

**REGULAR MEETING
OF THE COUNCIL OF THE
CITY OF VADNAIS HEIGHTS**

December 18, 2013

The regular meeting of the Council of the City of Vadnais Heights was held on the above date and called to order by Mayor Johannsen at 7:00 p.m.

Everyone present stood and said the pledge of allegiance.

ROLL CALL

Upon roll call, the following members were present: Mayor, Marc A. Johannsen
Councilmembers: D. Joseph Murphy, Gerald J. Auge, Terry S. Nyblom, and Craig A. Johnson.

The following members were absent: None.

Also present were: Kevin Watson, City Administrator; Kathy Keefe, Assistant City Administrator; Mark Graham, City Engineer; Ed Leier, Fire Chief; Caroline Bell Beckman, City Attorney; Jeff Melcoch, Cable Producer; and Joan Lenzmeier, Recorder.

APPROVAL OF AGENDA

Upon motion by Murphy, seconded by Auge, it was

13-12-209 “RESOLVED, that the agenda for the December 18, 2013, Council Meeting be approved as presented.”

Ayes – 5 Nays – 0

The resolution was adopted.

APPROVAL OF MINUTES

A. December 4, 2013 Regular Meeting

Upon motion by Murphy, seconded by Nyblom, it was

13-12-210 “RESOLVED, that the Minutes of the December 4, 2013 Regular Meeting be approved as presented.”

Ayes – 5 Nays – 0

The resolution was adopted.

APPROVAL OF CONSENT AGENDA

Upon motion by Murphy, seconded by Auge, it was

13-12-211 “RESOLVED, that the Consent Agenda items for the December 18, 2013, meeting be approved as follows:

- A. Approve Claims #68772 through #68834, and Electronic Claims #672 through #677 for payment.
- B. Approve Application for Minnesota Lawful Gambling Premises Permit LG220 Submitted by Thomas and Ingrid Luedtke to Allow Raffles on Friday, January 31, 2014 from 5:30 p.m. to 10:00 p.m. at Jimmy’s Conference Center, 1132 East County Road E, and Waive the 30-Day Waiting Period.
- C. Approve Capital Funds Restructuring.
- D. Approve Issuance of Exempt Permit, Form LG220, for the National Wild Turkey Federation to Conduct an Event at Jimmy’s Conference Center, 3565 Labore Road on March 6, 2014.
- E. Approve Appointment of Dirk Palmgren, Israel Anderson, Timothy Bell, and Mike Poftehauer as Introductory Paid-Per-Call Firefighters Effective December 12, 2013.”

Ayes – 5

Nays - 0

The resolution was adopted.

OPEN TO THE PUBLIC

No one wished to speak.

PRESENTATIONS

None.

PUBLIC HEARINGS

- A. Public Hearing to Consider Evelyn Baierl Trust Application for Preliminary Plat at 675 Koehler Road to Create Six Single Family Lots

Planner Weber explained that public notice of the hearing on this plat was posted, published and mailed as required. The site is zoned R-1, Low-Density Housing. The 10.2 acre site is located along the north side of Koehler Road between Edgerton Street and Centerville Road. The site is among an area of large-lot houses and wetlands. County Ditch 14 runs along the northern edge of the site. The site is two lots: Lot 8 of Davidson’s Second Subdivision of Stockdale Farms and the easterly 168 feet of Lot 9. The northern 80 percent of the site is wetland although there is just enough high and dry land along Koehler Road for houses and small yards. The wetland edge was delineated by a professional soils scientist and certified by the Technical Evaluation Panel of

the Vadnais Lakes Area Watershed Management Organization. There is a steep slope from the upland to the wetland, which will work well for walk-out houses, but reduces the usable rear yards of the houses.

Planner Weber explained that Koehler Road, otherwise known as County Road 14, is classified in the Comprehensive Plan as a Minor Arterial Road, as traffic volumes are relatively high. It is lined with houses, each with a driveway onto Koehler Road. Searle Court, a local residential street, intersects the southern side of Koehler Road just west of the plat.

The right-of-way of Koehler Road ranges from 66 feet near the western side of the plat to 60 feet on the eastern side. The pavement of the road is offset to the south in the right-of-way, giving the appearance of more front yard for the proposed lots. This offset results in an additional 11 feet near the western edge of the plat (28 feet of boulevard instead of the expected 17) and extra 1 foot near Lot 6, the existing house. This offset will provide additional front yard driveway length for parking and turn-around. The sight lines along Koehler Road are presently obscured by the curve in the road and the dense vegetation near its edge, but most of the vegetation will be removed during construction, which will improve safety for drivers who pull onto Koehler Road.

