



Approved: April 4, 2018

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**CITY OF ARDEN HILLS, MINNESOTA  
PLANNING COMMISSION  
WEDNESDAY, MARCH 7, 2018  
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 Nick Gehrig, Steven Jones, and James Lambeth.

Absent: Commissioners Matt Dixon, Clayton Zimmerman, Brent Bartel (Alternate), and Angela Hames (Alternate)

Also present were: City Planner Matthew Bachler and Councilmember Steve Scott.

**APPROVAL OF AGENDA – MARCH 7, 2018**

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

**APPROVAL OF MINUTES**

*February 7, 2018 – Planning Commission Regular Meeting*

**Commissioner Jones moved, seconded by Commissioner Gehrig, to approve the February 7, 2018, Planning Commission Regular Meeting as presented. The motion carried unanimously (4-0).**

**PLANNING CASES**

- A. Planning Case 18-001; Preliminary Plat, Final Plat, Comprehensive Plan Amendment, and Variance – 3246 New Brighton Road**

**City Planner Bachler** stated at the Planning Commission meeting on February 7, 2018, the Planning Commission voted to table Planning Case 18-001 to the March 7, 2018 meeting to allow the applicant time to submit a complete application. Since that time the applicant has

revised their development plans, but the application was not complete in time to include on the March 7, 2018 Planning Commission agenda.

Staff requests that the Planning Commission table Planning Case 18-001 until such time that a full review can be completed on the proposal. A motion to table to a future meeting is necessary because this item had already been noticed as a public hearing for this evening prior to it being pulled from the agenda.

**Commissioner Lambeth moved and Commissioner Jones seconded a motion to table Planning Case 18-001 to the April 4, 2018 Planning Commission meeting. The motion carried unanimously (4-0).**

**B. Planning Case 18-002; 3655 Hamline Avenue North – Minor Subdivision – *Public Hearing***

**City Planner Bachler** stated a Minor Subdivision is being requested to subdivide the existing single-family residential lot at 3655 Hamline Avenue North into two conforming parcels (Parcel A and Parcel B). The existing property is approximately 70,131 square feet in size, or 1.6 acres. Parcel A is expected to be sold for the development of a new single-family dwelling. The applicant has noted that Wonderful Home Builders will remodel the existing dwelling on Parcel B for sale. In addition to the existing dwelling on Parcel B, there is also a detached garage and shed located in the rear yard.

Site Data

Land Use Plan:	LDR – Low Density Residential
Existing Land Use:	Single Family Dwelling
Zoning:	R-1: Single Family Residential
Current Lot Sizes:	Current – 70,131 sq. ft. Proposed – 36,750 sq. ft. (Parcel A) 33,250 sq. ft. (Parcel B)
Topography:	Site is relatively flat with a gradual slope to the west from Hamline Avenue

**City Planner Bachler** reviewed the surrounding area, the Plan Evaluation and provided the following Findings of Fact for review:

1. The property at 3655 Hamline Avenue North is located in the R-1 – Single-Family Residential Zoning District.
2. The Arden Hills 2030 Comprehensive Plan designates the property at 3655 Hamline Avenue North as LDR – Low Density Residential.
3. The applicant has submitted an application for a Minor Subdivision to subdivide the existing property into two single-family residential lots.
4. The property is properly guided and zoned for the development of an additional single-family dwelling.
5. The request proposes to use the property in a reasonable manner as a single-family dwelling.
6. The owner of the platted lot to be divided has filed with the zoning administrator a registered land survey of the lot to be divided.

7. The parcels resulting from the division meet all of the minimum requirements specified for the R-1 District.
8. The proposed division will not be detrimental to the public welfare or injurious to adjacent tracts in the area in which the subdivision tract is located.

**City Planner Bachler** stated based on the submitted plans and findings of fact, staff recommends approval of Planning Case 18-002 for a Minor Subdivision at 3655 Hamline Avenue North. If the Planning Commission recommends approval, staff recommends that the following eight (8) conditions be included with the approval:

1. The applicant shall record the Minor Subdivision with Ramsey County and a copy shall be provided to the City within sixty (60) days of the City's approval.
2. The applicant shall record the drainage and utility easements as shown on the submitted survey with Ramsey County and a copy shall be provided to the City within sixty (60) days of the City's approval.
3. The applicant shall pay the required park development fee of \$6,500 prior to recording the Minor Subdivision.
4. Monument stakes shall be installed to demarcate the property line between Parcel A and Parcel B.
5. A Building Permit and Grading and Erosion Control Permit shall be required for the new dwelling on Parcel A.
6. A MnDOT permit will be required for the new driveway on Parcel A and any other work within the right-of-way.
7. A Tree Preservation Plan shall be required as part of the Building Permit application for the new dwelling on Parcel A.
8. The extension of City services for Parcel A shall subject to approval by the City Engineer and all associated costs shall be the responsibility of the applicant.

