember Dave McClung (excused)

**Also present:** City Administrator Dave Perrault; Public Works Director Dave Swearingen; Senior Planner Jessica Jagoe; Finance Director Gayle Bauman; and City Attorney Joel Jamnik

**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 (4-0).

**2. PUBLIC INQUIRIES/INFORMATIONAL**

None.

**3. RESPONSE TO PUBLIC INQUIRIES**

A. Public Inquiry Response from October 11, 2021 City Council Meeting

City Attorney Jamnik provided a response to the comments that were made at the October 11 Council meeting, a resident inquired as to what the Council's position was on increased density and affordability on the TCAAP site.

The Council is still bound to not discuss or disclose the substance of its negotiations and positions exchanged with Ramsey County during the litigation brought by Ramsey County against the City

which recently concluded, but the Council remains committed to supporting the redevelopment to achieve the same goals it established in January of 2016: the City seeks to have the development provide a true mixed-use village of office, manufacturing, retail space and housing for the area that provides new tax revenues, a diverse blend of land uses, high wage jobs, and the efficient delivery of public and private services that will enhance but remain complementary to existing development within the City.

In regards to affordability, the City recognizes the need for affordable and life cycle housing with a particular focus on young professionals, move up housing, and senior citizens. It is important to note that the City itself does NOT regulate affordable housing, in-fact the City is not standing in the way of increased affordability on the site, but it cannot divert funds from every-day operations, like police and fire protection or road maintenance to pay for additional affordable housing. The County and/or Master Developer may seek outside funding sources to make TCAAP more affordable. This would be above and beyond the affordability measures already built in to TCAAP as part of the City's goals established back in 2016.

For density, the City's current land use and comprehensive plan contemplate a maximum of 1,460 residential units at an overall average density of no greater than 9.46 units per acre. That density is roughly three times greater than the current city average density, and unlike other developments identified that have a broader grid network of streets for access and readily available public transportation, Rice Creek Commons is dependent on a single spine road with two primary ingress and egress points north and south for its transportation needs and is planned for a higher concentration of office, manufacturing, commercial and retail uses than those other developments. The planned level of density aims to keep TCAAP a viable, long-term investment for the region, while not overbuilding to the point of creating more problems for the local infrastructure, such as, extreme traffic congestion.

Times have changed, and the needs and constraints of the existing and future residents of the City will also change as the project progresses, which is why the City is committed to continue its discussions with the Master Developer and the County through the established Joint Development Authority to review the changing dynamics. But that can't happen unless and until the County recommits to the previously agreed to process. In the absence of an open and transparent process, the public will be left to wonder.

#### **4. PUBLIC PRESENTATIONS**

##### **A. Lexington Avenue Reconstruction Project Update**

**Steve Weser**, Alliant Engineering, Inc., provided the Council with a presentation on the Lexington Avenue Reconstruction Project. He noted there would be a full reconstruction of Lexington Avenue from I-694 to County Road E with some signal and median work being done. The project would be led by Ramsey County with partnerships from Shoreview, Arden Hills, MNDOT and adjacent residents and businesses. The purpose for this project would be replace aging infrastructure, to update utilities, improve pedestrian and bicycle facilities and to provide safety improvements. The proposed timeline and staging for the project was reviewed with the Council. He commented on the public engagement that occurred which included a series of open

houses. Further comment was provided regarding intersection improvements that would be made through the project and information was provided on how the project would be funded.

**Councilmember Holden** requested further information regarding the regional trail. She questioned how wide the sidewalk would be.

**Mr. Weser** explained the County was studying a regional trail through this area because the roadway was being reconstructed. He reported this may or may not be a regional trail in the future. He anticipated the sidewalk would be six feet wide.

**Joey Lundquist**, Ramsey County Project Manager, stated she was new to the County. She understood there was a parks and trails group with the County that was deciding which trails were on certain sides of the street.

**Councilmember Holden** questioned how long northbound Lexington Avenue would be closed. She reported this was the only route Arden Hills residents can use to access eastbound I-694. She requested one lane remain open to allow for access to I-694 east.

**Mr. Weser** stated due to the pavement improvements needed near the railroad a full road closure was needed. He anticipated the road closure would be for two weeks.

**Mayor Grant** discussed how traffic would have to be rerouted in order to allow residents to get to I-694.

**Councilmember Holmes** indicated this was the third major road project that has been completed on Lexington Avenue in the last 10 years. She questioned why these projects can't be more coordinated.

