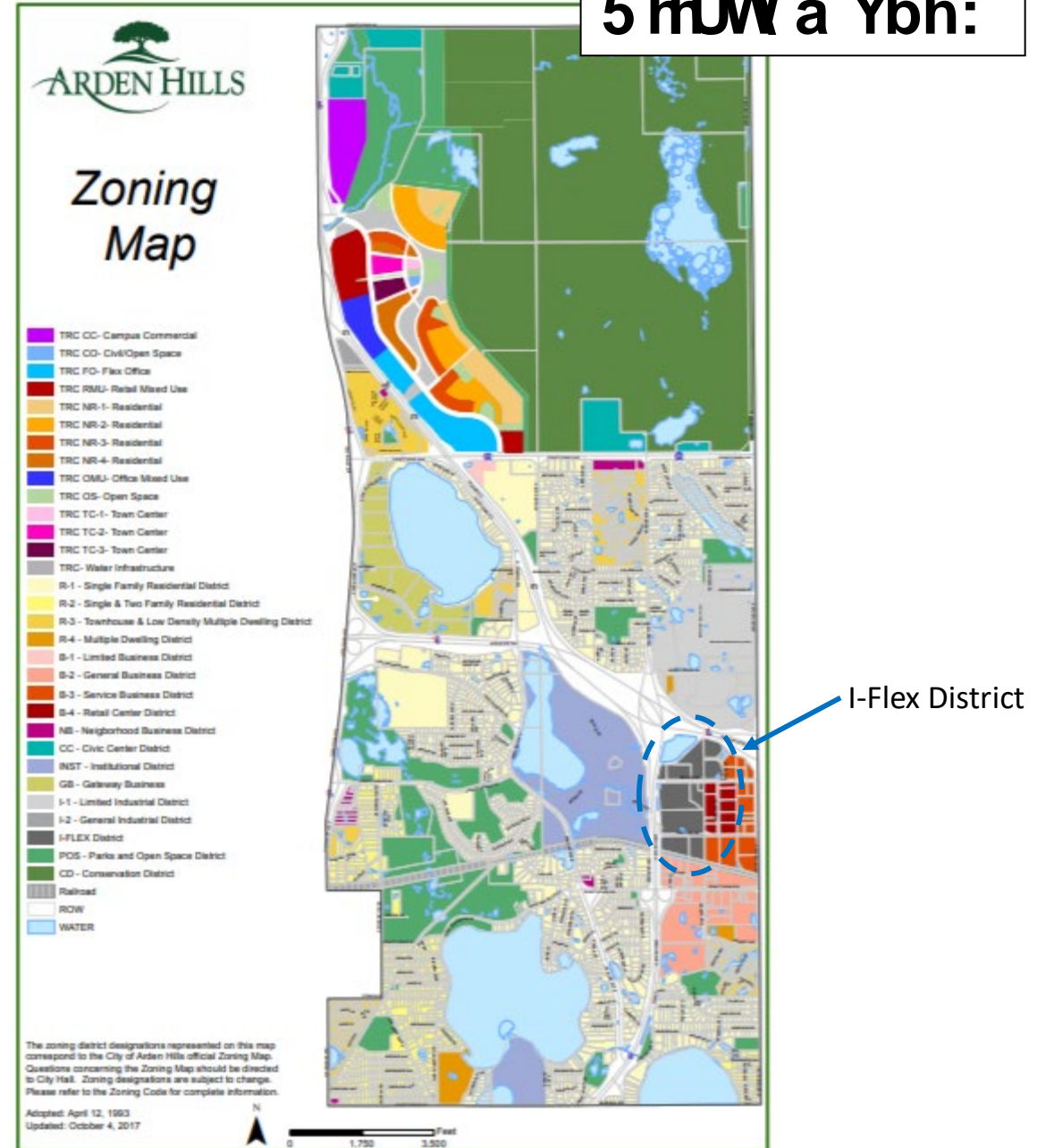


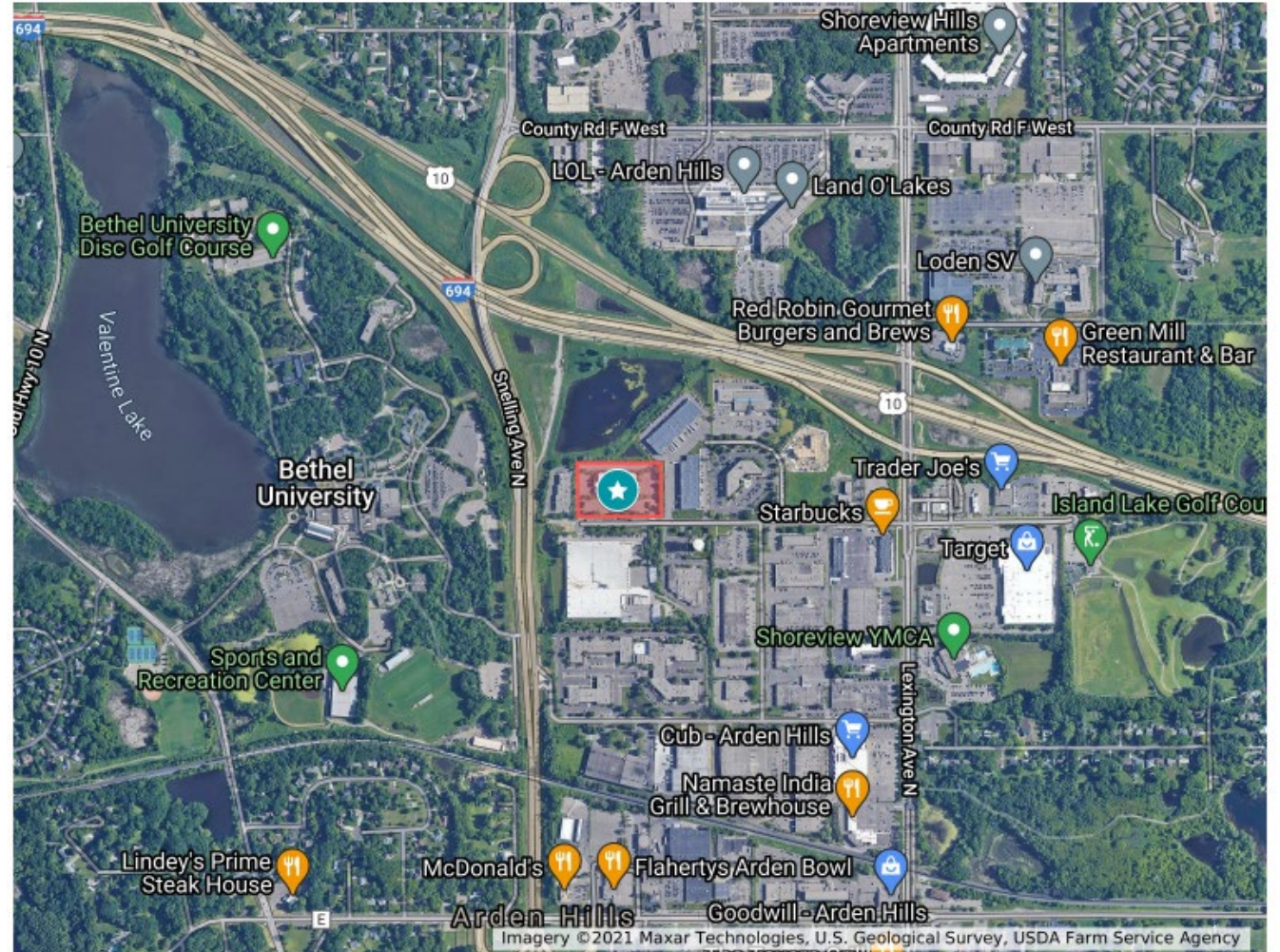
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Planning Case #21-005 – Public Hearing Required
Applicant: Grove Church (Everyday Church)
Request: Zoning Code Amendment to Allow Places of Worship as a Conditional Use in the I-Flex District
Zoning: I-Flex District



Background

- Grove Church is looking to develop 1275 Red Fox Road as a House of Worship.
- The Property is currently developed as a vacant two-story office building and associated parking lot.
- The property is zoned I-FLEX, which does not permit houses of worship, or other assembly uses.



