



Approved: March 9, 2016

**CITY OF ARDEN HILLS, MINNESOTA
PLANNING COMMISSION
WEDNESDAY, FEBRUARY 3, 2016
6:30 P.M. - ARDEN HILLS CITY HALL**

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 Brent Bartel, Andrew Holewa, Steven Jones, and Phillip Neururer

Absent: Commissioner Angela Hames (unexcused) and Clayton Zimmerman (excused).

Also present were: City Planner Ryan Streff and Senior Planner Matthew Bachler

APPROVAL OF AGENDA – FEBRUARY 3, 2016

Chair Thompson stated the agenda will stand as published.

APPROVAL OF MINUTES

January 6, 2016 – Planning Commission Regular Meeting

Commissioner Holewa moved, seconded by Commissioner Jones, to approve the January 6, 2016, Planning Commission Regular Meeting minutes as presented. The motion carried unanimously (5-0).

PLANNING CASES

- A. Planning Case 16-004; Site Plan Review – Skyway Connection and Parking Modifications – Boston Scientific – 4100 Hamline Avenue North – *No Public Hearing Required***

Senior Planner Bachler stated that the Boston Scientific campus at 4100 Hamline Avenue North operates under a Planned Unit Development (PUD) that was originally approved in 2002 for the Guidant Corporation. The last comprehensive update to the PUD and Campus Master Plan took place in 2015 when the City approved a subdivision of the property to help facilitate

the sale of Buildings A, B, and C located in the southwest corner of the campus (Planning Case 15-001). The Campus Master Plan was revised at this time to make adjustments to the location of future buildings and parking ramps so that the two new lots could function independently. Lot 1 includes Buildings A, B, and C and a parking ramp and is currently being marketed to potential buyers. Lot 2 will continue to function as the Boston Scientific campus.

Senior Planner Bachler indicated that new building construction or site modifications identified on the approved Campus Master Plan require the submittal of a Site Plan Review application prior to construction. The Master Plan shows a skyway between Buildings 3 and 10 connecting through the future Buildings J and M. The proposed skyway is generally aligned with what is shown on the Master Plan. The required modifications to the parking lot on the north side of Building 10 are consistent with the Master Plan, which indicates this surface parking lot will eventually be replaced by an internal drive providing access to a future parking ramp located to the west of Building 10.

Senior Planner Bachler reported that the proposed skyway would extend from the west end of Building 3 to the northeast corner of Building 10. The east-west leg of the skyway across Innovation Way would be approximately 160 feet in length and maintain a clear height of 16 feet above the roadway. From this point, the skyway would slope down and run approximately 240 feet to connect with Building 10. The plans include a two-story addition on the east side of Building 10 required to tie the skyway into the internal circulation of the building. This addition would be relatively narrow, with a width of approximately 12 feet, and would extend 135 feet south from the northeast corner of the building.

Senior Planner Bachler explained that an existing curb cut and driveway to the surface parking lot north of Building 10 will be shifted north to maintain adequate clear height under the skyway. Additionally, 26 parking stalls within the lot will need to be removed for the construction of the skyway. Boston Scientific has accounted for these stalls in the “proof of parking” calculation for the overall campus parking plan. The proposal includes regrading of the land adjacent to Innovation Way to allow for an at-grade sidewalk connection to the skyway from Building 14 to the north. The area adjacent to the skyway and along the sidewalk to Building 14 would be landscaped with new trees and perennials.

Senior Planner Bachler noted that with the completion of the skyway, the temporary at-grade enclosed pedestrian walkway between Buildings 3 and 10 will be removed. Under the existing Agreement to Terminate Use, Boston Scientific is required to remove the walkway by February 1, 2019. Boston Scientific has stated that their goal is to complete the construction of the skyway and removal of the walkway within 24 months of receiving Site Plan Review approval. Boston Scientific is requesting planning level approval to allow for flexibility in scheduling several potential projects on the campus.

Site Data

Land Use Plan:	Light Industrial and Office
Existing Land Use:	Light Industrial and Office
Zoning:	I-1: Limited Industrial / PUD Overlay
Current Lot Sizes:	Lot 1: 77.4 Acres
Proposed Density:	N/A
Topography:	Level

Senior Planner Bachler reviewed the surrounding area and the Site Plan Review.