**Ms. Lundquist** commented she was not aware of the history but noted some projects may have been completed for utilities while others were minor resurfacing. She explained the proposed project was quite major.

**Councilmember Holmes** discussed how disruptive these projects were for Arden Hills residents and business owners. She encouraged the County to pool its funding in the future in order to limit the number of projects in the future.

**Councilmember Holden** feared that local businesses would be further impacted by the proposed road closures.

**Ms. Lundquist** encouraged local business owners to attend an upcoming open house in order to understand how traffic would be routed through the project so they can let their patrons know how to get to their business.

**Mayor Grant** asked if the County would be taking comments from local businesses at the upcoming open house.

**Ms. Lundquist** commented mostly the County has been providing information on the project.

**Mayor Grant** noted there was a big difference between this is what we are going to do and this is how the project is going to be staged. He encouraged the County to be receptive to these types of comments and concerns from local business owners. He requested the cross connect to Shoreview be inspected during this project.

**Public Works Director Swearingen** explained the cross connect would be replaced during this project.

B. Recognition of Senator Jason Isaacson and Representative Kelly Moller –  
Lexington Avenue Watermain Project

**Mayor Grant** recognized Senator Jason Isaacson and Representative Kelly Moller for their work on assisting the City with the Lexington Avenue Watermain Project. He thanked Senator Isaacson and Representative Moller for advocating on behalf of the City of Arden Hills and presented each of them with a Certificate of Appreciation.

**Senator Jason Isaacson** (attending via Zoom) thanked the City for this recognition and stated he was always happy to be of service to the City of Arden Hills. He commented further on the issues he would be advocating for on behalf of the City.

**Representative Kelly Moller** (attending via Zoom) thanked the City for this certificate and explained she enjoyed working with the City and Senator Isaacson on this project. She indicated she was looking forward to the end results from this project. She discussed the upcoming bonding requests that have been made by Arden Hills and noted she was working to get sidewalks around the Mounds View High School. She stated she appreciated seeing several members of the Council at the New Perspective Senior Living ground breaking ceremony and commented she was looking forward to this project progressing in the community.

## 5. STAFF COMMENTS

A. Transportation Update

**Public Works Director Swearingen** reported the 2021 PMP Street and Utility Improvement Project was completed. He recommended the Transportation Update item from the agenda be removed until next spring.

## 6. APPROVAL OF MINUTES

None.

## 7. CONSENT CALENDAR

- A. Motion to Approve Consent Agenda Item - Claims and Payroll
- B. Motion to Approve Resolution 2021-055 Authorizing the City to Apply for a Grant from the Minnesota Public Facilities Authority (PFA) – Lexington Avenue Watermain Project

- C. Motion to Approve Resolution 2021-056 Designating Polling Places for the 2022 General Election
- D. Motion to Approve Resolution 2021-057 Accepting Donation from Arden Hills Foundation
- E. Motion to Approve Ordinance 2021-010 Replacing Chapter 3, Section 380 – Local Lodging Tax, and Authorizing Publication of Summary Ordinance
- F. Motion to Approve Appointment of City Planner
- G. Motion to Approve Recruitment of Senior Planner
- H. Motion to Approve 2022 Recycling Contract Extension with Republic Services
- I. Motion to Approve Resolution 2021-058 Authorizing Application for Recycling SCORE Grant Funds from Ramsey County for 2022
- J. Motion to Approve Termination of Abatement Agreement for Land O’Lakes Expansion Project
- K. Motion to Approve 2021 3<sup>rd</sup> Quarter Financials
- L. Motion to Approve Resolution 2021-059 Denying a Preliminary Plat, Final Plat, Master Planned Unit Development and Site Plan Review for 3737 Lexington Avenue N and 1133 Grey Fox Road (Aldi) – Planning Case 21-019
- M. Motion to Approve Amended Planned Unit Development Agreement – Bethel University – Planning Case 21-020
- N. Motion to Approve Resolution 2021-060 Approving Plans and Specifications and Ordering Advertisement for Bids – Lexington Avenue Reconstruction Project
- O. Motion to Approve Payment No. 1 and Change Orders No. 1, 2 and 3 – Karth Lake Runoff Control Project
- P. Motion to Authorize City Hall Cleaning Services Agreement
- Q. Motion to Approve Appointment of Communications Coordinator

**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 (4-0).

#### **8. PULLED CONSENT ITEMS**

None.