**City 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 public hearing at 6:40 p.m.

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

There being no comments Chair Thompson closed the public hearing at 6:41 p.m.

**Commissioner Lambeth** stated he understood the existing home would be renovated and asked for more details regarding this. It was his understanding that a new home would be built on the new lot (Parcel A). He questioned if two park dedication fees should be paid for the Minor Subdivision.

**City Planner Bachler** deferred the question regarding the planned renovations to the applicant. He explained park dedication fees were only charged to new lots created. This meant the fee would be charged to the one additional lot and not for the existing lot.

**Commissioner Lambeth** stated the applicant was a local builder with intentions of subdividing the property, selling off the new lot and remodeling the existing home.

**City Planner Bachler** commented that there needs to be a nexus between the expected impact and a fee being charged. The impact in this case was the new dwelling on Parcel A and the expected impact of an additional household on the parks system.

**Aaron Perkins**, 3434 Owasso Street in Shoreview, commented the house on the existing property was 1,000 square feet in size and had three bedrooms and one bathroom. He discussed the remodeling planned for this property noting the fixes were cosmetic in nature.

**Commissioner Jones** asked if a home were demolished and rebuilt if a parks fee would be required.

**City Planner Bachler** reported park dedication fees were only charged for new lots through the subdivision process.

**Commissioner Gehrig moved and Commissioner Jones seconded a motion to recommend approval of Planning Case 18-002 for a Minor Subdivision at 3655 Hamline Avenue North, based on the findings of fact and the submitted plans, as amended by the eight (8) conditions in the March 7, 2018, Report to the Planning Commission.**

**Commissioner Lambeth** requested Condition 3 be amended to require the applicant to pay park dedication fees of \$6,500 for both lots.

**Commissioner Jones** and **Commissioner Gehrig** did not support the proposed amendment and Commissioner Lambeth withdrew the proposed amendment.

**City Planner Bachler** stated that he would bring forward Commissioner Lambeth's concerns about the park dedication requirement for Parcel A to the City Council.

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

**C. Planning Case 18-003; Bethel University – 3900 Bethel Drive – Conditional Use Permit Amendment and Variance – *Public Hearing***

**City Planner Bachler** stated Bethel University is proposing to construct two additions to existing buildings on their main campus at 3900 Bethel Drive. The first addition would be approximately 80 square feet in area and located on the north side of the Brushaber Commons building. The purpose of this addition is to support research on birds conducted by students and faculty. The aviary support facility is expected to be constructed in summer 2018.

**City Planner Bachler** reported the second proposed addition is a component of a larger renovation Bethel University is evaluating for the Academic Commons building. The proposed

plan would include 45,000 gross square feet of renovations within the existing Academic Commons building and a new 20,000 gross square foot addition on the northwest corner of the building on an existing small parking lot. The addition would match the height of the existing three-story Academic Commons building. The proposed renovations and addition are needed to support science academic programs on the campus.

**City Planner Bachler** explained the design for the sciences renovations and addition is still in the early schematic phase. Bethel University anticipates the project will be built in four phases. The first three phases would include interior renovations to the existing building and would take place between summer 2019 and summer 2021. The current schedule is to construct the proposed addition in summer 2022. Bethel University has requested a CUP Amendment at this time in order to update their Campus Master Plan to include the 20,000-gross square foot addition to the Academic Commons building. The university would be required to submit a separate Site Plan Review application with the City for the addition before construction. Based on the tentative schedule, the Site Plan Review application would likely be submitted in 2021 in anticipation of construction in 2022.

**City Planner Bachler** commented a Variance is being requested to allow the Academic Commons addition to encroach into the required setback from Valentine Lake. The required structure setback from the ordinary high-water level is 150 feet. The proposed addition would be setback 118 feet from the lakeshore for an encroachment of 32 feet.

**City Planner Bachler** stated Bethel University operates under a CUP Master Plan. As the university comes forward with plans, they are reviewed against the Master Plan for consistency. Building plans that are consistent with the Master Plan require a Site Plan Review. A CUP Amendment is required when plans are not included in the approved Master Plan. The two proposed additions are not included on the Master Plan and a CUP Amendment is therefore required.

