



Approved: May 9, 2018

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**CITY OF ARDEN HILLS, MINNESOTA  
PLANNING COMMISSION  
WEDNESDAY, APRIL 4, 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 Matt Dixon, Nick Gehrig, Steven Jones, and James Lambeth.

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

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

**APPROVAL OF AGENDA – APRIL 4, 2018**

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

**APPROVAL OF MINUTES**

*March 7, 2018 – Planning Commission Regular Meeting*

**Commissioner Gehrig moved, seconded by Commissioner Jones, to approve the March 7, 2018, Planning Commission Regular Meeting as presented. The motion carried unanimously (5-0).**

**PLANNING CASES**

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

**City Planner Bachler** stated Journey Home Minnesota is a non-profit organization with a mission to create affordable housing for disabled military veterans in safe cities served by high quality school systems. The organization has developed housing projects in surrounding communities, including Shoreview, New Brighton, and Mounds View. Journey Home purchased

the Lake Johnna Fire Station No. 1 property at 3246 New Brighton Road in September 2017 and is requesting approval for a project to redevelop the property for four single-family residential homes. The existing fire station building, garage, and parking areas on the property would all be removed as part of the redevelopment.

**City Planner Bachler** noted that the City had received a similar land use application for the redevelopment of the property in the spring of 2017 (Planning Case 17-010). He noted this application was withdrawn before the Planning Commission could make a recommendation and the City Council did not take action on this case.

**City Planner Bachler** reported the existing property at 3246 New Brighton Road is approximately 2.8 acres in size and is comprised of the decommissioned Lake Johanna Fire Station No. 1 building, a detached garage, and parking areas. The two existing structures are located along New Brighton Road and there are multiple curb cuts currently providing access to the property. The topography of the lot is relatively flat along New Brighton Road, but then slopes down significantly to a pond located on the easterly half of the property. The elevation change from New Brighton Road to the pond edge is roughly 15 feet. The pond occupies approximately 1.3 acres of the site leaving 1.5 acres of developable land.

**City Planner Bachler** explained the applicant has proposed a subdivision of the existing property that would create four single-family residential lots. Each of the lots would have frontage on New Brighton Road and the property lines would extend to the eastern boundary of the site. The size of the lots would be 21,827 square feet, 28,140 square feet, 31,793 square feet, and 43,357 square feet. The applicant has provided preliminary floor plans for one of the single-family residential homes. The four dwellings are expected to have a similar design in terms of gross square footage, floor plans, and their exterior design.

**City Planner Bachler** indicated two driveways are proposed on New Brighton Road to provide access to the dwellings. A cross access easement would be required for the shared access driveways. An underground rainwater collection tank is also proposed to be located in the front yard spanning two properties. The purpose of the storage tank is to collect stormwater runoff from the four properties and to repurpose the water for indoor non-potable uses. The entire development is proposed to be put under an association that would address property maintenance and the shared use of energy generated by solar panels proposed to be installed on the dwellings.

**City Planner Bachler** commented a Variance is requested in this case to allow the four proposed lots to have a width less than the minimum requirement for the R-2 District. Lots in the R-2 District are required to have a minimum width of 85 feet. Each of the four lots is proposed to have a width of 81.75 feet, or 3.25 feet less than the minimum requirement.

**City Planner Bachler** stated a Comprehensive Plan Amendment is required to change the designation of the property to Very Low Density Residential from its current designation as Public and Institutional. The Very Low Density Residential classification allows for single-family residential development at a density of 1.5 to 3 units per acre. To summarize, Planning Case 18-001 includes the following requests:

- Preliminary and Final Plat to subdivide property into four single-family residential lots.

- Comprehensive Plan Amendment to change future land use classification from *Public and Institutional* to *Very Low Density Residential*.
- Variance to allow the four proposed lots to each have a width of 81.75 feet. The minimum lot width requirement for the R-2 District is 85 feet.

#### Site Data

Land Use Plan:	P/I Public Institutional
Existing Land Use:	Vacant
Zoning:	R-2 – Single & Two Family Residential
Current Lot Sizes:	2.8 Acres (125,118 square feet)
Topography:	Property slopes west to east with an elevation change of approximately 15 feet from New Brighton Road to the edge of the pond.

