



MEMORANDUM

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**DATE:** October 6, 2021

**TO:** Planning Commission Chair and Commissioners

**FROM:** Jessica Jagoe, Senior Planner

**SUBJECT:** Planning Case #21-024 – Public Hearing Required  
**Applicant:** City of Arden Hills  
**Request:** Zoning Code Amendment – Chapter 13 – Sections 1320.06 and 1325.05

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**Requested Action**

The City of Arden Hills is proposing an ordinance amendment in the Zoning Ordinance that will amend and strike language in the B-2, General Business District and B-3, Service Business District regarding design standards for building façade and setback requirements relative to front yard and parking areas.

**Background**

Starting in 2018, the City Council began discussions on possible amendments with regards to the design standards and placement of buildings for the B-2 Zoning District. The B-2 District generally includes the properties along the County Road E corridor between Highway 51 and Lexington Avenue North. The district is a mix of new and older buildings and primarily retail, service, and office uses. For new development in this district, the Zoning Code identifies design standards that regulate placement of the building and parking areas. The City Council's initial review involved discussions on the front yard setback in business districts and consideration for amending the language from 20 feet to 50 feet to be consistent with the B-3 District. In addition, the Council reviewed removal of two parking setback requirements that would allow a Developer more flexibility in the placement of buildings and parking areas in the B-2 District.

From this initial work session, the City Council also identified additional concerns with building façade requirements. In 2019 and 2020, the City Council held two more work sessions whereby providing feedback and direction to staff on revisions for consideration in the B-2 District. The Council requested staff review the transparency requirements for commercial developments as well as the use of other types of coating on glass as a means of complying with ordinance requirements.

At the work session meeting on December 21, 2020, the City Council discussed the Staff suggested amendments regarding front yard setback and removal of design standard language in order to allow more flexibility in placement of the buildings in B-2 District. The consensus was

to remove a sentence within Commercial Façade Transparency, Section 1325.05, Subd. 8, F.1 that allowed discretion for waiving the transparency requirements. The rationale was that this flexibility already exists through the Planned Unit Development review and a Developer could suggest alternate considerations. For façade transparency, the City will continue to require 50% of all first level building facades that front a public street to be comprised of transparent windows or doors. The language to be removed was a second requirement of 20% for all facades that are reasonably visible from the right-of-way. With the language amendments to the building and parking setbacks it is anticipated that there will be fewer issues on design challenges with building orientation and the back side of a building facing the public street. The proposed changes still ensure that the appearance of blank walls would not face the street. Following the discussion, Staff was directed to bring forward the proposed ordinance amendments to the Planning Commission and to hold a public hearing.

### **Overview of Ordinance Amendments**

Staff has prepared draft ordinance language with amended and striking of language as shown in red font for your review (Attachments A and B). The following are the sections and language amendments proposed:

- **Amending** – 1320.06 District Requirements Chart:
  - Front Yard Setback requirement from 20 feet to 50 feet
- **Amending** - 1325.05 Design Standards, Subd. 8, F.1.A:
  - Fifty percent (50%) of all first level building façades that front a public street shall be comprised of transparent windows or doors in order to allow views of interior uses and activities. ~~Transparency requirement may be waived by the City where privacy concerns warrant.~~
- **Striking** - 1325.05 Design Standards, Subd. 8, F.1. B:
  - *Twenty percent (20%) of all other first level building facades that are reasonably visible from the public right of way shall be comprised of window or door openings. Simulated or opaque windows may be used on service areas.*
- **Striking** - 1325.05, Subd. 8, M. Parking (1) (2):
  - *Placing parking between the street right-of-way and a building shall be discouraged.*
  - *No more than 50 percent of the parking on a site may be between buildings or in the side yards.*

The Planning Commission should note that the proposed ordinance language from Section 1325.05, Subd. 8 applies to New Development, Redevelopment, and Modifications to Existing Sites in the B-2 and B-3 District. The City Council has identified that a further review of the B-3 District standards may be forthcoming. However, priority has been given to removal of outdated language and modifying language with an emphasis pertinent to the B-2 District.

Lastly, an ordinance amendment to the Zoning Code does require a public hearing before the Planning Commission.

### **Additional Review**

N/A

## **Findings of Fact**

The Planning Commission must make a finding as to whether or not the proposed application would adversely affect the surrounding neighborhood or the community as a whole based on the aforementioned factors. Staff offers the following findings for consideration:

### *General Findings:*

1. The City of Arden Hills is proposing to amend ordinance language for the design standards in the B-2, General Business Zoning District and B-3, Service Business District.
2. The City of Arden Hills is proposing a front yard setback of 50 feet in the B-2, General Business Zoning District.
3. The proposed ordinance will include amendments to the language of Chapter 13 – Zoning Code of the City Code.
4. Amendments to the Zoning Code regulations require a public hearing prior to action by the City Council.

## **Options and Motion Language**

Staff has provided the following options and motion language for this case.

- **Recommend Approval:** Motion to recommend *approval* of Planning Case 21-024 as presented (or as modified by Planning Commission) for a Zoning Code Amendment to Chapter 13 of the Arden Hills City Code to amend and strike ordinance language in the B-2, General Business District for the front yard setback as well as requirements to building façade and parking setback standards that includes the B-3, Service Business District as presented in the October 6, 2021 Report to the Planning Commission.
- **Recommend Denial:** Motion to recommend *denial* of Planning Case 21-024 for a Zoning Code Amendment to Chapter 13 of the Arden Hills City Code to amend and strike ordinance language in the B-2, General Business District for the front yard setback as well as requirements to building façade and parking setback standards that includes the B-3, Service Business District: *findings to deny should specifically reference the reasons for denial.*
- **Table:** Motion to *table* Planning Case 21-024 for a Zoning Code Amendment to Chapter 13 of the Arden Hills City Code to amend and strike ordinance language in the B-2, General Business District for the front yard setback as well as requirements to building façade and parking setback standards that includes the B-3, Service Business District: *the Planning Commission should identify a specific reason and/or information request should be included with a motion to table.*

## **Public Notices**

A Zoning Code Amendment requires a public hearing. Notice was published in the *Pioneer Press* on September 24, 2021. The City has not received any public comments regarding this case.

## **Attachments**

- A. Draft District Provisions Table
- B. Draft Ordinance Language