Planner Weber explained that the proposed plat would divide 2 large parcels into 6 parcels for single-family houses. A lot will be created for the owner's house and garage that stand near the southeastern corner of the property. Each of the lots would exceed the required minimum of 85 feet. Lot 1 would be 105 feet wide, and the others would each be 85 or 86 feet wide.

City Engineer Graham indicated that there have been discussions regarding sidewalks and trails.

Councilmember Murphy asked if staff had an idea of the square footage of homes planned for the site. Weber indicated there has been no commitment on home sizes.

Mayor Johannsen asked about a sidewalk or trail. Graham explained that a trail in this location has been discussed due to the proximity of the school. Graham indicated that he was asked to put together a ballpark estimate for bituminous trail and, with 525 feet the approximate cost would be \$18,700 to build a trail. Graham suggested it could be a condition that, when the homes are built, the trail is put in.

Councilmember Murphy asked why six lots and not four. Weber indicated that the applicant has asked for six lots and, due to design concerns on the site, staff originally looked at five lots but was directed by Council to further review to fit six lots on the site. Weber indicated that six lots increases the tax base and is an efficient use of land.

Councilmember Murphy asked how big the houses proposed on the site will be. Weber indicated that the building envelope shown on the plan for the homes, including garages is about 2,000 square feet but there is no set square footage stated.

Councilmember Nyblom said that the south side of Koehler Road has houses with setbacks further from Koehler Road that would allow for more trail space. Graham explained that the difficulty with trails is it is easy to put in when the houses are new but after the fact is tough.

Mayor Johannsen opened the public hearing. Mayor Johannsen closed the public hearing.

Councilmember Auge asked how wide the trail would be. Graham explained that trail construction occurs in the road right of way and said the trail would be 10 feet wide.

Upon motion by Nyblom, seconded by Auge, it was

13-12-212

“RESOLVED, to approve the Kreyfish preliminary plat, to create six residential lots from two large lots, with the following conditions:

- That a variance be granted to the front yard setback of Lot 1 (the western-most lot) to 30 feet from the normally-required 45 feet to accommodate the setback from the wetland.
- That a variance be granted to the front setback of Lots 2, 3, 4 and 5 to 35 feet from the normally-required 45 feet to accommodate the steep slope to the rear and to be more consistent with other houses along Koehler Road.
- That the rear setback for Lot 1 remains in a natural condition as required by VLAWMO for the wetland buffer.
- That a 5 foot tall retaining wall be allowed in the rear of Lot 2.
- That any requirements of the City Engineer be followed, particularly for erosion control, drainage and ponding.
- That written permission be submitted to the City from Ramsey County that allows driveway access to County Road 14, Koehler Road .
- That park dedication be in cash according to the requirements of City Code 33.020.
- That the City Council finds that there would be “practical difficulties” in complying with the setback regulations. “Practical difficulties” means that the property owner proposes to use the property in a reasonable manner not permitted by an official control, that the plight of the landowner is due to circumstances unique to the property not created by the landowner, and that the variance will not alter the essential character of the locality. The unique circumstances are the steep slope, the location of the wetland and the front setbacks of nearby houses along Koehler Road.
- That a Development Agreement be entered into with the City.
- That a 10 foot wide bituminous public use trail be constructed with dedicated easements if not in street right-of-way.”

Ayes – 4

Nays – 1 (Murphy)

The resolution was adopted.

B. Public Hearing to Consider Application by Lois Jensen for Landsplit at 3757 Edgerton Street

Planner Weber explained that the property owner has applied to split one tax parcel into two tax parcels at 3757 Edgerton Street, which is located between Bear Avenue South and Koehler Road. This property was long ago platted as two parcels, Lots 28 and 29 of Edgerton Grove Addition. At some point they were combined for tax purposes. To now split them into two tax parcels for sale purposes, a Minor Subdivision, or landsplit, is required. The site is zoned R-1. The required minimum lot width is 85 feet and the minimum lot depth is 120 feet. The lot is presently 1.08 acres. There is an existing house on the property. There are no wetlands on the site but County Ditch 14 abuts the property on the west. The creek channel is not on this property; it exists in a separately-platted parcel. The property meets all of the requirements for a Minor Subdivision under Section 25.040 of the City Code. Each parcel would exceed the minimum dimensional requirements, each being 85 feet wide along Edgerton Street and more than 280 feet deep. This portion of Edgerton Street is owned by the City. No additional right-of-way is required for Edgerton Street, which is already 64.5 feet wide. The property has City sanitary sewer and water services. Second connections may be needed for the new lot.

Councilmember Murphy asked if the current driveway is paved. Planner Weber indicated it is not. Councilmember Murphy asked whether there would be a shared driveway. Weber explained that there would be separate driveways.

