



**DATE:** May 3, 2021

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

**FROM:** Jane Kansier, AICP, Planning Consultant, Bolton & Menk  
Corrin Bemis, Planning Consultant, Bolton & Menk

**SUBJECT: Planning Case # 21-002 – Unfinished Business**  
**Applicant:** Bethel University  
**Property Location:** 3900 Bethel Drive  
**Request:** Conditional Use Permit Amendment and Site Plan Review

<b>Budgeted Amount:</b>	<b>Actual Amount:</b>	<b>Funding Source:</b>
N/A	N/A	N/A

**Council Should Consider**

Motions to approve, table, or deny the following:

- Planning Case 21-002 for a proposed Conditional Use Permit Amendment and Site Plan Review request at 3900 Bethel Drive (“Subject Property”).

The Council held a public hearing and reviewed this application at their April 26, 2021 meeting. The case was tabled for further consideration.

*Approval of an amended CUP requires three affirmative votes of the City Council.*

**Background**

**1. Overview of Request**

Bethel University (“The Applicant”) is requesting a Conditional Use Permit (CUP) Amendment and Site Plan Review to update the existing football and practice fields located in the southern quadrant of their main campus at 3900 Bethel Drive. The Applicant is proposing to convert the existing grass football field into a synthetic turf stadium field with a new track constructed around

it and the existing grass practice field into a synthetic turf multi-purpose field. The Applicant is also proposing changes to the lighting around the two fields, scoreboards, the spectator plazas, the perimeter fencing, and the grandstand and press box. Seating capacity will remain as is.

Bethel University operates under a CUP Master Plan. As the university comes forward with plans, they are reviewed against the Master Plan for consistency. Building plans that are consistent with the Master Plan require a Site Plan Review. A CUP Amendment is required when plans are not included in the approved Master Plan. The two proposed improvements to the football field and the practice field are not included on the Master Plan and a CUP Amendment is therefore required.

## 2. Site Data

<b>Future Land Use Plan:</b>	Public and Institutional
<b>Existing Land Use:</b>	Public and Institutional
<b>Zoning:</b>	INST – Institutional District
<b>Size:</b>	191.32 Acres (Including main campus, athletic complex, and part of Lake Valentine)
<b>Topography:</b>	Varied topography across campus

## Plan Evaluation

### Chapter 13, Zoning Regulations Review

#### *Section 1320.06 – District Requirements Chart*

#### **1. District Provisions (INST Institutional District) – Section 1320**

Under the 2040 Comprehensive Plan, the Bethel University campus is guided as Public & Institutional on the land use plan. The main Bethel University campus is located in the Institutional Zoning District. Higher education campus uses, including but not limited to classrooms and laboratories, are allowed as conditional uses in this district. The proposed changes to the football and practice fields that the Applicants propose to add are complementary to the use of the Subject Property as an educational institution.

#### **A. Building and Landscaping Coverage – Meets Requirements**

The Zoning Code requirements for the INST District allow a maximum building footprint of 35% and a minimum landscape area of 26%. Landscaping is defined as all plantings, including trees, grass, and shrubs. The table below identifies the proposed percentages.

The proposed additions would not result in additional structure coverage on the Subject Property. The approved CUP for the campus limits the total lot coverage of impervious surfaces to 25% and requires a minimum landscape lot area of 75%. As proposed, the new additions would not exceed the lot coverage requirements for the campus.

#### **B. Height – Meets Requirements**

The maximum height in the INST District is 35 feet. Bethel University is not proposing to build any new buildings with their football field improvements project. Bethel University will stay in compliance with district height requirements.

**C. Setbacks – Meets Requirements**

Setbacks in the INST District are 50 feet in the front yard, 20 feet in the rear yard, and 10 feet in the side yard. Structures must be located a minimum of 100 feet from abutting residential property. There are currently no structures within 100 feet of abutting residential properties. The Applicant is not proposing any structures within the 100 feet setback. The proposed practice field would be setback 12 feet from the side yard property line.