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

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

#### *General Findings:*

1. The property at 3246 New Brighton Road is located in the R-2 – Single and Two-Family Residential Zoning District.
2. The subject property is 125,118 square feet, or approximately 2.8 acres, in size.
3. The subject property is currently comprised of the former Lake Johanna Fire Station 1 building, a detached garage, and parking areas.
4. The Johanna Station 1 subdivision is proposed as R-2 – Single and Two-Family Residential District.
5. The R-2 – Single and Two Family Residential District permits up to five (5) residential units per acre.
6. The applicant has requested a Preliminary and Final Plat in order to subdivide the property into four (4) single-family residential lots.
7. The proposed Lake Johanna Station 1 development is proposed at approximately 2.68 units per net acre.
8. The Arden Hills 2030 Comprehensive Plan designates the future land use of the subject property as Public and Institutional.
9. The applicant has requested a Comprehensive Plan Amendment to change the future land use designation of the property to Very Low Density Residential.
10. The Arden Hills 2030 Comprehensive Plan defines Very Low Density Residential as, “traditional single-family residential land use category. A density range of 1.5 to 3 units per acre.”
11. The adjacent properties to the north, east, west and south are zoned R-2 District and are guided for Low Density Residential uses in the Arden Hills 2030 Comprehensive Plan.
12. The proposed Comprehensive Plan Amendment would be consistent with adjacent land uses and the goals included in the Land Use chapter of the Arden Hills 2030 Comprehensive Plan.
13. The applicant has requested a variance from Section 1130.07, Subd. 2 of the City Code, which requires the lot dimensions in the subdivision not be less than the minimum

- dimensions required to secure the minimum lot area specified in the zoning ordinance of the City.
14. The proposed Johanna Station 1 subdivision meets the other Minimum Subdivision Design requirements included in Section 1130 of the City Code.
  15. The proposed Johanna Station 1 subdivision meets or will be required to meet the Required Improvements for subdivisions included in Section 1140 of the City Code.
  16. The proposed development requires public use dedication, as required in Section 1130.08 of the City Code.
  17. The park dedication requirement for this application is ten (10) percent of the buildable land area in the subdivision or a park development fee of \$6,500 per unit. Ten percent of the development would be 0.28 acres which would not allow for a feasible park area. The park development fee of \$6,500 per unit will be applied in this case.

*Variance Findings:*

18. The applicant has requested a variance for the four proposed lots to have a width of 81.75 feet, or 3.25 feet less than the minimum 85-foot requirement for the R-2 District.
19. The variance complies with the purpose and intent of the Zoning Regulations as single-family residential dwellings at a maximum density of 5 units per net acre are a permitted use in the R-2 District.
20. A Comprehensive Plan Amendment is required to re-guide the property for Very Low Density Residential use from its current classification as Public and Institutional. Should the Comprehensive Plan Amendment be approved, then the variance would comply with the purpose and intent of the Comprehensive Plan.
21. A single-family residential dwelling with allowed accessory structures is a reasonable use of the property and can be constructed on an 81.75 foot wide lot while still meeting the required structure setback requirements.
22. Presumably, when the neighborhood was first developed, the lot lines were placed so that the landlocked pond was located nearly entirely on the subject property, which has resulted in the property having a depth and area significantly greater than the minimum requirement for the R-2 District. This, along with the topography and previous use of the property as a fire station are unique circumstances that require the creation of lots that far exceed the minimum lot area and depth requirement for the R-2 District, but require a minor variance for each lot from the minimum lot width requirement.
23. Approximately one-third of the properties within this block that have lot widths less than the required 85 feet for the R-2 District. While, the majority of the lots on this block are 85 feet wide or greater, few have the depth or area of the four lots proposed in the redevelopment.
24. There is an economic consideration in this case because the applicant is seeking to keep the homes at a more affordable price. This economic consideration on its own does not constitute a practical difficulty, but may be considered as a factor.

**City Planner Bachler** stated staff is supportive of the proposed Comprehensive Plan Amendment in this case. The proposed designation of the property as Very Low Density Residential is consistent with the existing residential uses and densities in the surrounding area. The change in use of the property from public and institutional to residential would not have a significant impact in terms of traffic or demand on the City's infrastructure.

