



DATE: June 8, 2022

TO: Planning Commission Chair and Commissioners

FROM: Jessica Jagoe, City Planner

SUBJECT: Planning Case #22-009 – Public Hearing Required
Applicant: Trident Development
Property Location: 1700 Highway 96 West
Request: Comprehensive Plan Amendment

Requested Action

Trident Development has submitted an application for two amendments to Chapter 6, Land Use of the Arden Hills 2040 Comprehensive Plan. The proposed amendments would change the future land use designation in the northwest corner of 1700 Highway 96 West (“Subject Property”) from P/I, Public and Institutional to be guided as HDR, High Density Residential as well as modify existing language in Section 6.4.10 to include the entire Subject Property to allow an increase in the maximum density through the use of a Planned Unit Development.

Comprehensive Plan Requirements

Minnesota state law requires that all communities within the Minneapolis-St. Paul metropolitan area update their Comprehensive Plans every ten years. The purpose of the Comprehensive Plan is to establish the policies that guide the future physical and community development of Arden Hills. It is also a reference document for the Planning Commission and City Council when evaluating private development projects.

Based on the future land uses, the City can plan for improvements, anticipate infrastructure needs, and create appropriate land use regulations. The City’s Zoning Code identifies specific zoning districts through which the land uses and goals in the Comprehensive Plan can be implemented. The zoning cannot conflict with the future land use designation. When there is a conflict between the Comprehensive Plan and the Zoning Code, the City is required to amend the Zoning Code to comply with the Comprehensive Plan.

The Comprehensive Plan and all its amendments must reflect the adopted regional policies in the Metropolitan Council’s system and policy plans. Local planning efforts are linked to the larger

regional infrastructure of parks and trails, road networks, and wastewater infrastructure, and the City’s plan must conform to the regional vision. An amendment to the Comprehensive Plan requires a recommendation from the Planning Commission following a public hearing, and adoption of a resolution by the City Council. Adjacent communities must be given up to 60 days to review and comment on the proposed amendment before it can be reviewed and approved by the Metropolitan Council. The Metropolitan Council has the final determination as to whether to allow a CPA or not, though they provide great deference to the City as long as the proposed land use change does not have a negative impact on a regional system (i.e. transportation, sanitary sewer, and regional parks).

Background

At their February 22, 2022 meeting, the City Council reviewed a concept plan from Trident Development for the development of the northwest corner of the North Heights Lutheran Church property at 1700 Highway 96 W. Trident Development was proposing a 115-125 unit senior apartment development (apartments only, the proposed will not have an assisted living or memory care component). The Applicant indicated their intention would be to subdivide and purchase approximately 10.27 acres in the northwest corner of the Subject Property. In preparation for the February 22, 2022 meeting, the Developer had held a neighborhood meeting to garner resident feedback. At the meeting, residents voiced concerns regarding traffic, additional park demand, and noise concerns.

Aerial Map of Subject Property



For a residential project to be feasible on the site, Trident would need to amend the Comprehensive Plan. This Planning Case is only focused on the Comprehensive Plan Amendments and a proposed project for this property would come forward at a future meeting for review. At this stage, the City is being asked to amend the vision for future growth and development for this property. The Comprehensive Plan is the planning tool that guides the future development of land irrespective of a specific project.

Following the review of the proposed Comprehensive Plan Amendments, the Applicant will be required to submit another land use application for the development approvals. Based on the feedback Trident Development received from the City Council during the Concept Review, they've chosen to proceed with the preparation of their final development plans for this site. Based on the concept review plans, staff believes this proposal would require the following land use requests:

- Preliminary Plat and Final Plat for Subdivision
- Vacation of Easements (i.e. drainage/wetland)
- Rezoning of the development site from B-1, Limited Business and R-1 – Single-Family Residential District to R-4 – Multiple Dwelling District
- Conditional Use Permit for Multiple Family Dwelling in the R-4 District
- Master and Final Planned Unit Development

Comprehensive Plan Amendment Review

1. Future Land Use Designation

For this application, Trident Development has requested that the 2040 future land use designation for the northwest corner of the Subject Property (i.e. approximately 10.75 acres) be amended from P/I, Public and Institutional to be guided as HDR, High Density Residential. The developed portion of the site (i.e. Church use, approximately 30 acres) would remain as is under the Public and Institutional land use designation. The Arden Hills 2040 Future Land Use Map would also be amended to reflect the change in land use classification. (Attachment E)

