



**DRAFT**

Approved: November 9, 2016

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**CITY OF ARDEN HILLS, MINNESOTA  
PLANNING COMMISSION  
WEDNESDAY, OCTOBER 5, 2016  
6:30 P.M. - ARDEN HILLS CITY HALL**

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**CALL TO ORDER/ROLL CALL**

Pursuant to due call and notice thereof, Chair Roberta Thompson called to order the regular Planning Commission meeting at 6:30 p.m.

**ROLL CALL**

Present were: Chair Roberta Thompson, Commissioners Steven Jones, Phillip Neururer, and Clayton Zimmerman.

Absent: Commissioners Brent Bartel (excused), Nick Gehrig (excused), Angela Hames (excused), and James Lambeth (excused).

Also present were: Senior Planner Matthew Bachler and Mayor David Grant.

**APPROVAL OF AGENDA – OCTOBER 5, 2016**

**Chair Thompson** stated the agenda will stand as published.

**APPROVAL OF MINUTES**

*September 7, 2016 – Planning Commission Regular Meeting*

**Commissioner Zimmerman moved, seconded by Commissioner Jones, to approve the September 7, 2016, Planning Commission Regular Meeting minutes as presented. The motion carried unanimously (4-0).**

**PLANNING CASES**

- A. Planning Case 16-024 – Final PUD – 1150 County Road W East – *No Public Hearing Required***

**Senior Planner Bachler** stated the City approved a Master PUD for the Arden Plaza retail center in 2009 (Planning Case 09-011). This site is situated at the southwest corner of the County Road E and Lexington Avenue intersection, and is approximately 11 acres in size. The approved plans included the demolition of an existing office complex and the phased redevelopment of the site

to be completed in three stages. A total of 97,035 square feet of retail and commercial building space was approved under the original PUD. For each successive phase of the redevelopment, a Final PUD plan is required to be submitted to verify general conformance with the Master PUD and to provide more detailed development plans for the phase to be implemented.

**Senior Planner Bachler** explained Phase I of the Master PUD was completed in 2012 and included the construction of the Walgreens Pharmacy, modifications to parking and circulation within the retail center, and stormwater management improvements. The Tavern Restaurant on Lexington Avenue, which is currently under construction, is identified as Phase III of the Master PUD.

**Senior Planner Bachler** reported MedExpress has requested a Final PUD for Phase II of the Arden Plaza Master PUD to develop Lot 2, Arden Plaza for a 4,733 square foot neighborhood medical clinic. The Master PUD Site Plan shows Phase II being developed as a 6,000 square foot commercial building. The proposal by MedExpress would result in an overall lower density of development on the site than what was originally approved for Phase II. The development plans are in substantial conformance with the Master PUD plans.

**Senior Planner Bachler** indicated MedExpress operates numerous medical centers similar to the one proposed for Arden Plaza across the country, and the company is expanding its operations in Minnesota. Local medical centers have recently opened in the communities of Eden Prairie and Plymouth. MedExpress offers a broad scope of services, including urgent care, employer health services, and basic wellness and prevention services. The Arden Hills center would be open daily from 8:00 a.m. to 8:00 p.m.

**Senior Planner Bachler** stated the proposed site design orients the clinic towards the other buildings within the Arden Plaza retail center with the main entrance located at the southeast corner of the building. Surface parking with a total of 29 stalls would be located on the south side of the lot and would be mostly screened from County Road E by the building and landscaping improvements. Sidewalks have been provided to create pedestrian connections with the public sidewalk on County Road E and the internal retail center sidewalks.

**Senior Planner Bachler** commented the Planned Unit Development process is a tool that provides additional flexibility for development that an underlying zoning district would not otherwise allow. For example, a PUD may make exceptions to setbacks, lot coverage, parking requirements, signage, building materials, or landscaping requirements. It is intended to overcome the limitations of zoning regulations and improve the overall design of a project. While the PUD process allows the City to negotiate certain aspects of the development, any conditions imposed on the PUD must have a rational basis related to the expected impact of the development. A PUD cannot be used to permit uses that would not otherwise be permitted in the underlying zoning district.