Tom Rooney, representing Lois Jensen, addressed the Council and said he does not think he should have had to pay an application fee and a surveyor to have this property split into two parcels as it was already two parcels before being combined.

Councilmember Murphy explained that a request like this requires a fee. Mr. Rooney said he feels the fee is too high.

Mayor Johannsen asked if the property owner plans to sell the lot. He then said that you could not sell the lot with the driveway in the current location so these things need to be fixed and this application process will fix the issues and get the lot ready for sale.

Mr. Rooney asked why he has to move the driveway. Planner Weber explained that, as a condition of approval, staff has recommended moving the driveway to be sure the driveway complies with the City's Code requirements. Weber then explained that the driveway would also have to be paved to bring it to current standards.

Councilmember Murphy explained that there are policies and practices in place and he would not be interested in waiving any fees because there are costs to responding to this type of application.

Mayor Johannsen asked if the applicant wanted to move forward or table the application. Mr. Rooney asked the Council to table for now so that he could discuss the matter with the property owner.

This item was tabled to later in the meeting.

City Attorney Bell Beckman explained that the fees have been spent and will not be returned if the applicant does not move forward with the application.

After hearing Item C below, the Council returned to this item and, at the request of Mr. Rooney, on behalf of the applicant, tabled this matter to the January 15, 2014 meeting.

Upon motion by Murphy, seconded by Auge, it was

13-12-213 “RESOLVED, to table the Jensen Land Split Application to the January 15, 2014 City Council meeting.

Ayes – 5 Nays – 0

The resolution was adopted.

C. Public Hearing to Consider Application Submitted by Chu Wu to Rezone 3429 Centerville Road from C-1 to C-2

Planner Weber explained that an application has been received from property owner David Garceau to rezone the site of the former Garceau Hardware and Power Equipment to C-2 from C-1. A notice of this public hearing has been posted, published in the official newspaper and mailed to land owners within 350 feet of the site. The City Planning Commission recommended on November 27 that the City Council rezone the subject property to C-2, Community Commercial, from the C-1, Neighborhood Commercial district. This 2.38 acre parcel is located at 3429 Centerville Road, at the northeast quadrant of the intersection of Centerville Road and Edgerton Street.

Mayor Johannsen commented that when the City is asked to rezone a property the Comprehensive Plan has to be considered. Weber explained that the Comprehensive Plan designates the property as commercial which could be C-1 or C-2.

Mayor Johannsen commented that the zoning map lists this property as C-1 and this seems cart before the horse because he would like to know what would come in before he considers changes to the zoning.

Councilmember Johnson asked where the hardware store fit in. Weber explained that the hardware store was there before the zoning ordinance but noted that hardware stores would be allowed.

Councilmember Murphy said that he agrees with the Mayor and said that he would like the property owners to meet to come up with a cohesive re-development for that corner. Murphy indicated he would want to know what would come in there before approving a rezoning application. Murphy indicated that he is not interested in simply having a new tenant in the same old building and would like to see re-development on the site.

Mayor Johannsen opened the public hearing.

Bob Cardinal, real estate broker with Calhoun Companies, appeared before Council and explained that he has a listing agreement with Mr. Garceau. Mr. Cardinal asked whether the City was aware of the purchase agreement on this property. Mr. Cardinal commented that the property is under purchase agreement with Mr. Chu Wu who is in the funeral business. Mr. Cardinal indicated that Mr. Chu Wu would like to use that property for either a community center or a funeral home.

David Garceau addressed the Council and said that this has been a confusing process. Mr. Garceau indicated that he was not aware that the Council was considering removal of mortuaries from the Ordinance. Mr. Garceau indicated that he was not aware that the meeting was happening at all. Mr. Garceau indicated that he would like to sell the property to Mr. Wu and be done with it but, if that sale does not go through, he would like the property rezoned to C-2 to offer more flexibility in marketing the property.

Mayor Johannsen commented that, from a pure policy standpoint, ideally working with the surrounding property owners to re-develop would provide for a much better development.

Councilmember Murphy asked if the Council has to take action. City Attorney Bell Beckman explained that the Council needs to make a determination and, if denied, then findings need to be articulated.

Councilmember Nyblom asked if there is anything restricting a community center in C-1. Weber explained that a community center would not be permitted in C-1 or C-2. Councilmember Nyblom asked why the need to rezone to C-2 if community centers are not allowed. Weber indicated that a code amendment would be required if Council wished to allow community centers in C-2 zoning.

Mr. Wu appeared before the Council and said he would like to have a funeral home on the Garceau property. Mayor Johannsen explained that a funeral home is not a permitted use in C-1 or C-2 zoning.

Mr. Cardinal said that Council took an action back in October or November to restrict or remove mortuary as an allowed use on that property and this application has been in the works for the better part of a year. Mr. Cardinal said he finds it hard to believe Council did not know that Mr. Wu planned to use the property for a funeral home.