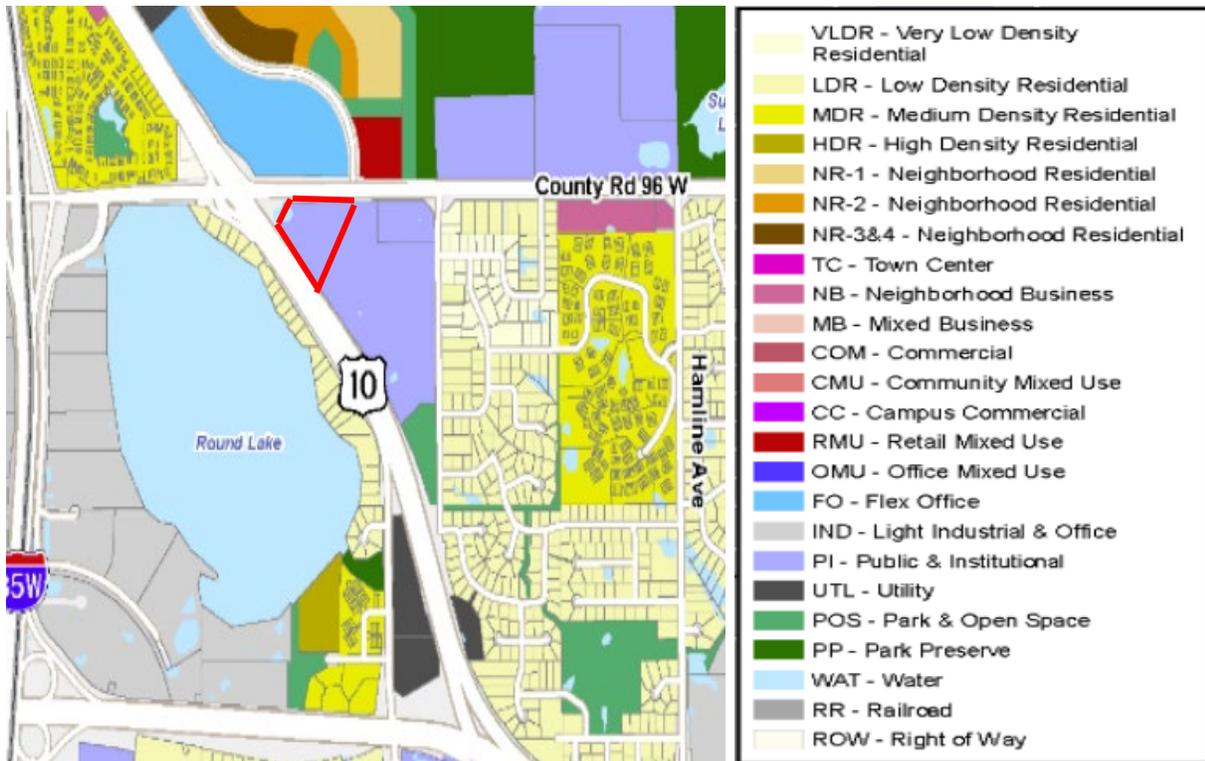
- Public and Institutional (P/I) – Areas designated for uses such as government buildings, colleges, schools, and religious uses, but not medical uses. A Development intensity of up to 0.8 FAR may be allowed.
- High Density Residential (HDR) – Townhome and multi-family residential land use category providing for densities of nine (9) to twelve (12) units per acre.

The majority of the property is zoned R-1, Single Family Residential District. Approximately 6 acres of land at the northwest corner of the site adjacent to the Highway 96 and U.S. Highway 10 interchange is zoned B-1, Limited Business District. The property is also within 1,000 feet of Round Lake and would be subject to applicable Shoreland regulations. If the proposed amendment to the future land use designation was approved, the Applicant would include as part of their subsequent submittal a request to rezone the property to R-4, Multiple-Dwelling District to be consistent with the Comprehensive Plan. The following table identifies the zoning and 2040 Future Land Use designations for the areas immediately adjacent to the Subject Property:

	North Heights Property	North	South	East	West
<i>Zoning</i>	R-1 (35 acres) B-1 (6 acres) Shoreland	TRC – Flex Office, Retail Mixed Use	Parks and Open Space	R-1	R-1
<i>Future Land Use</i>	Public & Institutional	Flex Office, Retail Mixed Use (TCAAP)	Parks and Open Space	Low Density Residential,	Low Density Residential

				Very Low Density Residential	
--	--	--	--	------------------------------	--

2040 Future Land Use Map



*Area outlined in red identifies approximate 10.75 acres of Subject Property for proposed Future Land Use Classification from P/I to HDR.