**Senior Planner Bachler** stated if a PUD is comprised of multiple lots, it is often treated as one continuous development. The development as a whole would be expected to meet the landscaping, stormwater, and other similar requirements. For example, one property in the PUD may have 60 percent building coverage, but the development as a whole may not exceed 50 percent building coverage to maintain conformance with the underlying zoning district. In order

to maintain shared amenities, such as parking spaces, access drives, and stormwater ponds, the development is required to create a legal entity to manage and maintain the shared facilities.

#### Site Data

Land Use Plan:	Community Mixed Use
Existing Land Use:	Vacant
Zoning:	B-2: General Business District
Current Lot Sizes:	Total Area of Master PUD: 11.02 Acres (479,991 sq. ft.) Lot 2, Arden Plaza: 0.64 acres (27,834 sq. ft.)
Topography:	Relatively flat

**Senior Planner Bachler** reviewed the surrounding area and the Plan Evaluation.

**Senior Planner Bachler** provided the Findings of Fact for review:

1. MedExpress has requested approval of a Final PUD for Phase II of the Arden Plaza Master PUD at 1150 County Road E West.
2. The original Master PUD for the development was approved in Planning Case #09-011. Subsequent PUD Amendments were approved in Planning Case #11-016 and Planning Case #15-002.
3. The applicant has proposed to construct a 4,733 square foot neighborhood medical clinic and associated site improvements.
4. The development proposal is in substantial conformance with the approved Arden Plaza Master PUD and the site improvement requirements contained therein.
5. The Arden Plaza retail center and the Phase II development site are located in the B-2 General Business District.
6. The City has adopted the Guiding Plan for the B-2 District that outlines future development principals for the area.
7. The City has adopted Design Standards for the B-2 District within the Zoning Code.
8. The Final PUD for Phase II is in substantial conformance with the requirements of the City Code.
9. The Final PUD for Phase II is in substantial conformance with the Guiding Plan for the B-2 District.
10. The Final PUD for Phase II is in conformance with the City's Comprehensive Plan.
11. The PUD process allows for flexibility within the City's regulations through a negotiated process with a developer.
12. Where the plan is not in conformance with the City Code, flexibility has been requested by the applicant and/or conditions have been placed on an approval that would mitigate the nonconformity.
13. The application is not anticipated to create a negative impact on the immediate area or the community as a whole.

**Senior Planner Bachler** stated based on the submitted plans and findings of fact, staff recommends approval of Planning Case 16-024 for a Final PUD for Phase II of the Arden Plaza Master PUD at 1150 County Road E West. If the Planning Commission votes to recommend approval of Planning Case 16-024, staff is recommending the following seventeen (17) conditions of approval:

1. The Developer shall continue to abide by the conditions of all previous Master PUD Agreements, permits, and reviews, except as hereinafter amended.
2. The project shall be completed in accordance with the submitted plans as amended by the conditions of approval. Any significant changes to these plans, as determined by the City Planner, shall require review and approval by the Planning Commission and the City Council.
3. The Developer shall obtain a Building Permit within one year of the Final PUD approval or the approval shall expire, unless extended by the City Council prior to the approval's expiration date. Extension requests must be submitted in writing to the City at least 45 days prior to the expiration date.
4. A Development Agreement shall be prepared by the City Attorney and subject to City Council approval. The agreement shall be executed prior to the issuance of any development permits.
5. Prior to the issuance of any development permits, a copy of all necessary supplemental declarations between MedExpress and Arden Plaza, LLC addressing site operation issues, including but not limited to driveway maintenance, shared parking, and drainage, shall be provided to the City.
6. The Developer shall submit a financial surety in the amount of 125 percent of the estimated costs of site improvements including grading, utilities, and paving, prior to the issuance of any development permits. The financial surety shall be in the form of a letter of credit issued by a FDIC-insured Minnesota bank, and be in a form acceptable to the City. The purpose of the letter of credit is to ensure that site improvements are completed in the event that the developer defaults on the Development Agreement.
7. The Developer shall submit a cash escrow in the amount of 25 percent of the estimated costs of site improvements including grading, utilities, and paving, prior to the issuance of any development permits. The escrow will be used for City costs related to review, approval, and inspection of site improvements or any costs incurred by the City in the event of a developer default.
8. The Developer shall submit a financial surety in the amount of 125 percent of the estimated costs of landscaping prior to the issuance of any development permits. The financial surety shall be in the form of a letter of credit issued by a FDIC-insured Minnesota bank. The purpose of the letter of credit is to ensure that landscaping is completed in the event that the developer defaults on the Development Agreement. The City will hold the letter of credit for two years after the installation of landscaping. The letter of credit should not expire during the two-year period.
9. The Developer shall submit a cash escrow in the amount of 25 percent of the estimated costs of landscaping prior to the issuance of any development permits. The escrow will be held by the City for two years after installation of landscaping and used for City costs related to review, approval, and inspection of landscaping, or developer default.
10. Final construction plans shall be subject to approval by the Building Official and Fire Marshall prior to the issuance of a Building Permit.
11. The Developer shall provide the City with a copy of the Rice Creek Watershed District permit for the project prior to the issuance of any development permits.
12. A Grading and Erosion Control Permit will be required prior to the issuance of a Building Permit. The Developer shall be required to demonstrate that the existing stormwater system for Arden Plaza is adequate to accommodate the additional runoff that will result from the development.