Mayor Johannsen explained that the application signed by Mr. Wu is for a rezone from C-1 to C-2 and does not say anything about a funeral home.

Mr. Cardinal stated that staff knew back in February or March.

Mr. Cardinal asked whether Council knew this property was under contract. Mayor Johannsen indicated he did not know the specifics of any contract between the property owner and Mr. Wu.

Mayor Johannsen explained that the Council was asked to determine whether a funeral home was an appropriate use in the C-1 or C-2 zoning districts and Council agreed it was not. Mayor

Johannsen further clarified that this was not parcel specific but applies to all properties in the C-1 and C-2 zoning district.

Mr. Cardinal said that the Planning Commission knew about this proposal.

Councilmember Murphy said that he is not interested in rezoning this parcel from C-1 to C-2.

Mr. Cardinal said that it is unfortunate that the staff knew this was under contract and designated for a use and the Council was not made aware of that.

Mayor Johannsen reminded those in attendance that this application is a request for rezoning from C-1 to C-2.

Mr. Cardinal said that Mr. Garceau has no interest in combining property with the other property owners in the area.

Paul Houck, property owner adjacent to the site in question, said he has no problem with changing the zoning to C-2 if Council desires and said he is interested in meeting with staff to discuss redevelopment efforts.

Jim Debilzan of 627 Hiawatha said that he has no problem with C-2 and would like to see that use put in there and get that property used again.

Darlene Garceau of 3480 Edgerton Street indicated she is in support of the C-2 change to allow more possibilities on the property.

Mayor Johannsen closed the public hearing.

City Administrator Watson asked if there have been code enforcement concerns with the property or any complaints with the use that is there. Chief Leier said that as far as complaints about activity there have been none but there have been code enforcement issues with the middle property which were resolved but no concerns with the Garceau property when it was under operation by the Garceaus.

Councilmember Johnson said the hardware store was operated under C-1 next door is and asked whether a convenience store with gas pumps, etc. could be located on the site. Watson indicated that type of use would qualify as there was a repair shop at one point in time in that location.

Councilmember Auge said he has a concern with changing from C-1 to C-2 in a residential area like this. Councilmember Auge said he would like to see that whole piece of property redeveloped and all the adjoining property owners working together to redevelop it.

Upon motion by Murphy, seconded by Johannsen, it was

13-12-214 “RESOLVED to deny the application for rezone submitted by Mr. Chu Wu for Rezoning from C-1 to C-2 for the following reasons:

- The Council finds that the neighboring properties are zoned C-1 and Residential, and therefore, C-2 Community Commercial zoning at that site would be incompatible with surrounding properties and would create piecemeal zoning.
- The C-2 Community Commercial zoning districts in the City of Vadnais Heights are not located in the interior of the City, but on the periphery of the City’s borders, near commercial zones, which is the appropriate location as opposed to this inner city site.
- In the past, the Code Enforcement has had code enforcement issues with the use of the prior hardware store site and C-2 Community Commercial zoning here would likely raise the same issues.
- C-2 Community Commercial uses would be too intense for nearby housing and result in excessive noise impacts on the neighborhood.”

Ayes – 5

Nays – 0

The resolution was adopted.

D. Public Hearing to Consider Application Submitted by Northern Air Corporation to Vacate Drainage and Utility Easement at 1001 Labore Industrial Court.

Mayor Johannsen opened the public hearing. Mayor Johannsen closed the public hearing.

Upon motion by Murphy, seconded by Johnson, it was

13-12-215 “RESOLVED to approve Prepared Resolution Approving the Vacation of Certain Drainage and Utility Easements Located in Block 1 of the Plat of Yorkton North Vadnais Addition.”

Ayes – 5

Nays – 0

The resolution was adopted.

E. Public Hearing to Consider Application Submitted by Glenn Gleason for Preliminary Plat at 3870 McMenemy

Planner Weber explained that Mr. Glen Gleason on behalf of Dean and Mary Mork, owners and residents of 3870 McMenemy Street, has applied for a preliminary plat to divide their 4.6 acre parcel into three lots for the purpose of building two new houses. Notice of this public hearing was posted, published in the official newspaper and mailed to land owners within 350 feet of the site. The City Planning Commission recommended approval of this plat with the conditions listed above by a vote of 7 – 0.

