



Approved: April 7, 2021

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**CITY OF ARDEN HILLS, MINNESOTA  
PLANNING COMMISSION  
WEDNESDAY, JANUARY 6, 2021  
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 Nick Gehrig called to order the regular Planning Commission meeting at 6:30 p.m. Due to the COVID-19 pandemic this meeting was held virtually.

**ROLL CALL**

Present were: Chair Nick Gehrig, Commissioners Marcie Jefferys, Steven Jones, Subbaya Subramanian, Paul Vijums, Kurtis Weber, and Jonathan Wicklund.

Absent: Commissioners James Lambeth and Clayton Zimmerman.

Also present were: Community Development Manager Mike Mrosla, Associate Planner Joe Hartmann, and Councilmember Fran Holmes.

**APPROVAL OF AGENDA – JANUARY 6, 2021**

Chair Gehrig stated the agenda will stand as published.

**APPROVAL OF MINUTES**

*December 9, 2020 – Planning Commission Regular Meeting*

**Commissioner Vijums moved, seconded by Commissioner Jones, to approve the December 9, 2020, Planning Commission Regular Meeting as presented. A roll call vote was taken. The motion carried unanimously (7-0).**

**PLANNING CASES**

- A. Planning Case 20-022; 2 Pine Tree North – Planned Unit Development, Conditional Use Permit, Site Plan and Zoning Code Amendment Request – *Public Hearing***

Community Development Manager/City Planner Mrosla stated Arden Hills RE, LLC (“Applicant”) on behalf of New Perspective Senior Living has submitted an application for a Planned Unit Development, Conditional Use Permit, Site Plan, and Zoning Code Amendment for a project located at 2 Pine Tree Drive (“Subject Property”). The Applicant is proposing to

construct a four (4) story, 146 unit multi-family senior living facility with underground parking. The housing units will include independent living, assisted living and memory care. The Subject Property is zoned B-2 General Business District and is guided as Community Mixed Use on the Land Use Plan.

**Community Development Manager/City Planner Mrosla** commented at its June 22, 2020 meeting the City Council approved Bethel University's proposal for a Master Planned Unit Development, Preliminary and Final Plat at 12 Pine Tree Drive (Bethel's Anderson Center). The approval subdivided the existing property into three (3) lots of record, one (1) lot of record for the existing building and parking lot, and two (2) new lots on the north side of the property. The Applicant is proposing to develop Lot 1 as shown on the image below and in attachment C. The Subject Property is 6.4 acres and is currently owned by Bethel University. The Subject Property currently features open space with a wooded area around the wetlands.

**Community Development Manager/City Planner Mrosla** explained the Applicant is proposing to construct a 192,390 square foot, four (4) story multi-family senior living facility on site. The proposed senior living facility will feature 146 units, with 113 units of independent or assisted living and thirty-three (33) units devoted to memory care. The property will be owned and managed by New Perspective Senior Living. New Perspective Senior Living owns and manages 24 senior living communities throughout the Midwest. The proposed facility in Arden Hills will offer independent care, assisted living, and memory care. The project also includes such amenities as a pool, library, movie theater, dog run, playground for young visitors, lawn bowling, salon and spa, bistro/bar and onsite physical therapy and wellness services. This facility will staff 80 employees and the anticipated max shift size is 34. Staff will be onsite 24 hours a day.

**Community Development Manager/City Planner Mrosla** reviewed the surrounding area, the Plan Evaluation and provided the Findings of Fact for review:

1. The Applicant submitted an application for a Planned Unit Development, Conditional Use Permit, Site Plan and Zoning Amendment.
2. The Subject Property is located within the B-2 General Business District and is guided as CMU, Community Mixed Use on the Land Use Plan.
3. The Subject Property is located on approximately 6.40 acres and currently features open space with a wooded area around the wetlands with a segment of the existing Anderson Center trail system running through the site.
4. The Applicant is proposing to construct a 192,390 square foot, 4 story multi-family senior living facility on site.
5. The proposed senior living facility will feature 146 units, with 113 units devoted to independent or assisted living and 33 units devoted to memory care.
6. Flexibility through the PUD process has been requested in the following areas: parking stall count requirements, building height, permitted number of efficiency units and tree mitigation.
7. The proposed development plan meets or exceeds the minimum requirements of the City Code in the following areas: building setbacks, landscape coverage, parking setbacks, planting islands, tree selection, floor area ratio, drainage wetlands and flood plain tree selection, lighting, screening and aesthetics.

