



MEMORANDUM

DATE: May 24, 2021

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

FROM: Jane Kansier, AICP, Bolton & Menk
Corrin Bemis, Bolton & Menk

SUBJECT: Planning Case #21-005 – Public Hearing Required
Applicant: Grove Church (Everyday Church)
Request: Zoning Code Amendment – Chapter 13 – Section 1320-District Provisions – Land Use Chart

Budgeted Amount:
N/A

Actual Amount:
N/A

Funding Source:
N/A

Council Should Consider

Motions to approve, table, or deny the following:

- Planning Case 21-005 for an amendment to the language of Chapter 13 – Zoning Code of the Arden Hills City Code to allow for Houses of Worship as a Conditional Use in the I-FLEX District in City Code Section 1320.05 – Land Use Chart.

Approval of a Zoning Code Amendment requires an affirmative vote of three councilmembers.

Background

Grove Church, otherwise known as Everyday Church, (“The Applicant”) has submitted an application for an amendment to the language of Chapter 13 – Zoning Code of the Arden Hills City Code to allow for Houses of Worship as a Conditional Use in the I-FLEX District in City Code Section 1320.05 – Land Use Chart. The applicant is interested in developing the property located at 1275 Red Fox Road (“Subject Property”) as a House of Worship. The Property is currently owned by ET Arden Hills LLC and is developed with a two-story office building and associated parking lot. The office building is no longer in use. The property is zoned I-FLEX, which does not permit houses of worship, or other assembly uses.

The City Council was asked to hold the required public hearing for Planning Case 21-005 under Agenda Item 9B. A full evaluation of the proposed redevelopment and supporting attachments are included in the staff report under Agenda Item 9B. 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 May 5, 2021, meeting and have offered the following findings of fact for your consideration:

General Findings:

1. The City of Arden Hills is proposing amendments to the language of Chapter 13 – Zoning Code of the City Code.
2. The Subject Property is located in the I-FLEX Zoning District.
3. Under City Code Section 1320.05, Houses of Worship are not allowed in the I-FLEX District.
4. The City is proposing to alter Section 1320.05 to allow Houses of Worship as a Conditional Use in the I-FLEX District.
5. Amendments to the Zoning Code regulations require a public hearing prior to action by the City Council.
6. If this amendment is approved, the Applicant will submit a Conditional Use Permit application for the permitting of Grove Community Church (Everyday Church) at the Subject Property.

Options and Motion Language

The Planning Commission reviewed this application at their May 5, 2021 meeting. At that time, they recommended approval of Planning Case 21-005 for an amendment to the language of Chapter 13 – Zoning Code of the Arden Hills City Code to allow for Houses of Worship as a Conditional Use in the I-FLEX District in City Code Section 1320.05 – Land Use Chart by a 4-0 vote. The following are motion language options for the City Council to consider.

- **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 5, 2021 Report to the Planning Commission.
- **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 5, 2021 Report to the Planning Commission with amendments. *a specific reason should be included with amendments.*
- **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.*

Deadline for Agency Actions

The City of Arden Hills received the completed application for this request on April 21, 2021. Pursuant to Minnesota State Statute, the City must act on this request by June 20, 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

N/A

Attachments

- A. Draft Ordinance 2021-003
- B. Presentation