Weber explained that the property is located on the eastern side of McMenemy Street and extends 1,320 feet east to the right-of-way of an unbuilt portion of Bear Avenue. Tessier Trail

intersects the parcel on its southern side. The site is not fully rectangular, as a parcel for another owner's house was carved out along McMenemy Street. The Morks live in a house on the site along McMenemy Street. The site is mostly wooded, and the eastern part of the site slopes down to a wetland near the Bear Avenue right-of-way. To the north is a large lot with one house; there would be space to plat and build another house to its east after Tessier Trail is extended. To the south are another large-lot residence and three houses plus an open lot in the Tessier Addition. To the east in the Bear Avenue right-of-way, are large lots and Bear Park. To the west is wooded land owned by the St. Paul Water Works. Tessier Trail has long been planned to extend straight north to Colleen Drive. A sanitary sewer line already exists in an easement in that alignment. The property is zoned R-1, which allows single-family housing.

Weber explained that the three lots that would result from this plat would each exceed the minimum dimensional requirements. The two new lots in the rear would each be 165 feet wide and either 211 or 662 feet deep. The lot for the Mork homestead would be 80 feet wide and 200 feet deep. The minimum required width is 85 feet, but that 80 foot dimension already exists. Tessier Trail would be platted 60 feet wide and built across the site according to City standards and dedicated to the City. This street extension has been planned since the Tessier Addition was platted in the 1980s. It will eventually link north to Colleen Drive. There is sufficient high and dry land along both sides of the extended Tessier Trail for two houses on each side, but only 1 will be built on each side at this time. The two proposed houses would be offset in the two new lots, leaving frontage along Tessier Trail for two more houses. The second future lot on the east side of Tessier Trail may require some filling to compensate for the slope. However, there is more than 100 feet of distance to the wetland to place that fill. The applicant states that he does not expect the final two lots to be created until "40 or 50" years into the future.

Weber explained that after this plat, it will be difficult but not impossible to re-subdivide Lot 2 of Block 1 (the middle of the three lots) because of the size and configuration of nearby parcels and houses. It is inefficient to devote 4.25 acres of land to just four new houses in a city location but the City Code does not specify a maximum lot size.

Councilmember Murphy asked if this would create flag lots. Weber indicated the City would not allow flag lots.

Councilmember Murphy asked about the road extension. Graham explained that the road will remain the same as it looks today but will be picked up and moved north.

Councilmember Murphy asked if staff talked to the property owner next to this property about his interest in splitting that lot to see if the property owners can share the cost of extending the road. City Administrator Watson explained that Mr. Mork is building the road entirely on his property.

Mayor Johannsen opened the public hearing.

Larry Housick of 3859 Tessier Trail said he has a few concerns. First with drainage, second with water right at the end of the street the hydrant will need to be moved. He then said that his backyard contains moisture and he is worried about adding any water to the situation. Mr.

Housick asked if there is a culvert because the report says there is very little fill going in but they will have to fill in the drainage ditch and there is wetland there. Mr. Housick said that he wants VLAWMO to look at this because this is not only the wetland but the surrounding areas of woods are part of wetlands. Mr. Housick asked whether there are covenants to follow for square footage of home and value and he wants to know if they are up to the standards of the neighborhood.

Ken Meyer of 3834 Tessier Trail said that he wanted to clarify on the south end of this new proposed plat that there is a utility easement 25 feet wide. He then said that looking at the positioning of that first house and the potential future development of the property he would like to see that substandard lot addressed now. Mr. Meyer said he feels this should be a five lot plat now to account for future use of the property.

Mr. Meyer said that when the plat is developed he would like to see VLAWMO do the delineation during the summer and look at vegetation not just where the water is. Mr. Meyer would like to talk about the covenants and would like this housing to be compatible with existing housing.

Richard Maddox addressed the Council and said he is the builder and understands the concerns with drainage but said the concerns are addressed by the City Engineer and they work with the City on all requirements. He then said that, in talking with Mr. Gleason, they have no intention of dividing the lots further after this plat.

Tom Kline of 3902 McMenemy said that he was not contacted to discuss working together to develop. He then said that another neighbor is also interested in subdividing and developing his property. Mr. Kline said he is in favor of this but is not a fan of the proposed layout. The setback is a problem for him. Mr. Kline suggested the City needs to look at this comprehensively and center the homes on the lot or put four lots on the property now to plan for the future. Mr. Kline said he has had no communication with the City on this subdivision.

City Engineer/Director of Public Services Graham said that he has been with the City for six years and there have been meetings and lots of discussions with various people and letters have been sent out to ask neighbors to take a comprehensive look at this property. Graham indicated the City has sanitary sewer running the whole length of the proposed Tessier Trail extension right now.

Mayor Johannsen pointed out that Mr. Kline is on the list for notice.

Mayor Johannsen pointed out that the Council has been asked to consider an application for plat that was lawfully submitted and reviewed by staff so the Council does not have the discretion to not approve the application as it meets all City requirements.

Mr. Kline said he is fine with the application but thinks the Planning Commission should be aware of his desire to subdivide when the road is extended.