**City Planner Bachler** reported the findings of fact support a recommendation for approval of the variance request. The Planning Commission should evaluate whether the proposed variance meets the City requirements included in Section 1355.04, Subd. 4 as outlined above. If the Planning Commission votes to deny the variance request, the findings of fact would need to be amended to support the denial.

**City Planner Bachler** explained staff recommends approval of Planning Case 18-001 for a Preliminary Plat, Final Plat, Comprehensive Plan Amendment, and Variance at 3246 New Brighton Road, based on the submitted plans and the finds of fact in the April 4, 2018 Report to the Planning Commission, as amended by the following nineteen (19) conditions:

1. 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 City Council.
2. The execution of the Final Plat shall be contingent upon the Metropolitan Council's approval of the Comprehensive Plan Amendment.
3. A Development Agreement shall be prepared by the City Attorney and subject to City Council approval. The Development Agreement shall be executed prior to the execution of the Final Plat.
4. The applicant shall submit a park dedication fee in the amount of \$26,000, subject to the approval of the City Council. The park dedication fee shall be submitted prior to the execution of the Final Plat.
5. The applicant shall file the Final Plat with the Ramsey County Recorder and provide the City with a recorded copy within sixty (60) days of approval.
6. The applicant shall address all comments included in the memo provided by the Public Works Director/City Engineer dated March 7, 2018 prior to the issuance of any development permits.
7. The applicant shall provide the City with a copy of the approved Rice Creek Watershed District Permit prior to the issuance of any development permits.
8. Copies of the cross access easements for the driveways shall be provided to the City prior to the issuance of any building permits.
9. Final grading and drainage plans shall be subject to approval by the City Engineer prior to the commencement of any construction on the site.
10. Before construction, grading, or land clearing begins, trees or tree areas that are to be preserved shall be visibly marked and city-approved tree protection fencing or other method shall be installed and maintained at the critical root zones of the trees to be protected. The location of the fencing shall be in conformance with the approved tree preservation plan.
11. A Letter of Credit in the amount of 125 percent of the cost of materials and installation for the required replacement tree plantings shall be provided prior to the issuance of any development permits. The Letter of Cred shall be valid for two full years from the date of installation of the replacements trees.
12. The applicant shall work with the City to locate the additional 52 caliper inches of replacement trees on site. If the City determines that there is not sufficient space on site for the replacement tree plantings, the applicant shall work with the City to find an alternative off-site location or a fee in lieu of the replacement tress will be required

- equaling the cost of materials and installation plus ten percent, as determined by the City Council.
13. Survey monuments shall be placed and installed at all block corners, angle points, points of curves in streets, and at intermediate points as shown on the Final Plat. Pipes or steel rods shall be placed at the corners of each lot.
  14. Wetland monument signs will be required to adequately define the wetland buffer area, subject to the approval of the Public Works Director.
  15. Sewer and water for the subdivision shall be obtained by connections to the City water and sewer systems. Extension of City services shall be subject to review and approval by the City Engineer and all associated costs shall be the responsibility of the developer.
  16. A grading as-built and utility as-built plan shall be provided to the City upon completion of grading and utility work.
  17. The project may require permits, including, but not limited to, MPCA-NPDES, Rice Creek Watershed District, Minnesota Department of Health, MPCA- Sanitary Sewer Extension, Ramsey County and City Right of Way, and City Grading and Erosion Control permits. Copies of all issued permits shall be provided to the City prior to the issuance of any development permits.
  18. A copy of the home owners' association (HOA) documents shall be kept on file with the City.
  19. The developer shall comply with all other applicable provisions of the City Code and its related Ordinances.

**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** requested further information on the unique circumstances for this property.

**City Planner Bachler** discussed the unique circumstances for this property noting the size and depth of the lot and its previous use as a fire station.

**Commissioner Dixon** asked if the previous request for this property had been tabled or denied.

**City Planner Bachler** explained the previous request (Planning Case 17-010) was reviewed by the Planning Commission in May of 2017. He noted the previous request was similar in nature where four lots were being proposed for single family homes and the same variance was requested for a reduction in the lot width requirements. He indicated the developer was told a Comprehensive Plan Amendment was needed and action on the item was tabled to June. He reported between the May and June meeting, the developer withdrew their application due to disagreements with the Lake Johanna Fire Department on the purchase of the property.