2. Section 6.4.10, Development Capacity and Net Residential Density

The Applicant has requested a second amendment to the existing language in Chapter 6, Land Use Section 6.4.10 that would modify the described boundaries within existing plan language to include the entire Subject Property. This existing language allows an increase in the maximum density through the use of a Planned Unit Development. (Attachment F)

The proposed text amendment language identified in red font is as follows:

Furthermore, the remaining vacant residential land that is south of Highway 96 and 10 is guided for development that could be built at a density of an average of five residential units per acre. Land guided for High Density east of Interstate 35W, south of County State Aid Highway 96, west of ~~US Trunk Highway 10~~ Snelling Avenue North and north of interstate 694 density may be increased by up to 100% through the use of the Planned Unit Development (PUD) process if the intent is to meet the goals of the Comprehensive Plan. The City Code includes PUD regulations that allow for a higher quality and compatible development of property by encouraging reasonable flexibility from

applicable standards, including at higher densities than would be allowed under the underlying zoning district and/or guided land use designation. The City has utilized PUDs and PUD Overlays for many residential and commercial developments, which is a trend that is likely to continue into the future given the limited size and amount of land available for new development and potential redevelopment east of Interstate 35W, south of County State Aid Highway 96, west of ~~US Trunk Highway 10~~ Snelling Avenue North and north of interstate 694.

As noted above, the application before the Planning Commission is not for the final development review for the Subject Property. The Applicant is seeking the proposed amendments in advance of their full submission to ensure their final development plans align with the City's vision and future land use plans for this site.

Planning staff has reviewed both of the proposed amendments with the Metropolitan Council and they have indicated support for the requests.

Next Steps

Following City approvals and the expiration of the 60 day review period, Staff would submit the amendments to the Metropolitan Council for review and approval.

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 of fact for consideration:

1. The Arden Hills 2040 Comprehensive Plan designates the future land use for the Subject Property as P/I, Public and Institutional.
2. The Applicant has requested a Comprehensive Plan Map Amendment to change the future land use designation of approximately 10.75 acres in the northwest corner of the Subject Property to HDR, High Density Residential.
3. The 30 +/- acres of developed land on the Subject Property would remain guided as P/I, Public and Institutional.
4. The Applicant has requested a Comprehensive Plan Text Amendment to modify the boundaries described in existing language of Chapter 6 to include the Subject Property.
5. The proposed text amendment incorporates a defined area of land west of Snelling Avenue North to existing Comprehensive Plan language that allows an increase in the maximum density as part of a Planned Unit Development.
6. The application is not anticipated to create a negative impact on the immediate area or the community as a whole.
7. The purpose of the Comprehensive Plan is to establish the policies that guide the future physical and community development of Arden Hills.

8. The Metropolitan Council has previously approved similar amendments adding language supporting increasing the densities above the maximum permitted in a specific land use district.
9. The proposed map and text amendments have been discussed with the Metropolitan Council.

Options and Motion Language

Staff has provided the following options and motion language for this case. The Planning Commission should consider providing additional findings of fact as part of the motion to support their recommendation for approval or denial.

1. **Recommend Approval:** Motion to recommend *approval* of Planning Case 22-009 for a Future Land Use Map and Chapter 6 Text Amendments to the 2040 Comprehensive Plan at 1700 Highway 96 West, based on the findings of fact and the report submitted to the Planning Commission on June 8, 2022.
2. **Recommend Approval with amendments:** Motion to recommend *approval* of Planning Case 22-009 for a Future Land Use Map and Chapter 6 Text Amendments to the 2040 Comprehensive Plan at 1700 Highway 96 West, based on the findings of fact and the report submitted to the Planning Commission on June 8, 2022 with the following amendments: *the Planning Commission should identify recommended amendments and specify reasons.*
3. **Recommend Denial:** Motion to recommend *denial* of Planning Case 22-009 for a Future Lane Use Map and Chapter 6 Text Amendments to the 2040 Comprehensive Plan, based on the findings of fact: *the Planning Commission should identify findings to deny should specifically reference the reasons for denial and why those reasons cannot be mitigated.*
4. **Table:** Motion to *table* Planning Case 22-009 for a Future Land use Map and Chapter 6 Text Amendments to the 2040 Comprehensive Plan for the following reasons: *the Planning Commission should identify a specific reason and/or information request should be included with a motion to table.*

Public Notice and Comments

Staff published a notice in the *Pioneer Press* as per City procedure. Public notices were mailed out on May 27, 2022. The mailing was sent to neighbors within 1000 feet of the subject parcel. No comments have been received regarding this application as of June 1, 2022.

Deadline for Agency Actions

The City of Arden Hills received the completed application for this request on April 29, 2022. Pursuant to Minnesota State Statute, the City must act on this request by June 27, 2022 (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.

Attachments

- A. Land Use Application
- B. Location Map
- C. Applicant Narrative
- D. Site Surveys
- E. 2040 Future Land Use Map
- F. Diagram of Text Amendment Boundaries