**2. Design Standards - Section 1325.05 and 1325.05**

**A. Lighting – Condition of Approval Requested**

The Applicant is proposing the addition of stadium lighting around the football field and track, along the bleachers, and around the practice field. A new four (4) pole lighting system would include 80' and 90' tall poles with Musco "Light Structure" LED fixtures. The lighting system would include Musco's "Control Link Wireless Control System" which allows the user to schedule and control the lighting remotely via cell phone or laptop computer with wi-fi connection. Section 1325.05 Subd. 3 requires lighting in all districts to direct light away from adjoining lots and public streets. Direct or sky-reflected glare, from floodlights or high temperature processes such as combustion or welding, shall not be directed at any adjoining lots or public streets. All lighting proposed by the Applicant will face downward onto the fields. Section 1325.05 Subd. 3 also requires the source of illuminate to be hooded, concealed or controlled in a manner so as to direct



the lighting pattern only on the site to which the lighting is intended. The Applicant is proposing lighting fixtures that are shielded on all four sides to direct the lighting down towards the fields. More information about the Applicant's lighting plan can be found in Attachment E.

Any light or combination of lights shall not cast light that exceeds a meter reading of one foot candle on the travel lanes of adjoining public streets or 0.4 foot candles on adjoining residential property. The maximum illumination shown on the Applicant's photometric plan is 1.28 foot candles. All illumination readings over 0.4 foot candles are setback from the property line and

located at least 200 feet from the nearest residential property. Given the downward facing direction of the stadium lighting and the fields' distance from any residential properties, staff do not anticipate any issues with regard to lighting. However, as a condition of approval staff recommends the Applicant be required to provide photometric calculations for the lighting at the property lines of all adjacent residential properties indicating the plan meets ordinance requirements.



### **B. Screening and Fencing – Meets Requirements**

Screens and fencing help minimize adverse impacts of public nuisances, such as noise, glare, activity, or dust. The football and practice field update will be screened using a mix of landscaping and fencing. The Applicant is proposing a six (6) foot tall chain link fence around the perimeter of the proposed football and practice fields. The proposed fencing would be constructed south of the new dirt access drive and track and field event pavement, near the southern property line. Section 1325.05 Subd. 4 states fencing shall not exceed six (6) feet in height, be placed in a public right-of-way, or be placed over a property line. The Applicant is not requesting flexibility on screening or fencing.

### **C. Landscaping and Tree Preservation – Meets Requirements**

A Tree Preservation Plan is required as part of an application when City grading permit or erosion control permit is required. The Tree Protection Plan submitted by the Applicant shows that 34 significant trees (403 caliper inches) are set for removal. The Ordinance allows 10% to be removed without replacement. The remaining caliper inches to be removed must be replaced at a ratio of 1 caliper inch for each 2 inches removed. The Applicant did not provide a total count of caliper inches on the Subject Property, but aerial photographs can be used to see that the Applicant is proposing to remove less than 10% of caliper inches located on the Subject Property. The proposed landscaping plan identifies a total of 78 caliper inches of replacement trees, all three (3) caliper

inch Heritage Oak trees. As a condition of approval, staff recommends a landscaping letter of credit or escrow be required.

The Applicant will replace the existing plaza with bituminous and concrete pavement. The new spectator walks/plazas would be constructed around the perimeter of the proposed football field and track. The Applicant is also proposing to add bituminous pavement around the track and field event pavement, located south of the football field.



#### **D. Accessory Structures – Meets Requirements**

The Applicant is not proposing changes to the grandstand (home bleachers) or press box. The Applicant is proposing to relocate the existing visitor bleachers to line up with the proposed football field. The Applicant is not proposing additional or larger bleachers or press box as part of this application.

The Applicant is proposing the construction of a new scoreboard. The existing incandescent scoreboard will be removed and replaced with a new LED/Video-capable scoreboard on the southwest side of the proposed football field and track. The proposed scoreboard would be located 195' from railroad right-of-way and approximately 265' to nearest residential property line (about 35' closer to neighborhood). The scoreboard will face the spectator seating, with the back of the scoreboard facing the neighborhood and railroad. The existing scoreboard is approximately 20' wide by 20' high. The proposed scoreboard will be approximately 25' wide by 25' high.

Section 1250.05 of the City Code regulates scoreboard signs for athletic fields at Bethel University. Specifically, this section allows permanent scoreboard signage at their athletic fields that is clearly secondary to the overall appearance of the scoreboard. Scoreboard signage shall not exceed thirty percent (30%) of the total scoreboard area, nor shall any one scoreboard sign exceed fifteen percent (15%) of the total scoreboard area. A separate permit will be required for the scoreboard.