**Commissioner Lambeth** discussed the great work being done by Journey Home, noting this organization was a non-profit working to build homes for disabled veterans and their families. He believed the applicant was not requesting a variance solely for fiscal reasons.

**Chair Thompson** asked if three lots could meet all of the City's standards.

**City Planner Bachler** reported the property could be subdivided for three lots without the need for a variance.

**Commissioner Jones** commented if only three lots were requested twinhomes could be constructed.

**City Planner Bachler** stated that twinhomes are a conditional use in the R2 District.

**Commissioner Lambeth** expressed concern that the City did not have more detailed plans on the proposed home designs.

**Commissioner Jones** stated he was also concerned with the fact that the applicant did not have any house plans for the Commission to review.

**City Planner Bachler** explained the Commission could table action on the Planning Case in order to request this information from the applicant if they wished.

**Chair Thompson** opened the public hearing at 7:05 p.m.

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

**Councilmember Holden** stated the previous applicant did not own the property and based on the comments received from the Planning Commission the developer understood only three lots should be developed. She explained this led the developer to request a reduced sale price on the property from the Lake Johanna Fire Department, which led to the previous request being withdrawn.

**Vicki Hangle**, 1882 Glen Paul Avenue, stated she was lived in her neighborhood for the past 31 years and noted she fully supported the proposed request. She explained she would love to have vets as her neighbors.

**Eric Schnell**, Journey Home representative, thanked the Commission for their time and consideration. He discussed the curb appeal for the proposed homes and noted the homes would reflect the dignity the veterans and their families deserve. He explained he could get elevations to the City for the Planning Commission to review. He reported Journey Home would make these homes as beautiful as possible while still maintaining the affordability criteria. He stated the goal would be to have these homes fit in with the character of the neighborhood. He indicated he held an Open House with the neighbors and noted there was support for having veterans in the neighborhood. He explained four lots were being requested in order to help four veterans and noted the variance would only be for three and one-half feet.

**Commissioner Lambeth** encouraged Mr. Schnell to have the home elevations to the City prior to the upcoming City Council meeting.

**Mr. Schnell** reported he would get this information to the City.

**Chair Thompson** noted for the record the Commission had received three letters from the public regarding the request noting there were concerns with the proposed lot widths.

There being no additional comment Chair Thompson closed the public hearing at 7:14 p.m.

**Commissioner Gehrig** stated he supported the Comprehensive Plan Amendment as proposed given the fact the request hits the broader goals of the City. He explained he did not have a concern with the proposed variance. However, he noted he did have concerns with the proposed homes and stated he would like to have a better understanding on what would be built by Journey Home.

**Chair Thompson** questioned what the impervious coverage differences would be between the proposed four homes and the current fire station.

**City Planner Bachler** stated he did not have the exact numbers, but anticipated there would be less impervious surface with the four homes versus the current fire station, garage and parking surfaces.

**Commissioner Jones** indicated he was far more comfortable with this request than the previous request.

**Chair Thompson** asked if the shared driveways for the Valentine Bluff development on Country Road E2 were working.

**City Planner Bachler** stated he had not heard of any issues with the shared driveways. He explained the County had reviewed this request and was fine with the proposed driveways. He reported a cross access easement would be put in place for the driveways.

**Chair Thompson** stated she supported the density for the proposed development. She encouraged the developer to have home elevations for the Council to review at their April 23<sup>rd</sup> meeting.

**Commissioner Lambeth moved and Commissioner Gehrig seconded a motion to recommend approval of Planning Case 18-001 for a Preliminary Plat, Final Plat, Comprehensive Plan Amendment, and Variance for the property located at 3246 New Brighton Road, based on the findings of fact and submitted plans, as amended by the nineteen (19) conditions in the April 4, 2018 Report to the Planning Commission. The motion carried unanimously (5-0).**

**B. Planning Case 18-006 – 2040 Comprehensive Plan Update – *Public Hearing***

**Eric Zweber**, WSB & Associates, stated Minnesota state law requires that all communities within the Minneapolis-St. Paul metropolitan area update their Comprehensive Plans every ten

years. The City has until December 31, 2018 to complete the 2040 Comprehensive Plan Update. The purpose of the Comprehensive Plan is to establish the policies that guide the future physical and community development of Arden Hills. It is also a reference document for the Planning Commission and City Council when evaluating private development projects, and helps with the City's budgeting process.