Background

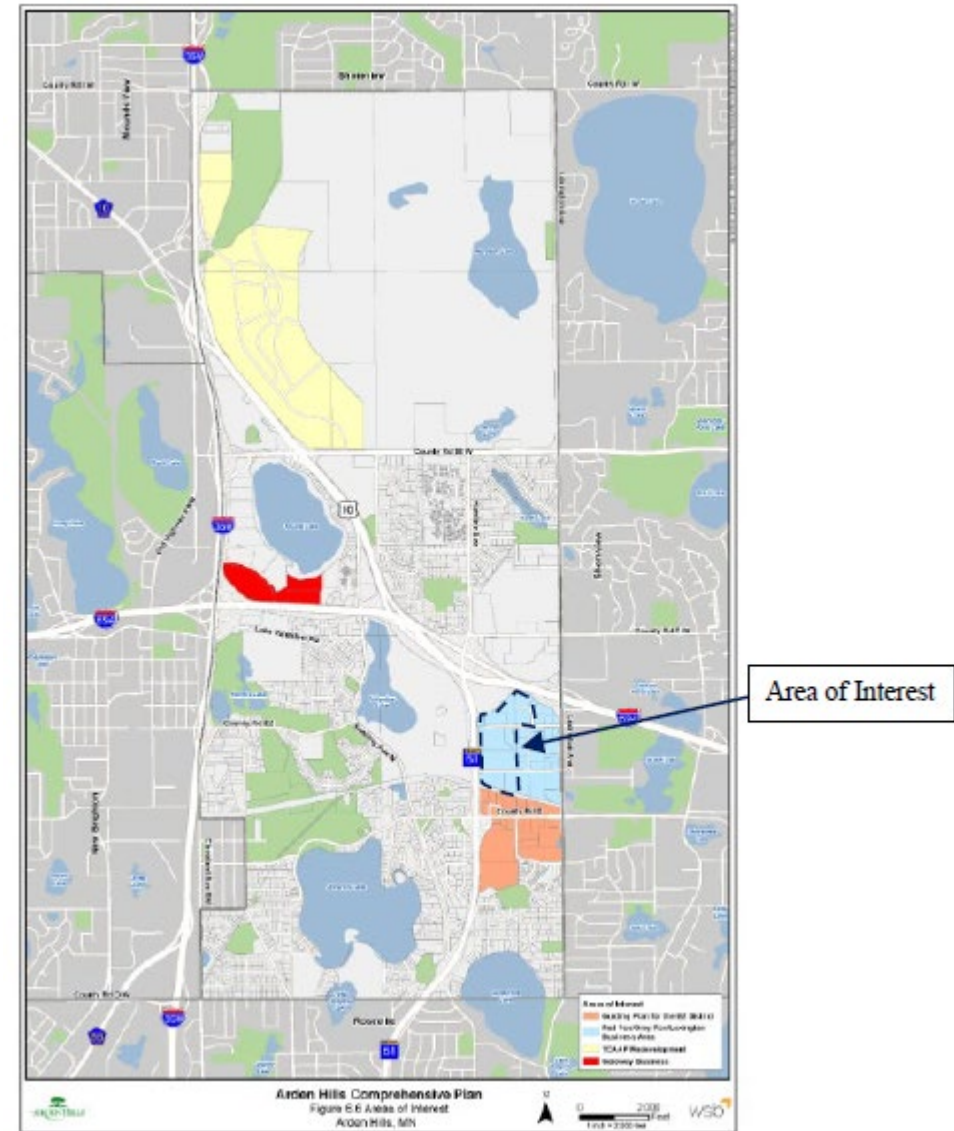
- On March 22, 2021, the City Council discussed the applicant's request and directed staff to propose a zoning code amendment to allow Houses of Worship in the I-FLEX District as a Conditional Use.
- The amendment will impact Zoning Code Section 1320.05 – Land Use Chart.
- On May 5, 2021, the Planning Commission voted to recommend approval of PC 21-005.

Approvals

- The Applicant is requesting an amendment to the I-FLEX Zoning District to allow House of Worship as a Conditional Use.
- If the zoning change is approved, the applicant will submit a Conditional Use Permit application for the permitting of Grove Community Church (Everyday Church) at this site.

