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**DATE:** June 7, 2023

**TO:** Planning Commission Chair and Commissioners

**FROM:** Jessica Jagoe, Community Development Director

**SUBJECT:** Planning Case #23-011 – Public Hearing Required  
**Applicant:** City of Arden Hills  
**Request:** Zoning Code Amendments – Chapter 13, Section 1380 – TCAAP  
Redevelopment Code for Campus Commercial Zoning District

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### **Requested Action**

The City of Arden Hills is proposing ordinance language in the Zoning Code for the TCAAP Redevelopment Code (TRC) specific to the Campus Commercial Zoning District that would expand on permitted uses within this district. Ordinance language would be added to allow for commercial land uses currently outlined in the TRC as permitted or accessory uses for consideration to add as an allowed use in the Campus Commercial Zoning District. The proposed amendments to City Zoning Code Chapter 13 are within the following Section:

- Section 1380 – TCAAP Redevelopment Code, Subsection 5 – Schedule of Permitted Uses
  - Subsection 5.1 – Applicability, and
  - Subsection 5.2 – Additional Use Criteria

### **TCAAP Joint Development Authority**

In November 2012, the City Council approved a Joint Powers Agreement (JPA) with Ramsey County which establishes a partnership between the City of Arden Hills and Ramsey County with the goal of the remediation and redevelopment of the 427-acre Twin Cities Army Ammunition Plant (TCAAP) site. Under the JPA, the City and County created a Joint Development Authority (JDA) that is the joint governing entity of the TCAAP site as allowed by the Joint Powers Act and MN State Laws. The JDA is the authority responsible for, but not limited to, environmental remediation, elimination of blight, infrastructure construction and financing, comprehensive planning and zoning, and economic development and redevelopment. The JDA Board is comprised of two County Commissioners, two City Councilmembers, and an additional non-elected City appointee as the Chair. Key points of the JPA are as follows:

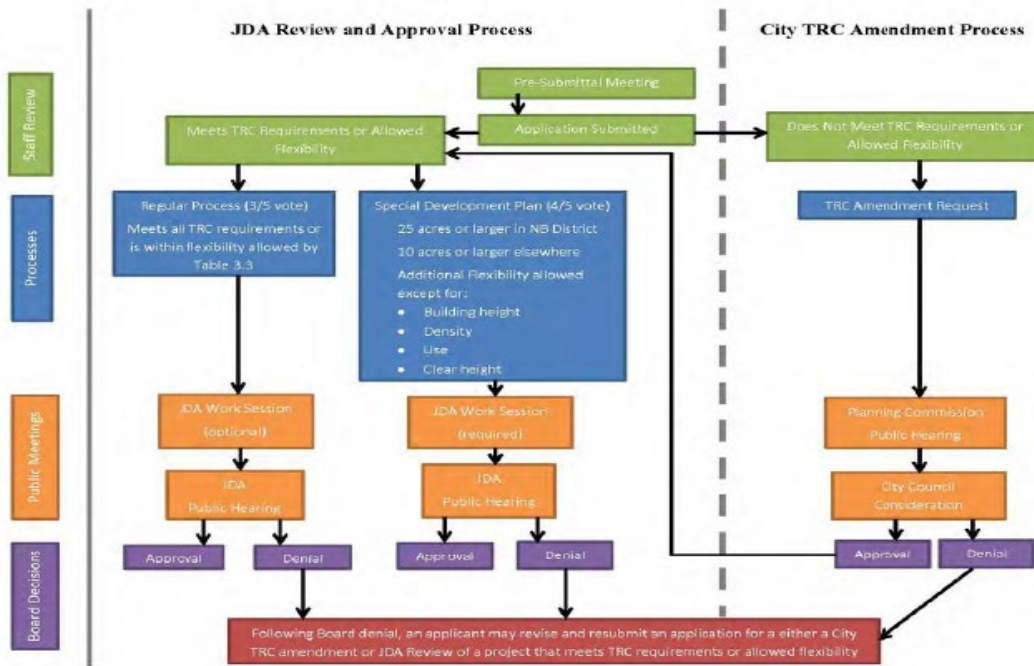
- The County will purchase the site from the U.S. Government and will work with Bolander and Sons to remediate the site to a residential standard including the demolition of remaining buildings. – **Completed**
- The City will prepare an AUAR and Master Plan. The Master Plan will be approved by both the City and the County and will be implemented by the JDA. – **Completed**
- The City and County are responsible for installing their respective public infrastructure as outlined by the JPA. **TBD**