**Mr. Zweber** commented in addition to identifying local community goals, the Comprehensive Plan must reflect the adopted regional policies in the Metropolitan Council's system and policy plans. Local planning efforts are linked to the larger regional infrastructure of parks and trails, road networks, and wastewater infrastructure, and the City's plan must conform to the regional vision.

**Mr. Zweber** explained communities adopt different approaches to developing and implementing their Comprehensive Plans. Some plans include a great amount of detail with specific implementation timelines, while other plans focus more on general goals and policies. The Arden Hills 2040 Comprehensive Plan establishes a vision for the community with supporting goals, and recognizes the need to develop specific implementation strategies after adoption.

**Mr. Zweber** reviewed the Comprehensive Plan Organization, Community Involvement and Review Process, along with the Remaining Schedule. He provided details on the number of affordable housing units the City would be drafting into the Comprehensive Plan.

**Mr. Zweber** reviewed the options available to the Planning Commission on this matter:

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

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

**Commissioner Lambeth** asked if any significant changes were anticipated to Chapter 10.

**Mr. Zweber** explained Chapter 10 would have to be reviewed by the Rice Creek Watershed District and changes could be proposed by this organization.

**Commissioner Lambeth** questioned what jurisdictions would be reviewing the City's Comprehensive Plan.

**Mr. Zweber** reported this included all neighboring communities, the watershed district, the school district, Ramsey County, and MnDOT.

**Chair Thompson** opened the public hearing at 7:47 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 7:48 p.m.

**Commissioner Jones** stated he had concerns about the old City Hall space being guided for Neighborhood Business due to access issues.

**Commissioner Lambeth** requested staff send the Table of Contents to the Commission.

**Commissioner Gehrig moved and Commissioner Lambeth seconded a motion to recommend approval of Planning Case 18-006 for the 2040 Comprehensive Plan update. The motion carried unanimously (5-0).**

### **UNFINISHED AND NEW BUSINESS**

None.

### **REPORTS**

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

**Councilmember Scott** updated the Planning Commission on City Council activities from the March 12, 2018 City Council Regular Meeting noting the City Council voted to approve (3-2) Planning Case 17-029 for a Preliminary and Final Plat at 3685 New Brighton Road to subdivide the property into three single-family residential lots. The motion to approve the requested vacation of sewer easement for Lift Station 12 on the property failed (2-3).

**Councilmember Scott** updated the Planning Commission on City Council activities from the March 26, 2018 City Council Regular Meeting stating the City Council voted to approve (5-0) Planning Case 18-002 for a Minor Subdivision at 3655 Hamline Avenue North to subdivide the existing single-family residential lot into two conforming parcels. The City Council voted to approve (4-1) Planning Case 18-003 for a Conditional Use Permit Amendment and Variance for Bethel University at 3900 Bethel Drive. The approval will allow Bethel University to move forward on constructing two additions to existing buildings on their main campus. The 80 square foot addition to the Brushaber Commons building is expected to be completed in summer 2018. The 20,000 square foot addition to the Academic Commons building is not expected to be completed until 2020 and will require a Site Plan Review application prior to construction.

**Councilmember Scott** reported a formal groundbreaking ceremony would be held for Lexington Station Phase II on Thursday, April 5<sup>th</sup>. He explained he and his wife serve with Beyond the Yellow Ribbon. He encouraged the public to consider welcoming home veterans from an Honor Flight on Saturday, April 7<sup>th</sup>. He reported the Sun Country charter flight would be landing at 10:00 p.m. He explained the Scoops for Troops Event would be held on Sunday, April 29<sup>th</sup>.

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

**Chair Thompson** explained her last meeting with the Planning Commission would be Wednesday, June 6<sup>th</sup>. She encouraged those interested in serving on the Planning Commission to contact City Hall for further information.

#### **C. Staff Comments**

None.

**ADJOURN**

**Commissioner Jones moved, seconded by Commissioner Lambeth, to adjourn the April 4, 2018, Planning Commission Meeting at 7:58 p.m. The motion carried unanimously (5-0).**