8. Where the plan is not in conformance with the City Code, flexibility has been requested by the Applicant and/or conditions have been placed on an approval that would mitigate the nonconformity.
9. A traffic study was required and was completed by SRF. The proposed development should not generate much additional traffic and is not expected to impact overall traffic operations within the study area. The use does not add enough traffic to require any geometric or traffic control changes.
10. The application is not anticipated to create a negative impact on the immediate area or the community as a whole.
11. Existing public facilities will be able to absorb the additional demand for public services needed for the proposed use.
12. The maximum dwelling unit density per net area that is allowed within the B-2 District is 20 units per acre.
13. The Applicant is requesting a Zoning ordinance amendment that would to add language allowing memory care units located in the B2 district to be calculated as the equivalent of 0.5 units. If approved, the .5 units for density purposes the total number of units is 20 units per acre or 129.5 units and is in conformance with the zoning district and land use plan.

**Community Development Manager/City Planner Mrosla** stated staff recommends approval of Planning Case 20-022 for a Planned Unit Development, Conditional Use Permit, Site Plan and Zoning Code Amendment at 2 Pine Tree Drive, based on the findings of fact and submitted plans, subject to the following conditions:

1. All conditions of the Master PUD and Preliminary Plat approval shall remain in full force and effect.
2. 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.
3. The Conditional Use Permit and Planned Unit Development approvals shall expire one year from the date of City Council approval unless a building permit has been requested or a time extension has been granted by the City Council. The City Council may extend the expiration date of such approval upon written application by the person to whom the approval was granted.
4. A violation of any condition set forth in the permit shall be a violation of this Code, and shall be cause for revocation of the permit.
5. A Development Agreement shall be prepared by the City Attorney and subject to City Council approval. The Development Agreement shall be fully executed prior to release of a building permit.
6. The Applicant shall be financially responsible for all applicable water and sanitary charges. Rates applied shall be those in effect at the time of Final Plat approval and shall be memorialized in the Development Agreement.
7. Prior to the issuance of a grading permit, all items identified in the December 21, 2020 Engineering Division memo shall be addressed. All comments shall be adopted herein by reference.
8. Prior to the issuance of a building permit, a landscape financial security of \$50,000.00 dollars shall be submitted. Landscape financial security is held for two full growing seasons.

9. For any landscaping or screening that is not in accordance with the approved landscaping plan at the end of two growing seasons, the applicant shall replace the material to the satisfaction of the city before the guarantee is released. Where this is not done, the city, at its sole discretion, may use the proceeds of the performance guarantee to accomplish performance.
10. The Applicant shall submit cash contribution in lieu of land dedication. The cash payment shall be determined based on the fair market of 20 percent of the land that would otherwise be dedicated to the City. The park dedication fee shall be submitted prior to the issuance of a building permit.
11. Prior to the issuance of a grading and erosion permit, planning staff shall approve in writing the final landscaping plan.
12. Prior to the issuance of a grading and erosion control permit the Applicant shall work with the City to locate the additional caliper inches of replacement trees on the site or on the adjacent properties. If the replacement tree plantings cannot be reasonably accommodated on the site, the City can work with the applicant to find off-site locations for the plantings or require that a fee in lieu of the plantings be provided.
13. All light poles, including base, shall be a maximum of 25 feet in height and shall be shoebox style, downward directed, with high-pressure sodium lamps or LED and flush lenses. Other than wash or architectural lighting, attached security lighting shall be shoebox style, downward directed with flush lenses. If complaints are received the lighting adjacent to residential uses shall utilize house shields as directed by the City. In addition, any lighting under canopies (building entries) shall be recessed and use a flush lens.
14. A grading as-built and utility as-built plan shall be provided to the City upon completion of grading and utility work.
15. Prior to issuance of a sign grading and erosion control permit, the applicant shall provide City staff with written approval from Bethel University the owner of Outlot A permitting the placement of landscaping on their property.
16. Prior to issuance of a sign permit, the applicant shall provide City staff with written approval from Bethel University the owner of Outlot A permitting the construction of the proposed monument sign on their property and offsite signs are not permitted.
17. Prior to issuance of a sign permit, the applicant shall provide City staff with written approval from Lake Johanna Fire Department the owner of Lot 2, Block 1 on permitting the placement of landscaping on their property.
18. No exterior storage shall be permitted.
19. All rooftop or ground mounted mechanical equipment shall be hidden from view with the same materials used on the building in accordance with City Code requirements.
20. All fencing and retaining wall materials shall be complementary to the building materials and shall be approved in writing by the Planning Division prior to issuance of a building permit. Retaining walls greater than four (4) feet in height shall be engineered and detailed calculations shall be submitted to the City.
21. A Grading and Erosion permit shall be obtained from the City's Engineering Department prior to commencing any grading, land disturbance or utility activities. The Developer shall be responsible for obtaining any permits necessary from other agencies, including but not limited to, MPCA, Rice Creek Watershed District, and Ramsey County and, MNDOT prior to the start of any site activities.
22. A grading as-built and utility as-built plan shall be provided to the City upon completion of grading and utility work.