#### Site Data

Land Use Plan:	Public and Institutional
Existing Land Use:	Public and Institutional
Zoning:	INST – Institutional District
Current Lot Sizes:	191.32 Acres (Including main campus, athletic complex, and part of Lake Valentine)
Topography:	Varied topography across campus

**City Planner Bachler** reviewed the surrounding area, the Plan Evaluation, the Conditional Use Permit Criteria and the Variance Evaluation Criteria.

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

#### *General Findings:*

1. The Bethel University main campus at 3900 Bethel Drive is located in the Institutional Zoning District.
2. A Higher Education, College Campus is a Conditional Use in the Institutional District.
3. Bethel University operates under a Conditional Use Permit Master Plan.

4. The proposed additions are not included on the Master Plan and a CUP Amendment is required.
5. The 80 square foot addition to the Brushaber Commons building is expected to be constructed in summer 2018 and Bethel University has requested Site Plan Review approval for this addition.
6. The 20,000-gross square foot addition to the Academic Commons building is anticipated to be constructed in summer 2022 and a Site Plan Review application will be required prior to construction of this addition.
7. The proposed additions to the Brushaber Commons building and the Academic Commons building would be in compliance with the lot coverage requirements for the Bethel University campus under the approved Conditional Use Permit.
8. The Brushaber Commons addition is in compliance with all provisions of the Zoning Code.
9. The Academic Commons addition would require a Variance for the structure to encroach 32 feet into the required 150-foot setback from the Valentine Lake ordinary high-water level.
10. A Site Plan Review application would be required prior to the construction of the Academic Commons building addition and the addition would be reviewed for Zoning Code compliance at that time.

*Conditional Use Permit Evaluation Findings:*

11. The proposed plan is not anticipated to have any impact on traffic or parking conditions because the additions are required for students, faculty, and staff already on the campus.
12. The proposed plan will not produce any permanent noise, glare, odors, vibration, smoke, dust, air pollution, heat, liquid, or solid waste, and other nuisance characteristics.
13. The proposed plan is not anticipated to impact drainage.
14. The proposed plan will not impact population density.
15. The proposed plan is not expected to have a visual impact on surrounding properties or on land use compatibility with uses and structures on surrounding land or adjoining land values because the new additions will not be easily visible from outside the Bethel University campus.
16. Park dedication requirements are not applicable.
17. The proposed plan does not conflict with the general purpose and intent of the Zoning Code or the Comprehensive Development Plan for the City.

*Variance Evaluation Findings:*

18. The Variance would be in harmony with the purpose and intent of the City's ordinances and Comprehensive Plan.
19. The Variance would put the property to use in a reasonable manner because a higher education college campus if a permitted use in the Institutional District with a Conditional Use Permit.
20. The property is unique because of its size and configuration, which allows multiple large building that are not visible from adjacent property.
21. The Bethel University campus extends around the entire shoreline of Valentine Lake and there are no other property owners with frontage on Valentine Lake.
22. The Variance will not alter the essential character of the neighborhood because it is not anticipated to be easily visible from adjacent property.
23. Economic consideration alone is not a practical difficulty in this case.

**City Planner Bachler** stated based on the submitted plans and findings of fact, staff recommends approval of Planning Case 18-003 for a Conditional Use Permit Amendment and Variance at 3900 Bethel Drive. If the Planning Commission recommends approval, staff recommends that the following seven (7) 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 the 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 agreement and Conditional Use Permits, as amended by the conditions of approval of this application.
3. A Conditional Use Permit Amendment drafted by the City Attorney shall be signed by the applicant prior to the issuance of any building permits.
4. A Site Plan Review application shall be required for the proposed Academic Commons building addition prior to construction.
5. A Building Permit for the Brushaber Commons building addition shall be issued within one (1) year of the City granting approval of Planning Case 18-003, or an extension shall be requested at least 45 days preceding this deadline.
6. The aviary addition will need to comply with the type of construction it is attached to. The existing type of construction is 1-B and the materials and exterior cladding of new addition will need to be verified
7. Both building additions will need to be fire sprinkler protected per State Chapter 1306.

**City 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.

**Commissioner Gehrig** questioned what the primary purpose was for the 150-foot setback.

**City Planner Bachler** explained Valentine Lake was a Natural Environmental lake and the Minnesota Department of Resources (DNR) establishes the required setbacks for lakes. He reported Natural Environmental lakes have the strictest requirements to minimize the visual impact of buildings and to reduce the density around the lake.

**Commissioner Lambeth** asked how the ordinary high-water level was established on this lake.

**City Planner Bachler** discussed how the ordinary high-water level was established by the DNR.

**Chair Thompson** noted General Development lakes had a 50-foot setback whereas Natural Environmental lakes had a 150-foot setback.