Between 2013 – 2016, the City facilitated the process of developing the Master Plan for the TCAAP site, which as noted above was the responsibility of the City under the JPA. Planning elements of the Master Plan included defining the public engagement process, land use, circulation and movement, utilities, environmental remediation, parks and open space, implementation plan, and a regulatory plan. In 2016, the City adopted the TRC, Section 1380 of the zoning code which includes the regulating plan, land use table, design standards, and other regulations related to land development that are specific to the TCAAP site. The proposed 427-acre redevelopment referred to as Rice Creek Commons will include:

- Retail, office and light industrial development
- A town center
- Well-defined neighborhoods with architectural diversity
- A wide variety of housing options to serve young professionals, empty nesters, and seniors
- Abundant parks and open space
- Trails that provide for convenient and safe pedestrian access to commercial areas and other site amenities

In addition, this document also includes a development flowchart that outlines the approval processes for future land development of TCAAP that follows the terms as outlined in the JPA. Future development proposals for TCAAP conforming with the TRC (or within the flexibilities permitted) would fall under the purview and review of the JDA. As noted on the chart below, the City maintains the responsibility for processing TRC Amendments (also elements not meeting allowed flexibilities). The JPA identifies two classifications of an Amendment to the TCAAP Master Plan: 1) Major Amendment or 2) Minor Amendment. A minor amendment does not involve an amendment to the City’s Comprehensive Plan and is a change within a Development Site (i.e. TRC Zoning Districts) deemed desirable by the JDA to implement the Development. The JDA shall recommend such minor amendments to the City and County, and if approved by both parties, the TCAAP Master Plan shall be modified consistent with the approved amendment. For the City, a TRC Amendment would follow our standard procedures for processing a land use application with a recommendation of the Planning Commission and City Council decision. As part of a TRC Amendment, the City will request confirmation of approval by Ramsey County.

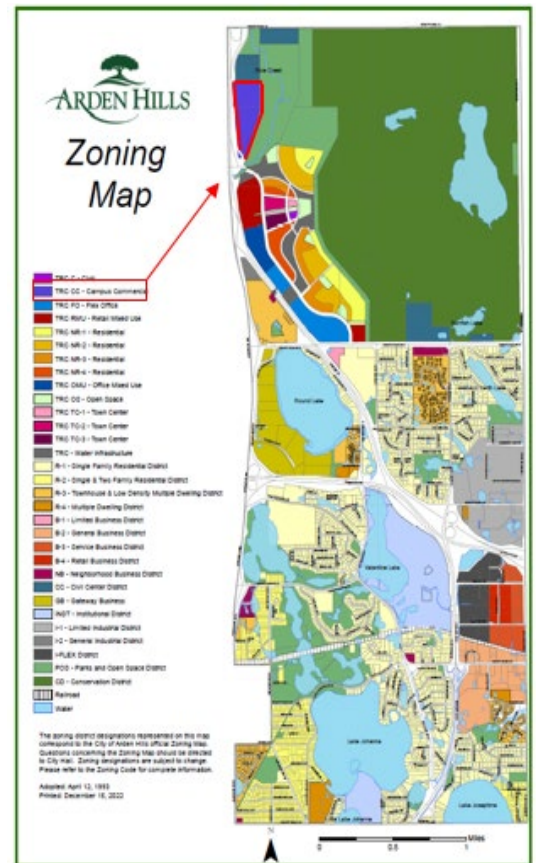
At their May 1, 2023 work session, the JDA discussed the Campus Commercial Zoning District and indicated support for the City to proceed with consideration for expanding the allowed uses in this district.