#### **9. PUBLIC HEARINGS**

- A. Planning Case 21-024 – Zoning Code Amendment – Chapter 13, Sections 1320.06 and 1325.05 (B-2 and B-3 Districts)**

**Senior Planner Jagoe** explained starting in 2018, the City Council began discussions on possible amendments with regards to the design standards and placement of buildings for the B-2 Zoning District. The B-2 District generally includes the properties along the County Road E corridor between Highway 51 and Lexington Avenue North. The district is a mix of new and older buildings and primarily retail, service, and office uses. For new development in this district, the Zoning Code identifies design standards that regulate placement of the building and parking areas. The City Council’s initial review involved discussions on the front yard setback in business

districts and consideration for amending the language from 20 feet to 50 feet to be consistent with the B-3 District. In addition, the Council reviewed removal of two parking setback requirements that would allow a Developer more flexibility in the placement of buildings and parking areas in the B-2 District.

**Senior Planner Jagoe** stated from this initial work session, the City Council also identified additional concerns with building façade requirements. In 2019 and 2020, the City Council held two more work sessions whereby providing feedback and direction to staff on revisions for consideration in the B-2 District. The Council requested staff review the transparency requirements for commercial developments as well as the use of other types of coating on glass as a means of complying with ordinance requirements.

**Senior Planner Jagoe** reported at the work session meeting on December 21, 2020, the City Council discussed the Staff suggested amendments regarding front yard setback and removal of design standard language in order to allow more flexibility in placement of the buildings in B-2 District. The consensus was to remove a sentence within Commercial Façade Transparency, Section 1325.05, Subd. 8, F.1 that allowed discretion for waiving the transparency requirements. The rationale was that this flexibility already exists through the Planned Unit Development review and a Developer could suggest alternate considerations. For façade transparency, the City will continue to require 50% of all first level building facades that front a public street to be comprised of transparent windows or doors. The language to be removed was a second requirement of 20% for all facades that are reasonably visible from the right-of-way. With the language amendments to the building and parking setbacks it is anticipated that there will be fewer issues on design challenges with building orientation and the back side of a building facing the public street. The proposed changes still ensures that the appearance of blank walls would not face the street. Following the discussion, Staff was directed to bring forward the proposed ordinance amendments to the Planning Commission and to hold a public hearing which was completed on October 6th.

**Senior Planner Jagoe** explained the proposed ordinance language from Section 1325.05, Subd. 8 applies to New Development, Redevelopment, and Modifications to Existing Sites in the B-2 and B-3 District. The City Council has identified that a further review of the B-3 District standards may be forthcoming. However, priority has been given to removal of outdated language and modifying language with an emphasis pertinent to the B-2 District. Staff commented further on the proposed zoning code amendment and recommended the Council hold a public hearing.

**Councilmember Holden** asked if these standards would apply if it was not a PUD.

**Senior Planner Jagoe** explained a property within the B-2 District would have to comply to the proposed standards and noted that a PUD would allow that flexibility.

**Councilmember Holden** questioned if back lit Spandrel glass could be requested through flexibility.

**Senior Planner Jagoe** reported this was the case.

**Mayor Grant** opened the public hearing at 8:08 p.m.

With no one coming forward to speak, Mayor Grant closed the public hearing at 8:09 p.m.

**B. Planning Case – 21-021 – Minor Subdivision – 3300 New Brighton Road and 1893 Beckman Avenue**

**Senior Planner Jagoe** stated the Minor Subdivision has been requested to allow for the alteration of the property line between the subject properties. Currently, the two properties have joint access to a driveway that crosses the shared property line. The Applicants are requesting the Minor Subdivision to alter the property line to include all of the shared driveway. This would involve adding 796 square feet (excluding ROW) of property to Subject Property A, owned by the Applicants. Staff commented further on the request and recommended the Council hold a public hearing.

**Councilmember Holden** stated she would be requesting Conditions 1 and 2 be pulled because these have never been required from other applicants.

**Mayor Grant** opened the public hearing at 8:12 p.m.

With no one coming forward to speak, Mayor Grant closed the public hearing at 8:13 p.m.