**Chair Thompson** opened the public hearing at 7:15 p.m.

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

**Dennis Foster**, 1415 Arden Oaks Drive, explained he lived across the football field from Bethel. He stated he believed Bethel was a good neighbor for the most part. He indicated he was concerned with the variance request. He discussed the water quality issues being addressed by the State of Minnesota. He commented water quality was a concern to him and he recommended Bethel not be allowed to encroach closer than 150 feet to Valentine Lake. He stated there was no hardship with the request and for this reason recommended the variance be denied.

**Brian Lapham**, BWBR Architects and representative for Bethel University, introduced himself to the Commission.

**Commissioner Gehrig** asked if the proposed addition could be completed without encroaching in the 150-foot setback to Lake Valentine.

**Mr. Lapham** commented a number of locations were discussed for the new Science addition. He stated in the end the best fit was within the Academic Commons renovation. He explained more space was needed which required an addition.

**Commissioner Gehrig** questioned if the building had to angle out into the setback.

**Mr. Lapham** stated he had considered options that would fit within the setback, however this would not meet the needs of the University.

**Commissioner Jones** asked how close Bethel mows down to the existing waterline.

**Mr. Lapham** explained there was a line of cattails and wooded area along the lakefront before there was grass. He stated he was uncertain as to the distance from the water to the grass.

**Commissioner Jones** indicated he believed Bethel had plenty of space between the proposed building and Lake Valentine.

**Mr. Lapham** commented on the landscaping plan and noted where paths would go around the buildings.

**Commissioner Lambeth** noted the applicant would be 118 feet from the ordinary high-water mark with the proposed addition. He was of the opinion this was an adequate distance from the lake. He stated he supported the encroachment as requested.

There being no additional comment Chair Thompson closed the public hearing at 7:27 p.m.

**Chair Thompson** noted the Rice Creek Watershed District would require review of this request.

**Commissioner Jones moved and Commissioner Lambeth seconded a motion to recommend approval of Planning Case 18-003 for a Conditional Use Permit Amendment and Variance at 3900 Bethel Drive, based on the findings of fact and the submitted plans, as amended by**

**the seven (7) conditions in the March 7, 2018, Report to the Planning Commission. The motion carried unanimously (4-0).**

**D. Planning Case 18-004; TCAAP – Preliminary and Final Plat – *Public Hearing***

**City Planner Bachler** stated Ramsey County has requested approval of a Preliminary Plat and Final Plat for the approximately 427-acre TCAAP site, also referred to as Rice Creek Commons. The TCAAP site is in the northwest corner of the City located to the east of U.S. Highway 10 and I-35W, north of Highway 96, west of the Arden Hills Army Training Site, and south of County Road I.

**City Planner Bachler** explained the purpose of the plat is to define an accurate boundary of the property and to simplify the current legal description. Several large road and infrastructure projects have recently been completed on or adjacent to the property and the platting process will allow for the transfer of these portions of the property to public agencies.

**City Planner Bachler** commented two large outlots would also be created for the future Rice Creek Commons development. These outlots would be further subdivided and replatted at the time of the future development. The current platting process is not associated with any specific development on the site.

**City Planner Bachler** reported future subdivisions of Outlot A and Outlot C within the Rice Creek Commons development area will be reviewed by the TCAAP Joint Development Authority (JDA) in accordance with the TCAAP Redevelopment Code. The JDA Board consists of two members from the Arden Hills City Council, two members from the Ramsey County Board of Commissioners, and one appointed resident from Arden Hills who serves as the JDA Chair.

**City Planner Bachler** reviewed the Plan Evaluation and offered the following Findings of Fact for review:

1. The former Twin Cities Army Ammunitions Plant (TCAAP) site is in the northwest corner of the City located to the east of U.S. Highway 10 and I-35W, north of Highway 96, west of the Arden Hills Army Training Site, and south of County Road I.
2. Ramsey County has requested a Preliminary Plat and Final Plat of the TCAAP site in order to define the boundary of the property, simplify the legal description of the property, transfer right-of-way and land to public agencies for recently completed road and infrastructure projects, and to create two large outlots to be further subdivided and replatted in the future for the Rice Creek Commons development.
3. The current platting process is not associated with any specific development on the site.
4. The future subdivision and replatting of Outlot A and Outlot C for the Rice Creek Commons development would be evaluated at that time based on all applicable provisions and regulations in the City Code and the TCAAP Redevelopment Code.
5. The proposed Preliminary Plat and Final Plat are consistent with the Arden Hills Zoning Map and the 2030 Comprehensive Plan.