Senior Planner Bachler provided the Findings of Fact for review:

1. Boston Scientific has requested approval for a Site Plan Review to construct a skyway connection between Buildings 3 and 10 and to complete minor modifications to the parking lot on the north side of Building 10 at 4100 Hamline Avenue North.
2. Boston Scientific has requested an extension for the March 1, 2016 deadline for the submittal of a Site Plan Review for the modification of the parking area along the Lot 1 and Lot 2 property line and the submittal of a building permit for the removal of the existing skyway between Buildings B and E, as required by the conditions of approval in Planning Case 15-001.
3. The Boston Scientific Campus is a conforming use in the I-1 Limited Industrial Zoning District and operates under an approved PUD.
4. New building construction or site modifications identified on the approved Campus Master Plan require the submittal of a Site Plan Review application prior to construction.
5. The location of the proposed skyway and the proposed modifications to the parking lot north of Building 10 are generally consistent with the approved Campus Master Plan.
6. A 4,147 gross square foot addition to Building 10 would be required to tie the skyway into the established internal circulation of the building.
7. The proposal is in conformance with underlying I-1 Zoning District requirements and the approved PUD.
8. The proposed modifications to the Building 10 parking lot include the removal of 26 parking stalls.
9. Boston Scientific has accounted for these removed stalls with an additional 26 “proof of parking” spaces in the Campus Parking Plan.
10. The proposal is not expected to adversely affect the surrounding neighborhood or the community as a whole.

Senior Planner Bachler stated that based on the submitted plans and findings of fact, staff recommends approval of Planning Case 16-004 for a Site Plan Review to construct a skyway between Buildings 3 and 10 and complete minor modifications to the parking lot on the north side of Building 10 at 4100 Hamline Avenue North. If the Planning Commission recommends approval of this request, staff recommends that the following twelve (12) conditions be included with the approval:

1. The project shall be completed in accordance with the plans submitted as amended by the conditions of approval. Any significant changes to these plans, as determined by the City Planner, shall require review and approval by the Planning Commission and City Council.
2. The applicant shall continue to abide by all previous Development Agreements, Master PUD approvals, and subsequent PUD Amendment approvals.
3. All necessary City permits for the construction of the skyway and modifications to the parking lot on the north side of Building 10 shall be obtained by September 1, 2017, or an extension request shall be submitted in writing to the City at least forty-five (45) days prior to the expiration date.
4. Final construction plans shall be subject to approval by the City Building Official, City Engineer, and Fire Marshall prior to the issuance of a Building Permit.

5. Final grading, drainage, and utility plans shall be subject to approval by the City Engineer prior to the issuance of a Grading and Erosion Control Permit.
6. The existing temporary at-grade enclosed pedestrian walkway between Buildings 3 and 10 shall be removed within sixty (60) days of the skyway connection receiving final approval by the City Building Official.
7. The applicant shall submit a financial surety in the amount of 125% 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 this 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.
8. A Site Plan Review application, including a Landscaping Plan, is required for the modification of the parking area along the Lot 1 and Lot 2 property boundary line and shall be submitted within ninety (90) days of the sale of Lot 1 by Boston Scientific, or an extension request shall be submitted in writing to the City at least forty-five (45) days prior to that date.
9. All necessary City permits for the removal of the existing skyway structure connecting Building B and Building E as depicted on the current Campus Master Plan shall be obtained within ninety (90) days of the sale of Lot 1 by Boston Scientific, or an extension request shall be submitted in writing to the City at least forty-five (45) days prior to that date.
10. All plantings in the bio-filtration area adjacent to the parking lot to the north of Building 10 shall be shade-tolerant species.
11. A building permit shall be required for the retaining wall and fence adjacent to the sidewalk connection to Building 14. A structural analysis of the retaining wall shall be provided to show, to the satisfaction of the City Engineer, that there are no issues with the construction of the retaining wall on top of the existing sanitary sewer line.
12. The applicant shall obtain all necessary permits, including, but not limited to, NPDES and Rice Creek Watershed District. Copies of all necessary permits shall be submitted to the City prior to the issuance of any development permits.

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 indicated that the parking deficit was based on the City's requirements but noted Boston Scientific has provided proof of parking.

Senior Planner Bachler reported this was the case.

