



DATE: April 26, 2021

TO: Honorable Mayor and City Councilmembers
Dave Perrault, City Administrator

FROM: Jane Kansier, AICP, Planning Consultant, Bolton & Menk

SUBJECT: Planning Case # 21-004
Applicant: Dan Rae, Kensington Development Partners, Inc.
Property Location: 3787 Lexington Avenue
Request: Amended Planned Unit Development and Site Plan Review

Budgeted Amount:
N/A

Actual Amount:
N/A

Funding Source:
N/A

Council Should Consider:

- Adopting motions to approve, table or deny Planning Case 21-004 for the Lexington Station III Amended PUD and Site Plan.

Approval of an amended PUD requires an affirmative vote of four councilmembers.

Background

In 2013, the City approved a Master Planned Unit Development (PUD) for Roberts Management's proposed Lexington Station redevelopment project, located at the southwest corner of Lexington Avenue North and Red Fox Road. The total project area is 7.57 acres and is comprised of three parcels. The proposed development would be completed in three (3) phases. Phase I of the redevelopment was completed in 2013-2014 and included the demolition of the former Blue Fox Restaurant and the construction of a 15,340 square foot multi-tenant commercial building with a drive through. Phase II consisted of removing the existing building at 1120 Red Fox Road and constructing a new 16,922 square foot multi-tenant commercial building with a drive through. Phase II was completed in the fall of 2018. The Subject Site is currently owned by Roberts Management and contains an existing building that was constructed in 1980 and is approximately 63,000 square feet. The Applicant is proposing to amend the Master PUD to accommodate a standalone 43,000 square foot grocery store. The proposed grocery store would be new to the Minnesota market. However, at this time the Applicant is unable to disclose the name of the proposed user due to non-disclosure agreement (NDA).

The City Council was asked to hold the required public hearing for Planning Case 21-004 under Agenda Item 9D. A full evaluation of the proposed redevelopment and supporting attachments are included in the staff report under Agenda Item 9D. The remainder of this memo focuses on the requested approvals, findings of fact and the staff recommended conditions if a motion to approve is made.

Suggested Findings of Fact:

The Planning Commission reviewed this application at their April 7, 2021, meeting and have offered the following findings of fact for your consideration:

1. The Lexington Station development located at 3787, 3833 and 3845 Lexington Avenue operates under a Planned Unit Development (PUD) that was originally approved in 2013.
2. New building construction or site modification identified on the approved Master Plan requires the submittal of a Site Plan Review application prior to construction.
3. For building construction or site modifications not included on the Master Plan, a PUD Amendment is required.
4. The proposed change to the Master Plan from two buildings to a single building is a significant change to the current Master Plan.
5. A public hearing for a PUD Amendment request is required before the request can be brought before the City Council.
6. The Planning Commission conducted a public hearing on April 7, 2021.

Options and Motion Language

The Planning Commission reviewed this application at their April 7, 2021 meeting. At that time, they recommended approval of the Boston Scientific application for an Amended Planned Unit and Site Plan by a 6-0 vote. The following are motion language options for the City Council to consider.

Approval with Conditions: Motion to *approve* Planning Case 21-004 for a PUD Amendment and Site Plan Review of Lexington Station III at 3787 Lexington Avenue, based on the findings of fact and the submitted plans, subject to the following conditions:

1. All conditions of the original Planned Unit Development shall remain in full force and effect.
2. Prior to the issuance of a grading permit, all items identified in the March 4, 2021 Engineering Division memo shall be addressed. All comments shall be adopted herein by reference.
3. The project shall be completed in accordance with the plans submitted 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.
4. The proposed structures shall conform to all other regulations in the City Code.
5. A Grading and Erosion permit shall be obtained from the city's Engineering Division prior to commencing any grading, land disturbance or utility activities. The Applicant shall be responsible for obtaining any permits necessary from other agencies, including

- but not limited to, MPCA, Rice Creek Watershed District, and Ramsey County prior to the start of any site activities.
6. Heavy duty silt fence and adequate erosion control around the entire construction site shall be required and maintained by the Developer during construction to ensure that sediment and storm water does not leave the project site.
 7. 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.
 8. Prior to the issuance of a building permit, a landscape financial security equal to 125% of the cost of the landscaping to be installed on the site shall be submitted. The Applicant must submit a detailed cost estimate for the landscaping so staff can determine the final amount. Landscape financial security shall be held for two full growing seasons.
 9. Prior to the issuance of a building permit, the Applicant shall submit floor plans for review by staff.
 10. Separate sign permits shall be submitted for all signs on the site.

Approval without Conditions: Motion to *approve* Planning Case 21-004 for a PUD Amendment and Site Plan Review of Lexington Station III at 3787 Lexington Avenue in the report to the Planning Commission.

Denial: Motion to *deny* Planning Case 21-004 for a PUD Amendment and Site Plan Review of Lexington Station III at 3787 Lexington Avenue based on the following findings of fact: *the City Council should identify findings to deny should specifically reference the reasons for denial and why those reasons cannot be mitigated.*

Table: Motion to *table* Planning Case 21-004 for a PUD Amendment and Site Plan Review of Lexington Station III at 3787 Lexington Avenue for the following reasons: *the City Council should identify a specific reason and/or information request should be included with a motion to table.*

Deadline for Agency Actions

The City of Arden Hills received the completed application for this request on March 4, 2021. Pursuant to Minnesota State Statute, the City must act on this request by May 3, 2021 (60 days), unless the City provides the petitioner with written reasons for an additional 60-day review period. With consent of the applicant, the City may extend the review period beyond the initial 120 days.

Budget Impact

NA

Attachments

NA