**City Planner Bachler** stated based on the submitted plans and the findings of fact, staff recommends approval of Planning Case 18-004 for a Preliminary Plat and Final Plat for the

TCAAP property. If the Planning Commission recommends approval of Planning Case 18-004, staff is recommending the following condition be included in the motion language:

1. The applicant shall record the Final Plat with Ramsey County and a copy shall be provided to the City within sixty (60) days of the City's approval.

**City 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.

**Commissioner Lambeth** asked when park dedication requirements would be determined.

**City Planner Bachler** stated park dedication requirements would be determined when Outlot A and Outlot C were further subdivided. He explained this was an administrative platting process the City was going through with the County prior to the land being turned over to a private developer.

**Commissioner Jones** questioned if trails would be located on Outlot D

**City Planner Bachler** stated a trail corridor would be located on Outlot D. He noted Outlot D was outside of the TCAAP Master Plan boundaries. He reported Ramsey County owned Outlot D at this time. Further discussion ensued regarding the plans Ramsey County had for the park system.

**Chair Thompson** opened the public hearing at 7:44 p.m.

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

There being no comments Chair Thompson closed the public hearing at 7:44 p.m.

**Commissioner Gehrig moved and Commissioner Lambeth seconded a motion to recommend approval of Planning Case 18-004 for a Preliminary Plat and Final Plat for the approximately 427-acre Twin Cities Army Ammunition Plant redevelopment site, based on the findings of fact and submitted plans, as amended by the one (1) condition in the March 7, 2018 Report to the Planning Commission. The motion carried unanimously (4-0).**

## **UNFINISHED AND NEW BUSINESS**

### **A. 2040 Draft Comprehensive Plan**

**Eric Zweber**, WSB & Associates, stated the Planning Commission last reviewed the draft 2040 Comprehensive Plan at their meeting on November 8, 2017 when they focused on the Land Use, Housing, and Implementation chapters. WSB has provided a memo providing a summary of recent changes made to the draft plan following the City Council Work Session on February 20, 2018.

**Mr. Zweber** commented staff is anticipating that the public hearing for the 2040 Comprehensive Plan will be held at the Planning Commission meeting on April 4, 2018. The City Council would be asked to review the final draft of the plan on April 23, 2018 and approve its release to affected jurisdictions for review. The City will need to provide affected jurisdictions six months to review the plan, after which time the City Council will be asked to formally adopt the Comprehensive Plan and approve submittal to the Metropolitan Council. The deadline for submittal is December 31, 2018.

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

**Councilmember Scott** stated he was looking forward to the Council worksession meeting scheduled for Monday, March 19<sup>th</sup>.

**Chair Thompson** asked how staff was getting this information out to the public and questioned if an Open House had been scheduled.

**City Planner Bachler** commented that an Open House was not planned at this time. He reported information was available on the City's website noting a specific page had been dedicated to the Comprehensive Plan.

**Chair Thompson** inquired if staff had drafted a summary of the Comprehensive Plan.

**City Planner Bachler** stated staff had a summary of the comprehensive planning process and the draft Comprehensive Plan available online.

**Commissioner Gehrig** recommended a table of contents be included to assist residents with navigating through the document.

**Commissioner Jones** thanked staff for referring to TCAAP as TCAAP throughout the Comprehensive Plan and not as Rice Creek Commons. He discussed several potential properties within the City that should be considered for future residential developments.

**Chair Thompson** commented she agreed the B-4 District needed to be further reviewed. She stated she appreciated the information provided by staff and looked forward to the Public Hearing.

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

**Councilmember Scott** updated the Planning Commission on City Council actions stating at the regular meeting on February 12<sup>th</sup> Mayor Grant presented a proclamation to two long-term volunteers for their efforts on the Communications Committee. He noted the Council authorized the City to hire a part-time staff member to handle City Communications. He reported Ehlers provided the Council with a utility rate study and noted sewer rate adjustments were needed. He indicated the Council held a lengthy worksession meeting to discuss the Comprehensive Plan on February 20<sup>th</sup>. He commented on the items that would be addressed by the Council in March.

**B. Planning Commission Comments**

**Commissioner Jones** asked what was happening at the old fire station property.

**City Planner Bachler** stated a developer was planning to subdivide the lot into four single-family lots. He explained the application was from Journey Home Minnesota.

**C. Staff Comments**

**City Planner Bachler** commented the City was in need of volunteers to serve on the Planning Commission. Those interested were encouraged to contact City Hall for further information.

**ADJOURN**

**Commissioner Jones moved, seconded by Commissioner Gehrig, to adjourn the March 7, 2018, Planning Commission Meeting at 8:21 p.m. The motion carried unanimously (4-0).**