Chair Thompson asked if there would be an external staircase that would provide access to the skyway.

Senior Planner Bachler noted that the skyway would be accessed from inside Building 3 and Building 10. He indicated there would be an at-grade entrance to the skyway on the west side of Innovation Way. He explained there would be no external staircase that would provide access to the skyway.

Chair Thompson questioned if staff had any concerns with a skyway spanning Innovation Way.

Senior Planner Bachler stated that adequate clear height would be maintained for emergency vehicles and noted the plans had been reviewed by the Lake Johanna Fire Department and the City Engineer.

Chair Thompson inquired if the applicant had any concerns with the staff recommended conditions.

Senior Planner Bachler stated that no concerns have been raised at this time.

Commissioner Jones asked if the existing at-grade pedestrian walkway would be demolished after the skyway was complete.

Senior Planner Bachler indicated this was the case.

Commissioner Holewa moved and Commissioner Bartel seconded a motion to recommend approval of Planning Case 16-004 for a Site Plan Review at 4100 Hamline Avenue North, based on the findings of fact and the submitted plans as amended by the twelve (12) conditions in the February 3, 2016, Report to the Planning Commission. The motion carried unanimously (5-0).

B. Planning Case 15-020; Zoning Code Amendment – Retail & Thrift Store Establishments – *Public Hearing*

City Planner Streff indicated that the Retail Sales and Service land use category in the Zoning Code is broadly defined and includes businesses that sell both new and used merchandise. Over the last several months, staff has completed research on the operational characteristics of thrift stores that distinguish these businesses from retail stores that sell primarily new goods. Thrift stores would include antique stores, collectable stores, consignment shops, and second-hand stores such as Goodwill or Salvation Army.

City Planner Streff stated that thrift stores operate differently than other retail businesses in that they receive used materials from the general public at their place of business and process items for resale. Larger thrift stores often have unique operational characteristics related to managing the collection, processing, and disposal of donated items. These characteristics may include a dedicated donation drop-off area on the exterior of the building, use of container or semi-trailers for exterior storage, and larger waste and recycling collection areas for disposal of non-saleable items.

City Planner Streff explained that staff presented options for amending the Zoning Code to address thrift store businesses at the City Council Work Sessions on October 19, 2015, and December 21, 2015. The City Council directed staff to proceed with a Zoning Code Amendment that would create a new land use category for Thrift Store and establish specific Conditional Use Permit criteria for thrift store businesses. Additionally, the City Council agreed that the thrift store land use should only be allowed in the B-4 Zoning District and be classified as a conditional use. The Planning Commission discussed creating a separate land use category for thrift store business at their work session on September 9, 2015. At that time, the Planning Commission did not support this type of an amendment to the Zoning Code.

City Planner Streff reviewed the Summary of Proposed Ordinance Amendments and Additions in detail with the Commission.

City Planner Streff provided the Findings of Fact for review:

General Findings:

- 1) The proposed amendments advance the City’s land use goals by further clarifying the difference between the sale of new and used goods in order to achieve the highest possible development standards.
- 2) The proposed amendments advance the City’s land use goals by creating development standards that visually enhance development and promote compatibility with nearby properties and neighborhood character.
- 3) The proposed amendments advance the City’s land use goals by adopting specific Conditional Use Permit (CUP) criteria for Thrift Stores to ensure that that the vision of the City is met.
- 4) The proposed amendments advance the City’s implementation strategies identified in the Land Use Chapter of the Comprehensive Plan to ensure the construction of high quality, sustainable, and aesthetically enhanced developments.
- 5) The proposed amendment advances the City’s implementation strategies identified in the Economic Development Chapter of the Comprehensive Plan by identifying and promoting the market strengths of Arden Hills.

City Planner Streff stated that staff recommends approval of Planning Case 15-020 to amend Section 1305, Section 1320, and Section 1325 of the Zoning Code Ordinance, as presented in the February 3, 2016, Report to the Planning Commission.

City Planner Streff reviewed the options available to the Planning Commission on this matter:

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

Chair Thompson opened the floor to Commissioner comments.

Chair Thompson questioned where the B-4 District was located in the City of Arden Hills.

City Planner Streff reviewed the location of the B-4 District in the City noting it was south of Red Fox Road, north of Grey Fox Road, and west of Lexington Avenue North.