23. The Applicant shall be responsible for protecting the proposed on-site storm sewer infrastructure and components and any existing storm sewer from exposure to any and all stormwater runoff, sediments and debris during all construction activities. Temporary stormwater facilities shall be installed to protect the quality aspect of the proposed and existing stormwater facilities prior to and during construction activities. Maintenance of any and all temporary stormwater facilities shall be the responsibility of the Applicant.
24. The Applicant shall provide an executed copy of the City’s standard stormwater maintenance and easement agreement prior to approval of the Development Agreement.
25. The bond or surety shall be provided prior to the issuance of any building or grading permits and shall be valid for two full years from the date of installation, or three years in the case of an extended timeline. The total security shall be addressed in the Development Agreement.
26. All disturbed boulevards shall be restored with sod. All areas of the site, where practical, shall be sodded or seeded and maintained. The property owner shall mow and maintain all site boulevards to the curb line of the public streets.
27. The maximum number of units permitted onsite is 146 units.
28. The Applicant shall be financially responsible for all applicable water and sanitary charges. Rates applied shall be memorialized in the Development Agreement. 29. Prior to the issuance of a land disturbance permit, the Applicant shall submit an operation and maintenance plan for the long-term care of all on-site and off-site stormwater, sanitary sewer, and water main to the City for review and approval. The Applicant will be responsible to carry out these operation and maintenance activities and to submit the appropriate documentation to the City as specified.
30. Any future trash enclosures shall utilize wooden gates and be constructed on three sides using the same materials and patterns used on the building. Locations shall be approved by the Planning Department.
31. This approval does not include signs. A separate sign permit is required for all proposed signage. All signage shall meet the requirements of Sign District 4.
32. The Applicant shall provide a cross parking agreement with Bethel University for the City Attorney to review and for the City Council’s approval prior to the approval of the Developer Agreement.
33. In the event where noise from the loading and delivery area is audible from an adjacent residential district, the activity shall terminate between the hours of 6:00 p.m. and 6:00 a.m.

**Community Development Manager/City Planner Mrosła** 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 Gehrig** opened the floor to Commissioner comments.

**Commissioner Wicklund** asked if it was normal to have a zoning code amendment tied directly to a PUD approval.

**Community Development Manager/City Planner Mrosła** reported this was not common. He explained staff was ensuring that all appropriate regulations were in place for this use. He noted memory care units were a trending factor.

**Commissioner Wicklund** questioned if staff and the Council were in favor of putting both items together.

**Community Development Manager/City Planner Mrosła** stated this was the case.

**Commissioner Wicklund** inquired if the City would be synching City Code to the TCAAP regulations.

**Community Development Manager/City Planner Mrosła** explained this has not been done and would not be done until the City receives active applications for properties within TCAAP.

**Commissioner Wicklund** asked if the size of these senior living units would be a concern to the City Council.

**Community Development Manager/City Planner Mrosła** commented this was discussed by the Council. He noted all units met City requirements except for the memory care units.

**Commissioner Weber** questioned if the common areas will be accessible or available to other residents on the property.