**10. NEW BUSINESS**

**A. Ordinance 2021-011 Amending Chapter 13, Sections 1320.06 and 1325.05 of the Arden Hills City Code (B-2 and B-3 Districts) and Authorizing Publication of Summary Ordinance – Planning Case 21-024**

**Senior Planner Jagoe** stated the City Council was asked to hold the required public hearing for Planning Case 21-024 under Agenda Item 9A. A full evaluation of the proposed amendment and supporting attachments are included in the staff report under Agenda Item 9A.

**MOTION:** Councilmember Holden moved and Councilmember Holmes seconded a motion to approve adoption of Ordinance 2021-0011 and authorization to publish summary ordinance for Planning Case 21-024 an application for an amendment to the language in Chapter 13, Section 1320.06 and 1325.05 of the Arden Hills City Code to amend and strike language in the B-2, General Business District and B-3, Service Business District regarding design standards for building façade and setback requirements relative to front yard and parking areas.

**Councilmember Holmes** explained the City has heard from some developers that they like back facing buildings. She questioned if parking could be in the middle if requested.

**Senior Planner Jagoe** reported this would be allowed.

**Councilmember Holmes** thanked staff for all of their efforts on this code amendment.

The motion carried (4-0).

**B. Resolution 2021-061 – Minor Subdivision – 3300 New Brighton Road and 1893 Beckman Avenue – Planning Case 21-021**

**Senior Planner Jagoe** stated Jill and Greg Casmeay, Applicants, have requested a Minor Subdivision to allow for the alteration of the property line between the subject properties. Currently, the two properties have joint access to a driveway that crosses the shared property line. The Applicants are requesting the Minor Subdivision to alter the property line to include all of the shared driveway. This would involve adding 796 square feet (excluding ROW) of property to Subject Property A, owned by the Applicants. The City Council was asked to hold the required public hearing for Planning Case 21-021 under Agenda Item 9B. A full evaluation of the proposed Minor Subdivision and supporting attachments are included in the staff report under Agenda Item 9B. It was noted the Planning Commission reviewed this request and recommended approval with three conditions.

**MOTION:** Councilmember Holden moved and Councilmember Holmes seconded a motion to adopt Resolution 2021-061 approving a Minor Subdivision between the properties located at 3300 New Brighton Road and 1893 Beckman Avenue that would be a lot line adjustment along New Brighton Road to reconfigure the side yard between the two existing properties striking Conditions 1 and 2. The motion carried (4-0).

**C. Resolution 2021-062 Ordering Nuisance Abatement – 1465 Floral Drive**

**Senior Planner Jagoe** stated due to a complaint, staff inspected the property at 1465 Floral Drive on August 17, 2021. Staff noted excessive vegetation growth in the rear yard and determined the property was in violation of the following subsection of City Code Section 602.02 Public Nuisance Affecting Health:

- Subd. 6. All noxious weeds and other growths of vegetation upon public or private property in excess of eight (8) inches.

**Senior Planner Jagoe** commented following the initial inspection, Staff sent a letter to the Property Owner at their address shown in Ramsey County Property Records requesting they correct the issue by August 31, 2021. A follow-up inspection on September 13, 2021, revealed the violation had not been corrected. As a result, Staff prepared a second notice on September 13, 2021 that outlined further abatement action may be taken if the violation was not corrected. On September 27, 2021, a third inspection was completed and Staff deemed the rear yard of the property still to be in violation.

**Senior Planner Jagoe** reported in accordance with the City's abatement procedures in Section 602.05 of the City Code, a certified letter was mailed to the Property Owner of record on October 6, 2021. In addition, Staff posted notice on the property and sent a letter via first class mail. Based on the abatement procedures, the Property Owner was given until October 17, 2021 to abate the nuisance. Further investigation by Staff discovered a different out of State mailing address in Maryland was listed in the City's utility billing records. A second abatement notice was sent certified mail on October 12, 2021 to this alternate address with a new deadline of October 19, 2021 to correct the violation. Both final abatement notices identified that if corrective action was

not taken by the stated deadline, the City Council would hold a hearing on October 25, 2021, to order the abatement of the above described nuisance. A follow-up inspection was completed on October 20th and showed that no action has been taken in the rear yard.