Mayor Johannsen explained that right now the City is just approving the lots and this is where the road right of way needs to be then there is a need for engineering for the road, the turn around, easements, etc. He then clarified that the City is not building the road.

Councilmember Murphy agreed but asked staff to contact Mr. Kline to discuss the plan for the road.

Stephanie Gleason, daughter of Mr. Mork, said that they will comply with City requirements for the plat and do want to make sure that water does not runoff from their site.

Mayor Johannsen closed the public hearing.

Upon motion by Murphy, seconded by Nyblom, it was

- 13-12-216 “RESOLVED to approve the Mork Addition preliminary plat with these conditions:
- That any requirements of the City Engineer be followed.
 - That the park dedication requirement be satisfied in cash according to City Code 33.020.
 - That a development agreement be executed.”

Ayes – 5

Nays – 0

The resolution was adopted.

F. Public Hearing to Consider Application Submitted by Buerkle Enterprises LLC for Site Plan, Variances, and Preliminary Plat for a 40,000 Square Foot Expansion of Buerkle Honda at 3360 Highway 61

Planner Weber explained that Buerkle Enterprises, LLC, has applied for Site Plan Review, two variances and a preliminary plat to expand the existing Honda auto dealership and to create a separate land parcel for the Honda dealership. A notice of the public hearing was posted, published and mailed as required. The City Planning Commission recommended on November 26 that the Council approve the site plan, variances and preliminary plat with the conditions listed above by a vote of 7 – 0. The site is located along the eastern side of Highway 61 north of Buerkle Road. To the north is the Mitsubishi-Suzuki auto dealership, to the east is the Minnesota Commercial Railroad track, to the south is the Hyundai auto dealership (also owned by Buerkle Enterprises) and to the west is Highway 61, a wetland and undeveloped land zoned for industry. The building site is undeveloped and generally flat with soils that will support buildings and roads. A major drainage pipe was recently relocated by the owner from the middle to the northern edge of the development site to make space for the new building. There will be two additions to the current Honda building, the larger one to the north and a smaller one to the east. The additions will add approximately 40,000 square feet to the current 28,000 square feet and include a sales floor, offices, repair bay, drop-off, new car pick-up, car wash and other spaces. The Hyundai building is nearby but a separate building. The building and parking areas will cover 88 percent of the site. The maximum allowable coverage is 90 percent. Thus, the site

coverage is quite high. The surface water management plan helps mitigate the effects of these rooftops and parking lots. Access to the site will be via the existing driveway from Highway 61 and from a new driveway from Highway 61 that is shared with the Suzuki and Dodge dealerships to the north. Traffic may also flow through the parking lot to and from Buerkle Road on the southern end of the site. We believe that all of these access points will be able to accommodate the anticipated traffic safely. The northerly intersection with Highway 61 is a “three quarters” design. That is, northbound vehicles may turn right-in and right-out; southbound vehicles may turn left-in but not left-out. Internal circulation has the proper aisle widths and corner geometry to accommodate any trucks or emergency vehicles. These movements have been demonstrated on the site plan with a turning program. There is plenty of capacity on Highway 61 for the anticipated traffic increase. MnDOT reviewed this proposal and submitted a review letter that addressed drainage and utilities but had no comment on the traffic or highway access.

Weber indicated that there will be 556 spaces for parking cars for sale, 90 spaces for customer parking and 100 spaces for employee parking. The zoning ordinance does not specify the parking ratio for any of those three categories. We are confident that there will be enough parking. No parking will be allowed on the grassy setback along Highway 61.

A variance is requested for the dimensions of the parking spaces for the parking for sale:

- Required: 9 feet x 19 feet with a 24 foot driving aisle
- Proposed: 8.5 feet x 18 feet with a 24 foot driving aisle

There will also be a location near the western side of the site for the elevated display of five cars for sale. A few cars would also be parked on the pervious pavers around the front and side of the building. No parking should be allowed on the grass anywhere on the site. The applicant has demonstrated with a computer-aided template that a fire engine or trailer truck could maneuver through any of the key turns on the site. The plantings along the Highway 61 frontage are mostly deciduous shrubs, prairie grasses and perennial flowers with 8 maples and 2 birch trees. I request that two more birches be added to the Highway 61 frontage, spaced about 60 feet from the maples, to enforce the visual edge. There will be a standard chain link fence, six feet tall along the Highway 61 frontage that matches the current fence. The side and rear of the site will have an eight-foot chain link fence with barbed wire on top to match the current fence. Because of the great amount of hard cover proposed on this site and the adjacent Hyundai property, there will be a significant amount of surface water to handle. To help reduce the volume and rate of surface water that leaves the site and to improve the quality of the run-off, there will be:

- A bio-infiltration basin (a “rain garden”) that will allow some of the water to seep into the soil and
- An underground storage and infiltration system consisting of perforated pipes under the parking lot that will collect water from a large part of the new parking lot, drain some of it into the soil, and gradually release the rest to a pipe that will convey it to a pond west of Highway 61 before it flows eventually to Willow Lake.