## Campus Commercial Zoning District Background

Under the Zoning Code, the Campus Commercial Zoning District is intended “to facilitate a building format that allows multiple, single tenant buildings or campuses within the northern “Thumb” site of the Plan Area. The goal is to allow for an individual plan approach for each campus or building, based on user preferences within a range of requirements.” As noted in the plan area description, the Campus Commercial zoning district only applies to Outlot A within the TCAAP site. This 40-acre property is located in the northwest corner of the TCAAP site, with frontage along I-35W and direct highway access from County Road H. Outlot A is a noncontiguous portion of the 427 acre TCAAP site.

This site is guided in the 2040 Comprehensive Plan also as Campus Commercial. The future land use description states “Provides for multiple, single tenant buildings or campuses within a business park atmosphere.” City staff as part of this city code amendment review has confirmed with the Metropolitan Council that the future land use description is sufficiently flexible to allow for other commercial land uses to be amended as part of this zoning district.



The chart below lists current permitted and accessory uses in the Campus Commercial District:

<b>Permitted Uses - Commercial</b>	Business Service Clinic/Medical Office Financial Institution Food Preparation Hotel/Motel Office Pet Services Research and Development Facility
<b>Permitted Uses - Industrial</b>	Manufacturing & Processing – Class I. - 30% of gross building square footage must be office use. <i>(Manufacturing &amp; Processing. Class I: All uses which include the compounding, processing, packaging, treatment, or assembly of products and materials. Generally, these are industries dependent upon raw materials refined elsewhere. These uses include, but are not limited to: fabrication of wood, metal, and plastic products; assembly of electronic components, equipment, and appliances; processing of chemicals, plastics, food products, and nonalcoholic beverages; manufacturing of clothing and textile products; distribution centers, lumber yards, printing and binding shops, machine shops, sheet metal shops, sign shops, contractor's shops and storage yards. Class I = without exterior storage.)</i>
<b>Accessory Commercial Uses</b>	Club, Sports & Fitness Daycare Facility Drive-up Windows Personal Services <i>(Typical personal services include but are not limited to: apparel tailoring and cleaning; hair styling, trimming and cutting; beauty services; photographic services; and other services of a similar nature.)</i> Restaurant and Restaurant Fast-Food
<b>Accessory Industrial Uses</b>	Warehousing (as an accessory use only to Manufacturing and Processing) - 30% of gross building square footage must be office use.

Ramsey County recently issued a Request for Development Interest on the Thumb property on TCAAP. Ramsey County’s Community and Economic Development Director Kari Collins followed up with city staff following the May 1<sup>st</sup> JDA work session meeting to say “I wanted to relay that the County fully supports the City’s review of land uses for the thumb parcel, and for any future parcel on the Rice Creek Commons site that will help to, “realize market potential and promote the creation of jobs and economic development” as described in the TRC. We know we are in a unique market climate and would endorse a full review of land use options on the thumb parcel to ensure a wide range of proposals are submitted for consideration.”

## Zoning Code Text Amendments

Based on the JDA discussion, at their May 8, 2023 regular meeting, the City Council directed staff to bring forward the proposed ordinance amendment to the Planning Commission for the first review and to hold a public hearing. The land use types that have been identified to be included within the Campus Commercial Zoning District are those commercial land uses currently allowed within the TRC Zoning District Land Use Table. In 2015/16, one of the concepts discussed during the adoption of the Master Plan was that this site would be attractive for development as corporate headquarters with a campus design that included amenities as complimentary land uses. One of the purpose statements of the TRC is to “*create regulations that realize market potential and promote the creation of jobs and economic development.*” To continue fostering economic prosperity from varying markets for commercial developments (i.e. office, retail, clinic, personal services, etc.), the overall objective of the proposed amendment to the TRC Land Use Table is to expand permitted land uses within this zoning district to broaden the potential for future site development (Attachment A). The proposed land use changes for Planning Commission review are mirrored after those land uses currently allowed for in the Town Center Zoning District. Staff did also include a couple of other suggested land use additions based on permitted uses in the Retail Mixed-Use and Flex Office Districts that were consistent with the overall intent of the Campus Commercial Zoning District. If approved, an Applicant of any future proposed commercial development in the Campus Commercial District would be subject to the formal review process as outlined in the JDA for the TCAAP site.