13. The Developer shall obtain a Right-of-Way Permit from Ramsey County for any construction work required for the development within the County Road E right-of-way.
14. The building shall be permitted no more than a total of 150 square feet of wall signage.
15. All roof-mounted mechanical equipment shall be screened from ground-level view of public streets. Wood screening shall not be permitted.
16. Trash service enclosure shall be fully enclosed and constructed with the same brick fiber cement panel used for the principal structure.
17. All spandrel glass used on the building shall be light grey or other color that closely matches the appearance of the transparent glass being used.

**Senior Planner Bachler** reviewed the options available to the Planning Commission on this matter:

1. Recommend Approval with Conditions
2. Recommend Approval as Submitted.
3. Recommend Denial
4. Table

**Chair Thompson** opened the floor to Commissioner comments.

**Chair Thompson** asked if the City has revisited the traffic flow for this development.

**Senior Planner Bachler** reviewed the original traffic study completed for the Master PUD application. He reported the City Engineer has reviewed each proposed phase of the Master PUD in order to address the internal flow of traffic.

**Commissioner Jones** questioned if the applicant was requesting a monument sign.

**Senior Planner Bachler** stated as part of the Master PUD approval, two monument signs were approved and reviewed the location of these signs. He noted MedExpress would not be allowed to install an additional monument sign.

**Ryan Abraham**, Project Manager for MedExpress, provided the Commission with pictures of another MedExpress building that was recently constructed, along with a brick sample. He described how the brick panels would be secured to the building.

**Commissioner Jones** requested further information on the windows.

**Mr. Abraham** described the windows that would be used on the MedExpress building.

**Commissioner Zimmerman** questioned how MedExpress would be staffed.

**Mr. Abraham** reported the site would have two PA's in the front office with one doctor, one nurse and one x-ray tech on site at all times. He anticipated a nurse practitioner would be brought to the site as well.

**Commissioner Zimmerman** asked if MedExpress would accept all forms of insurance.

**Mr. Abraham** stated this was the case.

**Chair Thompson** inquired what the hours of operation would be.

**Mr. Abraham** explained MedExpress would be open from 8:00 a.m. to 8:00 p.m. and would only be closed for Thanksgiving and Christmas Day.

**Commissioner Zimmerman** asked if MedExpress had other locations in Minnesota.

**Mr. Abraham** listed the MedExpress locations within the State of Minnesota.

**Commissioner Zimmerman moved and Commissioner Neururer seconded a motion to recommend approval of Planning Case 16-024 for a Final PUD for Phase II of the Arden Plaza Master PUD at 1150 County Road E West based on the findings of fact, submitted plans, and the seventeen (17) conditions in the October 5, 2016, Report to the Planning Commission.**

**Chair Thompson** supported the addition to this development but requested staff continue to monitoring traffic and parking in this area.