Weber explained that the building will be similar to the existing Honda building, which has white panels and blue accents as required by Honda. The lighting plan has been designed to keep the light on the site. Signs will consist of:

- A new Honda pylon sign that will replace the existing pylon sign

- A pylon sign for used car sales
- Walls signs announcing “Honda,” “Buerkle,” “Service Entrance,” and “Certified Used Cars.
- On-site directional signs.
-

All of the signs conform to the requirements of Chapter 24, Signs, for height, area and setback. Trash storage will be in an existing enclosure next to rear wall of the existing Honda building. Although not required by the City, the project will include these environmentally wise features:

Site:

- Permeable pavers at vehicle displays
- Native and low irrigation landscaping
- Dark sky compliant exterior lighting

Building Envelope

- Highly insulated walls and roof with air infiltration barrier coatings where applicable
- Recycled material content
- Construction waste recycling
- Daylighting and occupant views

Building Interior

- Low water usage plumbing fixtures (low flow urinals, dual flush toilets, sensor faucets)
- Recycled material content
- Low/no VOC paints, adhesives and sealants
- No Urea-formaldehyde in millwork and doors

Mechanical

- High efficiency boiler
- In-floor radiant heat
- Heat recovery on building make-up air

Electrical

- LED lighting wherever practical
- Daylight harvesting (automatic turning off lights in bright daylight areas)
- Occupancy monitors to turn off light in on occupied rooms

- Sprinkler and fire alarm system plans shall be reviewed and approved by the Fire Department.
- The Fire Department connection (FDC) and the Fire Department lock box shall be located near the main in an approved location.
- A fire hydrant shall be located within 50 feet of the FDC adjacent to the building.
- The additional fire hydrants indicated on the plans are located in acceptable locations.
- Separate address shall be maintained between the two buildings (3350 and 3360).
- The drive lane between the 3350 and 3360 buildings shall be maintained free of obstructions including parking or storage at all time as a permanent easement for fire department apparatus.
- All drive lanes and turn radius shall meet the specifications for the Vadnais Heights fire apparatus.

Planner Weber explained that a preliminary plat has been submitted to create separate parcels for the Honda and the Hyundai dealerships. The parcel line is unusually crooked because it winds between two existing buildings, but if Ramsey County will accept it, Staff does not object.

The plat does create the need for a variance. The existing Honda building and the existing Hyundai building would each be 10 feet from the new property line instead of the normally-required 20 feet. Because this is an existing situation, staff recommends approval of the variance.

Councilmember Nyblom expressed concern with the pipes for the stormwater in the spring. City Engineer/Director of Public Services Graham explained that these storm water pipes are relatively new so they have perfected a way with rock and the size of the pipe and water flowing in that the pipe can handle freezing temperatures. He then said that the nice thing is that the pipe is on their site and, if there is an issue, something for them to deal with, not the City.

Weber noted that Councilmember Nyblom raised a concern about exiting the site and there is a driveway from the new parking lot across the short piece of Mitsubishi land but you cannot go left on Highway 61. This is a right in right out. Staff has discussed this with MnDOT and they are not concerned about the function and capacity at this location and recommend no change.

Councilmember Murphy asked about the value of the project. The applicant indicated the value of the construction is estimated to be between \$10,000,000 and \$11,000,000.

Mayor Johannsen asked about matching facades for the buildings. Weber indicated that the buildings will match as closely as is possible. Weber indicated that they may wish to consider directional signage on site to direct traffic that wishes to go south onto Highway 61 since this is a right in right out.

Mayor Johannsen opened the public hearing.

Quinn Hudson, Architect and Dave Buerkle, appeared before Council.

Mayor Johannsen and Councilmember Murphy both commented that this will be a very nice addition to the facility and thanked the applicants for their effort.

Mayor Johannsen closed the public hearing.

Upon motion by Johannsen, seconded by Murphy, it was

13-12-217 “RESOLVED, to approve the site plan, variances and preliminary plat for the expansion of the Buerkle Honda auto dealership with these conditions:

- That variances be granted for: Width and length of most of the car inventory storage parking spaces; Side yard setback of two existing buildings from the proposed new property line.