**Florent \_\_\_\_\_**, Project Manager on behalf of Wold Architects, thanked the Commission for their time and consideration. He explained the assisted living and independent living areas have their own common spaces complete with fireplaces, billiards room and dance hall.

**Commissioner Weber** stated he was concerned with the size of the memory care unit. He feared that too many people were being crammed into a small space.

**Adam Cozine**, New Perspective representative, stated his buildings had a large percentage of common space at roughly 40%, especially when compared to the competition. He explained he had some of the largest memory care common area spaces of any operator in the country. He reported his organization was a strong operator when it comes to senior living with memory care units.

**Todd \_\_\_\_\_**, New Perspective representative, explained he started this business 22 years ago after having his mother-in-law, Betty, living with him with Alzheimer's for seven years. He indicated his family couldn't find a place that would fit her needs. This led him to create a new type of senior living development that would meet the changing needs of seniors. He commented further the types of units offered to seniors within his developments.

**Commissioner Weber** inquired if the City had any other memory care units that were smaller than 500 square feet.

**Community Development Manager/City Planner Mrosła** reported Summit Development was proposing to build 120 memory care units on Parkshore Drive and their units were 400 square feet.

**Commissioner Weber** questioned who owned the private drive.

**Community Development Manager/City Planner Mrosla** stated Bethel University owns and would maintain the private drive.

**Commissioner Weber** asked if appropriate pedestrian crossings would be put in at some point in the future.

**Community Development Manager/City Planner Mrosla** commented crossings would be installed at the intersections and after Lot 1 was developed crosswalks would be installed.

**Commissioner Vijums** stated he was not concerned about tree mitigation. He discussed City Code requirements regarding efficiency/studio units. He reported the size of the memory care units were a concern to him, even if there was only 17 of them. He asked if the builders could increase the size of these units to 400 to 450 square feet. He feared for the residents of these units and wondered how much smaller developers would go.

**Community Development Manager/City Planner Mrosla** reported the Summit Development was approved with 400 square foot memory care units.

**Todd** \_\_\_\_\_ explained the research shows fewer steps and more familiarity is best for dementia and Alzheimer patients. He stated this has led to smaller sized units for memory care patients. He commented further on how the four memory care pods were surrounded by bright and airy open spaces.

**Commissioner Vijums** thanked Mr. \_\_\_\_\_ for the additional information on the memory care unit design. He agreed with Commissioner Weber that the density was tight for the memory care units. He asked if this building had received Fire Marshal approval.

**Community Development Manager/City Planner Mrosla** explained the Fire Marshal had reviewed the building and provided comments to staff and the development team. He noted there were no overall concerns to the request. He reported the Fire Marshal would take a closer look at the plans when the developers requested a building permit.

**Commissioner Subramanian** thanked staff for the detailed report. He asked how much security the memory care units had to ensure the residents did not wander away. He discussed how the recent pandemic has impacted the elderly population. He questioned if this building had restrictions or plans in place to address this concern.

**Todd** \_\_\_\_\_ addressed the pod system that would be in place within the memory care wing. He reported a resident would have to push on a panic bar for 15 continuous seconds in order to get through a door. He noted if someone pushes on an emergency bar, an alarm is sounded and a health aid or caregiver would be notified.

**Florent** \_\_\_\_\_ further described the electronic technology that would be in place within the building to assist in keeping the residents safe and secure.

**Commissioner Subramanian** questioned how the current pandemic impacted the design of this building.

**Florent** \_\_\_\_\_ discussed how operations had adjusted to combat and address the COVID-19 concerns. He thanked all of the healthcare workers for working through the pandemic. He commented further on how the physical plant of the building had changed in order to provide proper screens, spacing and barriers to protect loved ones. He noted the HVAC units also had HEPA filters installed for improved air quality.

**Commissioner Jones** stated he was very familiar with HVAC units within senior living facilities. He explained he was very pleased with these plans after reviewing them in detail. He appreciated the pod system within the memory care wing for security purposes. He indicated memory care units are not supposed to have kitchenettes for safety purposes. He stated he fully supported the proposed high quality development.

**Commissioner Jefferys** asked if memory care units required licensure from the State and had to be a minimum size.

**Mr.** \_\_\_\_\_ explained he would be receiving an assisted living license.

**Gary Fisher**, architect for the project, explained the State had building code minimums. He reported the proposed project met building code requirements.