### Campus Commercial Code Amendments to consider:

1. Add Permitted Commercial Land Uses to Section 5.1, Table 5-1:
  - a. Brewpub
  - b. Cocktail Lounge
  - c. Commercial Recreation – Indoor
  - d. Daycare Facility
  - e. Drive-Up Windows – *Permitted w/Criteria*
  - f. Dry Cleaning – Pick-Up Station
  - g. Dry Cleaning – Self-Service Laundry
  - h. Liquor Store
  - i. Microbrewery
  - j. Microdistillery
  - k. Personal Services
  - l. Restaurant and Restaurant Fast-Food - *Permitted w/Criteria*
  - m. Retail Sales and Service
  - n. Service Station – *Accessory w/Criteria*
  - o. Studio
  - p. Theater, Indoor
  
2. Amend Section 5.2, Table 5-2 to include Campus Commercial to the Criteria Table where applicable for permitted land uses.

## **Findings of Fact**

The Planning Commission must make a finding as to whether or not the proposed application would adversely affect the surrounding neighborhood or the community as a whole based on the aforementioned factors. Staff offers the following findings for consideration:

### *General Findings:*

1. The City of Arden Hills is proposing to amend ordinance language to allow for commercial land uses outlined in the TRC land use chart as permitted or accessory uses within the Campus Commercial Zoning District.
2. The proposed ordinance will include amendments to the language of Chapter 13 – Zoning Code, Section 1380 – TCAAP Redevelopment Code, Subsection 5 – Schedule of Permitted Uses of the City Code.
3. The proposed amendment advances the purpose and intent goals in the City’s TCAAP Redevelopment Code by broadening the commercial land uses allowed in the Campus Commercial Zoning District.
4. The proposed amendment is consistent with the Campus Commercial future land use classification in the City’s 2040 Comprehensive Plan.
5. Amendments to the Zoning Code regulations require a public hearing prior to action by the City Council.
6. If the zoning amendments were approved, an Applicant would be required to submit a land use application that would be subject to the formal review process.

## **Options and Motion Language**

Staff has provided the following options and motion language for this case. The Planning Commission should consider providing additional findings of fact as part of the motion to support their recommendation for approval or denial.

- **Recommend Approval:** Motion to recommend *approval* of Planning Case 23-011 for a Zoning Code Amendment to Chapter 13, Section 1380 – TCAAP Redevelopment Code, Subsection 5 – Schedule of Permitted Uses of the Arden Hills City Code to add permitted and accessory uses in the Campus Commercial Zoning District, based on the findings of fact and the submitted materials.
- **Recommend Approval with Amendments:** Motion to recommend *approval* of Planning Case 23-011 for a Zoning Code Amendment to Chapter 13, Section 1380 – TCAAP Redevelopment Code, Subsection 5 – Schedule of Permitted Uses of the Arden Hills City Code to add permitted and accessory uses in the Campus Commercial Zoning District with amendments: *a specific reason should be included with all amendments.*
- **Recommend Denial:** Motion to recommend *denial* Planning Case 23-011 for a Zoning Code Amendment to Chapter 13, Section 1380 – TCAAP Redevelopment Code, Subsection 5 – Schedule of Permitted Uses of the Arden Hills City Code to add permitted and accessory uses in the Campus Commercial Zoning District, based on the following

findings: *findings to deny should specifically reference the reasons for denial and why those reasons cannot be mitigated.*

- Table: Motion to *table* Planning Case 23-011 for a Zoning Code Amendment to Chapter 13, Section 1380 – TCAAP Redevelopment Code, Subsection 5 – Schedule of Permitted Uses of the Arden Hills City Code to add permitted or accessory uses in the Campus Commercial Zoning District: *a specific reason and information request should be included with a motion to table.*

### **Notice**

A Zoning Code Amendment requires a public hearing. Notice was published in the *Pioneer Press* on May 25, 2023. The City has not received any public comments regarding this case.

### **Attachments**

- A) Draft TRC Amendment