Chair Thompson opened the public hearing at 7:02 p.m.

Chair Thompson invited anyone for or against the application to come forward and make comment.

There being no comment Chair Thompson closed the public hearing at 7:03 p.m.

Commissioner Jones did not support the recommendation given the fact the B-4 Zoning District was so small. He did not support the idea of calling all businesses that sell used goods “thrift stores.”

Commissioner Neururer agreed.

Commissioner Jones discussed the location of thrift stores within other communities and believed that the sale of used goods should be allowed in other areas of the City.

Commissioner Holewa did not like the proposed Zoning Code amendment at all. He stated that in 2012, Salvation Army approached the City regarding a proposed location and the Council was not supportive at that time. He was uncertain as to why this Code amendment was being proposed. He believed this was a City Council issue and they were trying to protect the community from the sale of used goods. He did not agree with this mindset. He stated he would be recommending denial of the proposed Zoning Code amendment.

Commissioner Bartel was supportive of the additional regulations for thrift stores. He saw the proposed Zoning Code amendment as a proactive step in the right direction. He supported the City having some sort of standards in place.

Commissioner Holewa believed that stores such as Goodwill offer a good service for Arden Hills as they provided a location for residents to drop off used items in addition to offering a new store to shop at. He understood that Arden Hills has a high-end persona; however, there are residents in the City that are in need. He welcomed secondhand goods and thrift stores in the community.

Commissioner Bartel understood and appreciated Commissioner Holewa’s comments. He knew there was a growing need in the community given the increase in free and reduced lunches at Valentine Hills Elementary. He expressed concerns about the design of the Goodwill store.

Chair Thompson encouraged the Commission to not name specific businesses but understood the concerns with the design of the existing thrift store building. She believed the proposed Zoning Code amendment was limited. She liked the idea of having requirements that would regulate thrift stores; however, it was her opinion that the proposed location was too limited in size.

Commissioner Holewa discussed the concerns that were raised when Walgreens and CVS approached the City. He encouraged the City to let the market drive demand.

Commissioner Neururer recommended thrift stores be allowed in areas beyond the B-4 Zoning District.

Commissioner Bartel did not believe the City's current thrift store was in the correct location. For this reason, he supported the City further regulating where this use can be located.

Commissioner Jones commented the location of the existing thrift store was on an odd lot given the location of the railroad tracks. He explained this was a high traffic area of the City.

Commissioner Holewa stated he was ready to make a recommendation for denial.

Chair Thompson asked if a motion had to cover all aspects of the proposed zoning code amendments, or if it could be altered.

City Planner Streff indicated that the Planning Commission can alter the motion language as needed.

Chair Thompson stated from the perspective of the discussion, the Commission's primary concern was with the Land Use Chart in Section 1320 of the Zoning Code.

Commissioner Holewa was concerned with this section in addition to the restrictions regarding trucks and outdoor storage.

Chair Thompson supported staff's proposed requirements for regulating thrift stores, just not the limited location of where thrift stores could locate.

Commissioner Jones believed the City was being too restrictive by requiring thrift stores to be located only within the B-4 Zoning District.

Commissioner Holewa moved a motion to recommend denial of Planning Case 15- 020 for an amendment to Section 1305, Section 1320, and Section 1325 of the Zoning Code Ordinance, as presented in the February 3, 2016, Report to the Planning Commission based on the fact the recommendation was overly restrictive and there was no need to further regulate this retail business. The motion failed for lack of a second.

Commissioner Bartel questioned how the Commission should proceed given the fact there were a lot of agreeable points within the proposed Zoning Code amendment, except for the limited location that thrift stores would be allowed.

City Planner Streff suggested that in order to expand the limited location the Commission could include other zoning districts that thrift stores would be allowed by right or by Conditional Use Permit.

Commissioner Bartel inquired if the matter could be tabled to have staff further investigate which zoning districts would be appropriate to have thrift stores.

City Planner Streff encouraged the Commission to review the zoning map and land use chart to see where other retail sales and services are allowed. He provided further comment on the business zoning districts located in the City of Arden Hills.

Commissioner Holewa expressed concern with the fact that if thrift stores were limited to the B-4 District, and these properties were continuing to become fully developed, there would be no space left for new thrift businesses to locate. He indicated this was too restrictive.