**Commissioner Jefferys** stated it did not make sense to exclude the memory care units from the calculation of the development. she encouraged staff to find a better way to calculate the unit size for memory care units.

**Community Development Manager/City Planner Mrosla** indicated he has seen memory care units count as a .33 unit. He explained he had calculated the memory care units as a .5 unit. He commented further on how units were calculated within nursing homes. He described how the Met Council classified memory care and assisted living units.

**Todd** \_\_\_\_\_ reported assisted living developments were licensed within every state and certain criteria had to be met.

**Commissioner Jefferys** questioned how residents would pay for their units and asked what the price point would be for these units.

**Todd** \_\_\_\_\_ stated residents would pay for their units on a monthly basis. He reiterated that his business was for profit and described how he works with tenants to keep rent covered through Medicaid. He explained he could provide the Commission with a range of rents for the units. He noted all residents do have to prove they can pay rent for two years prior to receiving a unit.

**Chair Gehrig** commented on the parking variance and requested further information on the parking requested.

**Todd** \_\_\_\_\_ explained the 95 parking stalls being requested would be sufficient. He stated the only time additional parking may be needed was for holidays.



**Chair Gehrig** stated he was pleased to see the building would have 14 visitor parking stalls.

**Alex \_\_\_\_\_** discussed the 25 additional parking spaces that was being discussed with Bethel University for overflow parking.

**Community Development Manager/City Planner Mrosla** commented on the cross access agreement that would have to be reached between the developer and Bethel University.

**Chair Gehrig** opened the public hearing at 8:06 p.m.

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

There being additional comments Chair Gehrig closed the public hearing at 8:07 p.m.

**Commissioner Weber** requested clarification on the difference between memory care units versus nursing home units.

**Mr. Cozine** discussed the type of positions he would be hiring for the memory care and assisted living units.

**Todd \_\_\_\_\_** explained his philosophy was to hire and do his own extensive training for his staff members. He noted he would have RNs, LPNs, CNAs and triage nurses on staff.

**Alex \_\_\_\_\_** discussed the conversations he has had with Bethel University to create internships and training opportunities for nursing students.

**Commissioner Weber** encouraged the developer to keep the trail safe and open to the public.

**Commissioner Wicklund moved and Commissioner Jones seconded a motion to recommend approval of Planning Case 20-022 for a Planned Unit Development, Conditional Use Permit, Site Plan and Zoning Code Amendment at 2 Pine Tree Drive based on the findings of fact and the submitted plans, as amended by the thirty-three (33) conditions in the January 6, 2021, report to the Planning Commission. A roll call vote was taken. The motion carried unanimously (7-0).**

## **UNFINISHED AND NEW BUSINESS**

None.

## **REPORTS**

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

**Councilmember Holmes** provided the Commission with an update from the City Council. She noted she would be serving as the Planning Commission liaison for 2021. She thanked Chair Gehrig for his dedicated service to the Planning Commission and thanked Commissioner Vijums for being willing to step up and serve as the Chair. She explained the Council held a Truth in Taxation Hearing on December 14, 2020 where the 2021 budget and tax levy was approved. She

indicated the Council has waived the liquor license fees for on-sale license holders for the first half of the year. She noted the Council discussed the B-2 design standards and the Lexington Station Phase 3 development at a recent worksession. She noted residents could drop off broken or unused strands of holiday lights at City Hall through January 29, 2021. Lastly, she reported ice rinks opened on January 2, 2021.

**B. Planning Commission Comments and Requests**

None.

**C. Staff Comments**

**Community Development Manager/City Planner Mroska** reported this was Chair Gehrig's last meeting. He explained Commissioner Paul Vijums would be serve as the Planning Commission Chair beginning in February. In addition, he noted this was Associate Planner Joe Hartmann's last meeting with the City of Arden Hills. He wished him all the best in his future endeavors.

**Commissioner Subramanian** thanked Chair Gehrig for his time with the Planning Commission and for leading this group well.

**ADJOURN**

**Commissioner Jones moved, seconded by Commissioner Subramanian, to adjourn the January 6, 2021, Planning Commission Meeting at 8:26 p.m. A roll call vote was taken. The motion carried unanimously (7-0).**