- That the City Council finds that there would be “practical difficulties” in complying with the parking dimension regulations and with the building side yard setback regulation. “Practical difficulties” means that the property owner proposes to use the property in a reasonable manner not permitted by an official control, that the plight of the landowner is due to circumstances unique to the property not created by the landowner, and that the variance will not alter the essential character of the locality. If the ordinance were enforced with regard to parking dimensions, there would have to be many fewer car storage spaces. If it were enforced with regard to building side yard setback, one of the existing buildings would have to be moved.
- That any requirements of the City Engineer and the Ramsey-Washington Metro Watershed District be followed.
- That the applicant applies for and receives permits from MnDOT for drainage and for water and sanitary sewer connections in the Highway 61 right-of-way.
- That the requirements of the Fire Department be followed.
- That a document be submitted for approval by the City that grants shared access, parking and circulation across the new internal property line. Similarly, a signed copy of an easement with the property owner(s) to the north that grants access across their property to the Highway 61 frontage road must be submitted for City review.
- That a Stop sign be installed where the northwest driveway intersects the frontage road.
- That no parking be allowed on the grass.
- That the park dedication requirement be satisfied in cash according to City Code 33.020.
- That a development agreement be executed.”

Ayes – 5

Nays – 0

The resolution was adopted.

OLD BUSINESS

None.

NEW BUSINESS

A. Consider Setting January 8, 2014 Workshop and Agenda

City Administrator Watson suggested the agenda for the January 8, 2014 workshop include: Review of Council Goal Setting Session; Contract with Allina for use of Fire Station; and Fire Department Training at 3945 Stockdale Drive.

Upon motion by Auge, seconded by Murphy, it was

13-12-218 “RESOLVED, to set a workshop meeting for January 8, 2014 at 5:30 p.m. with Agenda to include: Review of Council Goal Setting Session; Contract with Allina for use of Fire Station; and Fire Department Training at 3945 Stockdale Drive.”

Ayes – 5

Nays – 0

The resolution was adopted.

COUNCIL AND DEPARTMENT REPORTS

Chief Leier wished everyone happy holidays.

Assistant City Administrator Keefe wished everyone happy holidays.

City Attorney Bell Beckman had nothing to report.

Planner Weber reported that staff expects to see the Metro Transit Park & Ride application next month.

City Engineer/Director of Public Services Graham reported that staff has been contacted by Ramsey Washington Watershed and they are working on establishing a citizens committee if anyone interested residents would like more information. Graham asked residents and businesses not to push snow onto or across public roads or onto private property when clearing their snow. He also noted there is a state law that prohibits doing so. Graham reported that he had been deposed in the White Lake/DNR lawsuit and has to attend a meeting on January 8, 2014 so he will miss the Council meeting. Graham reported that they are primarily done with the sanitary sewer lining work for the year.

City Administrator Watson reported that he met with the Rice Street /Vadnais Boulevard property owners and is encouraged at the potential opportunities. He then noted that the property owners have engaged a developer. Watson reported that he and Graham met with the Perkins property representative and continues to work on progress with the City Center Drive project. Watson reported that staff received kudos from the garbage haulers noting that the garbage haulers have commented that Vadnais Heights has the best snow removal of all of the suburbs. Watson wished everyone happy holidays.

Councilmember Nyblom commented that any residents that need assistance this holiday with toys or food are welcome to come to the distribution event this Saturday but must bring proof of

residency. Nyblom wished everyone a Merry Christmas and a safe new year while reminding anyone that plans to partake in Christmas Cheer to plan ahead for a ride.

Councilmember Johnson wished everyone happy holidays and Merry Christmas, asked everyone to drive safely and enjoy their families this holiday season.

Councilmember Auge reported that he had attended the Fire Department business meeting and the goal session which he felt was productive for future planning. He then thanked Watson for setting it up. Auge commented that the sewer work was done in front of his home and he had no issues with the work. Auge wished everyone happy holidays.

Councilmember Murphy reported that he had attended the employee breakfast and thanked employees for the work they do for the City. He then said that he feels that the goal session was the best he has been part of and that he looks forward to seeing staff's plan for implementation. Murphy wished everyone happy holidays.

Mayor Johannsen said that he thought the goal setting session was good and thanked staff for staying late Friday night to participate. Johannsen commented that staff is performing well with snow removal and he is thankful for the work they do. Johannsen reported that he attended the final meeting for VLAWMO for the year. Johannsen asked Councilmembers to send an email to Lenzmeier outlining preferences for committees. He also asked that councilmembers include what they really want to do and what they really do not want to do so that he can attempt to accommodate everyone.

Mayor Johannsen reminded everyone that the first meeting in January will be January 8, 2014. He then wished everyone happy holidays and noted that there will be a DWI saturation coming up this weekend and advised residents to plan accordingly.

Upon motion by Murphy, the meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Kevin P. Watson, City Administrator

ATTEST:

Marc A. Johannsen, Mayor