Comprehensive Plan

- The I-FLEX District is guided as Mixed Business (MB) and Light Industrial & Office (IND) in the Arden Hills 2040 Comprehensive Plan Land Use Chapter.
- The I-FLEX District is within the Red Fox/Grey Fox/Lexington Avenue Business Area which is used by a number of small and large businesses for a variety of retail, manufacturing, distribution, warehousing, and office uses.



Chapter 13, Zoning Code Review

- The Subject Property is within the I-FLEX Zoning District. Under City Code Section 1320.04, the purposes of this district are:
 - To preserve, protect, enhance and perpetuate existing development in the district.
 - To attract new development that is compatible with existing development in the district in terms of use, performance, character, quality and appearance of buildings and sites.
 - To permit only those uses that will have traffic generation characteristics that are compatible with existing development in the district and that will ensure reasonable traffic operation on streets in the vicinity.
 - To encourage new site development that will be compatible with existing site development standards of existing development in the district.
 - To promote flexibility in land uses and site development standards to achieve the objectives of the I-FLEX District.

Chapter 13, Zoning Code Review

- Permitted, conditional, and accessory uses in the I-FLEX District include:

I-FLEX District Uses

Permitted	Conditional	Accessory
Business Services	Hotel Or Motel	Antenna, Dish Or Tower
Clinics And Medical Offices	Micro Brewery	Personal Services
Sport And Fitness Clubs	Micro Distillery	Retail Sales And Services
Daycare Facilities – Over 10	Multiple Occupancy Building	
Financial Institutions	Public Use	
Class 1 Manufacturing And Processing	Thrift Store	
Offices	Utility Transmission	
Research And Development Facilities	Warehousing	
Utility Line Distribution		

Chapter 13, Zoning Code Review

- Special requirements exist in the I-FLEX District.
 - New development shall use PUD or CUP process.
 - The proposal shall identify any requested modifications from the applicable zoning requirements as well as the reasons why the modifications would be in the public interest and would be consistent with the purpose of the I-FLEX District.
 - Modifications to these requirements may be granted by the City without a variance through the PUD process.

RLUIPA

- The Planning Commission should consider the Religious Land Use and Institutionalized Persons Act (RLUIPA).
- Would the act allow the applicant to mount a serious challenge to the City's denial of their application?
- RLUIPA prohibits a government from imposing a land use regulation in a way that substantially burdens the religious exercise of a religious assembly unless the government can show that the burden:
 - is in furtherance of a compelling governmental interest; and
 - is the least restrictive means of furthering that compelling governmental interest.
- Further, a government also may not impose a land use regulation in a manner that treats a religious assembly on less than equal terms with a nonreligious assembly.

Public Notice

- A Zoning Code Amendment requires a public hearing. A public hearing notice for this planning case was published in the Pioneer Press on May 13, 2021. The City has not received any public comments regarding this case.

Proposed Motion Language

- Approval: Motion to approve Planning Case 21-005 for a Zoning Code Amendment to Chapter 13 of the Arden Hills City Code to allow Places of Worship as a Conditional Use in the I-Flex District as presented in the May 24, 2021 Report to the City Council.
- Approval with Amendments: Motion to approve Planning Case 21-005 for a Zoning Code Amendment to Chapter 13 of the Arden Hills City Code to allow Places of Worship as a Conditional Use in the I-Flex District as presented in the May 24, 2021 Report to the City Council with amendments. *A specific reason should be included with amendments.*

Proposed Motion Language

- Denial: Motion to deny Planning Case 21-005 for a Zoning Code Amendment to Chapter 13 of the Arden Hills City Code to allow Places of Worship as a Conditional Use in the I-Flex District: *findings to deny should specifically reference the reasons for denial.*
- Table: Motion to table Planning Case 21-005 for a Zoning Code Amendment to Chapter 13 of the Arden Hills City Code to allow Places of Worship as a Conditional Use in the I-Flex District: *the Planning Commission should identify a specific reason and/or information request should be included with a motion to table.*

Questions?

Planning Case 21-005 – Zoning Code Amendment to Allow Places of Worship as a Conditional Use in the I-Flex District