**E. Parking, Traffic, and Circulation – Meets Requirements**

The proposed additions are not anticipated to generate additional parking demand on the campus because the seating capacity will remain as is. Users of the proposed football and practice fields will continue to use either the Heritage Parking Lot, located north of the fields, or the SoHo Parking Lot, located east of the fields.

**Additional Review**

*Public Works Director/City Engineer*

The Public Works Director/City Engineer has reviewed the plans and has provided the Applicant with a comment letter (Attachment F) and all comments shall be adopted herein by reference as a condition of approval.

**Public Notice and Comments**

The Applicant conducted a neighborhood meeting via Zoom on February 9, 2021. The Applicant did not receive community pushback at this meeting.

Staff published a notice in the *Pioneer Press* as per City procedure. Public notices were mailed out on April 14, 2021. Notice and website update was prepared by the City and mailed to property owners within 1,000 feet of the subject property. Staff has not received any public comments regarding this application as of April 21, 2021. There were no public comments on this application during the April 7<sup>th</sup> Planning Commission meeting.

The City Council also conducted a public hearing at their meeting on April 26, 2021.

### **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:

#### *General Findings:*

1. The Bethel University main campus at 3900 Bethel Drive is located in the Institutional Zoning District.
2. A Higher Education, College Campus is a Conditional Use in the Institutional District.
3. Bethel University operates under a Conditional Use Permit Master Plan.
4. The proposed additions are not included on the Master Plan and a CUP Amendment is required.
5. Bethel University has requested Site Plan Review approval for the proposed changes to the football and practice fields.
6. The proposed changes to the football and practice fields would be in compliance with all provisions of the Zoning Code.
7. A public hearing for a PUD Amendment request is required before the request can be brought before the City Council.
8. The Planning Commission conducted a public hearing on April 7, 2021.

#### *Conditional Use Permit Evaluation Findings:*

1. The proposed plan is not anticipated to have any impact on traffic or parking conditions because the additions do not include an increase in football field seating.
2. The proposed plan includes the addition of LED lights and will increase illumination around the football fields.
3. The proposed plan will not produce any permanent noise, odors, vibration, smoke, dust, air pollution, heat, liquid, or solid waste, and other nuisance characteristics.
4. The proposed plan will impact drainage on the site.
5. The proposed plan will not impact population density.
6. The proposed plan is not expected to have a visual impact on surrounding properties or on land use compatibility with uses and structures on surrounding land or adjoining land values because the new additions will not be easily visible from outside the Bethel University campus.
7. Park dedication requirements are not applicable.
8. The proposed plan does not conflict with the general purpose and intent of the Zoning Code or the Comprehensive Development Plan for the City.

### **Options and Motion Language**

The Planning Commission reviewed this application at their April 7, 2021 meeting. At that time, they recommended approval of the Bethel University application for a Conditional Use Permit Amendment 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 *adopt* Resolution 2021-XXX approving the Conditional Use Permit and Site Plan Review for Planning Case 21-002 at 3900 Bethel Drive, based on the findings of fact and the submitted plans, subject to the following conditions:

1. All conditions of the original Conditional Use Permit shall remain in full force and effect.
2. Prior to the issuance of a grading permit, all items identified in the March 11, 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 grading 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 grading permit, a landscaping letter of credit or escrow shall be required.
10. The Applicant shall be required to provide photometric calculations for the lighting at the property lines of all adjacent residential properties indicating the plan meets ordinance requirements.
11. A separate permit shall be required for the scoreboard. The scoreboard must meet all requirements of City Code Section 1250.05.

Approval without Conditions: Motion to *adopt* Resolution 2021-XXX approving the Conditional Use Permit and Site Plan Review for Planning Case 21-002 at 3900 Bethel Drive, based on the findings of fact and the submitted plans

Denial: Motion to *deny* Planning Case 21-002 for a Conditional Use Permit Amendment and Site Plan Review at 3900 Bethel Drive, 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 21-002 for a Conditional Use Permit Amendment and Site Plan Review at 3900 Bethel Drive, 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 24, 2021. Pursuant to Minnesota State Statute, the City must act on this request by May 23, 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**

- A. Land Use Application
- B. Location Map
- C. Bethel University Proposed Athletic Improvements PowerPoint
- D. Submittal Documents
- E. Lighting Plan
- F. Engineering Comment Letter
- G. Planning Commission Staff Report
- H. Planning Commission Draft Minutes
- I. Resolution 2021-026
- J. Plan Review Presentation