**Senior Planner Jagoe** explained staff has included as part of this report the 2017-2020 aerial maps from Ramsey County GIS that show this area in the rear yard along Royal Lane had been previously maintained. An abatement order allows the City to hire a contractor to complete the work on the property and charge the cost back to the property owner. The charge is 125 percent of the cost of the work including administrative costs. If the charges are not paid, the charge will be certified against the property for collection with the property taxes. Staff is requesting the City Council issue an order for abatement of the property.

**Councilmember Holden** asked if this was a lot previously maintained by the City.

**Councilmember Holmes** explained this was not a lot that was maintained by the City.

**Councilmember Scott** noted he viewed this lot on the Ramsey County interactive map and noted this was a larger two acre lot that was private property. He commented adjacent lot at 1423 Floral Drive was part of Floral Park.

**MOTION:** **Councilmember Holden moved and Councilmember Holmes seconded a motion to adopt Resolution 2021-062 ordering nuisance abatement at 1465 Floral Drive W. for excessive vegetation growth not in compliance with City regulations. The motion carried (4-0).**

#### 11. UNFINISHED BUSINESS

None.

#### 12. COUNCIL COMMENTS

**Councilmember Scott** thanked Senator Isaacson and Representative Moller for continuing to be staunch advocates for the City and its residents.

**Councilmember Scott** thanked the Arden Hills Foundation for their donation to the City.

**Councilmember Scott** congratulated Jessica Jagoe for her promotion to the position of City Planner.

**Councilmember Scott** welcomed Grace Arel as the City's new Communications Coordinator.

**Councilmember Scott** encouraged all residents to get out and vote in the upcoming election.

**Councilmember Scott** commented he signed up for the City's new Eye On Water Application which was an interactive app that allows residents to track their daily water consumption.

**Councilmember Holmes** stated on Wednesday, October 13 she attended the New Perspective Senior Living groundbreaking ceremony with the Mayor and Representative Moller.

**Councilmember Holmes** congratulated Jessica Jagoe for her promotion to the position of City Planner.

**Councilmember Holmes** commented on Saturday, October 23 she attended a Zoom discussion with County Commissioner Nicole Fretham where Ramsey County park hours were discussed. She reported there would be another Zoom meeting on this topic on Tuesday, October 26 at 6:30 p.m.

**Councilmember Holmes** reported on Wednesday, October 20 she attended a neighborhood meeting for the Snelling Avenue trail. She noted this event was well attended and the residents were pleased to be able look at the plans and be able to provide feedback.

**Councilmember Holden** questioned when the State of the City event would be held.

**Mayor Grant** stated the State of the City event would be provided in a recorded format this year due to COVID. He explained information regarding this came out in the *Arden Hills Notes*.

**Mayor Grant** thanked the Arden Hills Foundation for their donation to the City's parks.

**Mayor Grant** congratulated Jessica Jagoe for her promotion to the position of City Planner. He also congratulated Grace Arel for being named the City's Communications Coordinator.

**Mayor Grant** encouraged the public to get out and vote in the upcoming election and encouraged staff to provide the election judges with food.

**Mayor Grant** noted he also signed up for the Eye On Water App. He stated it was easy to sign up, residents could monitor their water usage and residents would receive an email if their property had a water leak.

**Mayor Grant** commented on the New Perspectives groundbreaking ceremony and stated he appreciated how this organization put people first in everything they do.

**Mayor Grant** indicated he attended a PTRC meeting last week where the group discussed their 2022 work plan.

**Mayor Grant** reported the Karth Lake Board would be meeting on Tuesday, October 26 and noted he would be in attendance at this meeting.

**Mayor Grant** stated he attended the Snelling Avenue neighborhood meeting last Wednesday, which was well attended. He explained Bolton & Menk answered questions at this meeting and residents were able to express their concerns with the project.

**Public Works Director Swearingen** reported the City also took virtual comments from the public regarding the Snelling Avenue neighborhood project and these comments were being

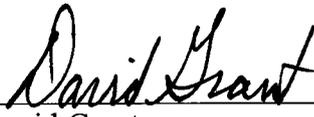
compiled by Bolton & Menk. He stated he would get the results to the Council as soon as possible.

**ADJOURN**

**MOTION: Councilmember Holden moved and Councilmember Holmes seconded a motion to adjourn. The motion carried (4-0).**

**Mayor Grant** adjourned the Regular City Council Meeting at 8:41 p.m.

  
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Julie Hanson  
City Clerk

  
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David Grant  
Mayor