Commissioner Jones supported thrift stores being located within the I-Flex, B-2, B-3 and B-4 Zoning Districts. He explained that he has worked with Tech Dump, a computer recycling company and this business was located within an industrial flex area.

Chair Thompson questioned how the Commission wanted to proceed.

Commissioner Jones moved and Commissioner Neururer seconded a motion to recommend approval of Planning Case 15-020 for an amendment to Section 1305, Section 1320, and Section 1325 of the Zoning Code Ordinance, as presented in the February 3, 2016, Report to the Planning Commission, with the following change: allowing thrift store establishments as a Conditional Use in the B-2, B-3, B-4 and I-Flex Zoning Districts.

Commissioner Holewa believed that thrift stores should be a permitted use within these districts.

City Planner Streff commented the motion, as stated, would allow thrift store sales in the B-2, B-3, B-4 and I-Flex Zoning Districts as a conditional use.

Commissioner Jones was in favor of keeping his motion as stated allowing thrift stores as a conditional use in the stated zoning districts.

Commissioner Bartel questioned how future thrift stores would be evaluated by the City.

City Planner Streff reviewed the process that would be followed if the proposed Zoning Code amendments were approved by the Planning Commission and City Council.

Commissioner Bartel supported thrift stores remaining a conditional use.

Chair Thompson called the question.

The motion carried 3-2 (Holewa and Bartel opposed).

UNFINISHED AND NEW BUSINESS

None.

REPORTS

A. Report from the City Council

Senior Planner Bachler updated the Planning Commission on City Council activities from the January 19, 2016, City Council Work Session, noting the Council and Planning Commission met in a joint Work Session to discuss the 2016 Work Plan for the Planning Commission. The City Council highlighted the importance of working on organized garbage collection for TCAAP as well as completing a review of the existing design standards for the B-2 and B-3 Districts.

Senior Planner Bachler noted that the City Council was supportive of the proposed 2016 Planning Commission Work Plan. The City Council continued their discussion on revisions to the Zoning Code to address outdoor display and sales within the City's commercial districts. Specific areas discussed included display area dimension standards, the types of products that could be displayed, and screening from residential properties. The City Council directed staff to move forward with the proposed amendments and to schedule a public hearing for the March Planning Commission meeting.

Senior Planner Bachler reported that at the January 25, 2016, City Council Meeting, the Council approved Planning Case 15-025 for a Conditional Use Permit Amendment allowing AT&T Mobility to upgrade their wireless antenna installation on the Brushaber Commons building at Bethel University. This case was reviewed by the Planning Commission at their regular meeting on January 6, 2016, and received a unanimous recommendation for approval.

B. TCAAP Update

City Planner Streff reported that the Ramsey County Board of Commissioners voted to approve the TCAAP Master Plan on Tuesday, January 19, 2016. Ramsey County's approval of the Master Plan was required by the terms of the TCAAP Joint Powers Agreement in order to fully implement the TCAAP Joint Development Authority (JDA). At its meeting on January 4, 2016, the JDA reviewed and approved the Solicitation for Master Developer for release on February 1, 2016. The JDA anticipates that a Master Developer will be selected by early May of 2016. At its next meeting on February 1, 2016, the JDA will discuss the membership of the Solicitation Review Committee.

Commissioner Jones asked if there would be any cross-country skiing and bike trails running through AHATS adjacent to the TCAAP site.

Senior Planner Bachler noted there would be a wildlife corridor along the eastern border of the property that would include a multi-use recreational trail. He indicated this project would be developed by Ramsey County and he was uncertain as to the timeline of its development.

Commissioner Jones questioned if there would be a way to open up AHATS again to Boy Scouts for camping purposes.

Senior Planner Bachler commented that this was federally owned land. He indicated he could offer some contact names for Commissioner Jones to pursue this matter further.

Chair Thompson questioned how often the JDA met.

City Planner Streff noted the JDA met on the first Monday of every month.

C. Planning Commission Comments and Requests

None.

D. Staff Comments

None.

ADJOURN

Commissioner Jones moved, seconded by Commissioner Neururer, to adjourn the February 3, 2016, Planning Commission Meeting at 7:50 p.m. The motion carried unanimously (5-0).