**The motion carried unanimously (4-0).**

## **UNFINISHED AND NEW BUSINESS**

None.

## **REPORTS**

### **A. Report from the City Council**

**Mayor Grant** updated the Planning Commission on City Council activities from the September 12, 2016 City Council Regular Meeting stating the City Council reviewed and approved Planning Case 16-017 for a side yard setback variance at 1536 Edgewater Avenue. This case was reviewed by the Planning Commission on August 3, 2016, and received a recommendation for approval (5-0). The City Council also approved Planning Case 16-019 for a PUD Amendment and CUP Amendment for the Holiday Station at 1920 West Highway 96. An amendment to the approved PUD and CUP was needed to allow Holiday to complete a 296 square foot addition to the convenience retail store. The Planning Commission recommended approval (5-0) of this case at their meeting on August 3, 2016.

**Mayor Grant** reported at the September 19, 2016 City Council Work Session, representatives from Bremer Bank and Frauenshuh met with the City Council to discuss a concept plan for a possible Planned Unit Development at the southwest corner of Lexington Avenue and County Road F. The plans call for replacing the existing Bremer Bank with a new facility, as well as the development of a daycare facility and multi-tenant commercial building on the site. A formal application would be required for the PUD, and would include a public hearing with the Planning Commission and City Council review.

**Mayor Grant** explained at the September 26, 2016 City Council Regular Meeting, the City Council reviewed and approved Planning Case 16-022 for a setback variance at 1500 Arden Place. This case was reviewed by the Planning Commission on September 7, 2016, and received a unanimous recommendation for approval (7-0).

## **B. Rice Creek Commons (TCAAP) Update**

**Mayor Grant** provided the Planning Commission with the following update on TCAAP:

- On September 19, the City Council met with the Master Developer team to review updated site plans.
- On September 14, the Mayor, along with County representatives and the Master Developer spoke at a Twin Cities North Chamber event regarding TCAAP.
- On September 29, the Master Developer spoke at the Arden Hills State of the City event at Flaherty's Arden Bowl regarding TCAAP.

**Chair Thompson** discussed the history of the TCAAP site and encouraged the Council to ensure the Master Developer was aware of the rich history and background of this development.

**Mayor Grant** explained the Master Developer was working to learn more about the site and the City of Arden Hills, in general.

**Commissioner Jones** was intrigued by the proposed underground parking within TCAAP. He wanted to see this enlarged in order to keep surface parking to a minimum within the Town Center. His only concern with the Town Center was with how snow removal and rain water would be managed.

**Mayor Grant** commented on how the developer was proposing to construct the underground parking.

## **C. Planning Commission Comments and Requests**

None.

## **D. Staff Comments**

**Senior Planner Bachler** reminded the public that the Fall Cleanup Day would be held on Saturday, October 8<sup>th</sup> at the Ramsey County Public Works facility from 7:00 a.m. to 12:00 p.m.

**Senior Planner Bachler** discussed the TCAAP Redevelopment Code amendment with the Commissioners and noted that the Planning Commission may be asked to review the proposed amendment at their regular meeting on November 9<sup>th</sup>.

**Chair Thompson** requested staff provide the Planning Commissioners with the November packet the Friday prior to the meeting.

**Senior Planner Bachler** reported staff could have the packets ready the Friday prior to the meeting.

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**Senior Planner Bachler** explained he would be taking family leave in early November to care for his newborn. He introduced Erik Zweber from WSB to the Planning Commission noting Erik would be assisting the City in his absence.

**Erik Zweber**, WSB, introduced himself to the Planning Commission and noted he had over 15 years of experience in municipal planning. He noted the cities he had worked for in the past and stated he looked forward to working with the City of Arden Hills.

**Chair Thompson** welcomed Mr. Zweber to the City of Arden Hills.

**ADJOURN**

**Commissioner Jones moved, seconded by Commissioner Zimmerman, to adjourn the October 5, 2016, Planning Commission Meeting at 7:26 p.m. The motion carried unanimously (4-0).**