



MEMORANDUM

DATE: June 27, 2022

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

FROM: Jessica Jagoe, City Planner

SUBJECT: Planning Case #22-011 – Public Hearing Required
Applicant: City of Arden Hills
Request: Zoning Code Amendments – Chapter 13, Special Regulations for Drive-Up Windows and Drive Lanes

Budgeted Amount:
N/A

Actual Amount:
N/A

Funding Source:
N/A

Council Should Consider

Motions to approve, table, or deny the following:

- Adoption of Ordinance 2022-004 for Planning Case 22-011 an application for an amendment to the language in Sections 1320.085 - Subd. 3, 1320.09 - Subd. 3, 1320.10 – Subd. 4, 1325.04 – Subd. 1.B of the Arden Hills City Code for the business zoning districts that would strike language requiring a distance of separation between establishments such as drive-up businesses, drive-up windows, fast food restaurants, and automobile service stations. Ordinance language would be added to allow for review based on site suitability and compatibility with the area through the Planned Unit Development process and authorize publication of summary ordinance.

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

Approval for authorization to publish summary ordinance requires an affirmative vote of four councilmembers.

Background

The City Council was asked to hold the required public hearing for Planning Case 22-011 under Agenda Item 8C. A full evaluation of the proposed amendment and supporting attachments are included in the staff report under Agenda Item 8C. The remainder of this memo focuses on the requested approvals, findings of fact and the staff recommended options and motion language.

Suggested Findings of Fact

The Planning Commission reviewed this application at their June 8, 2022, meeting and have offered the following findings of fact for your consideration:

General Findings:

1. The City of Arden Hills is proposing to amend ordinance language to allow the City Council to add conditions of approval for uses with drive-up windows and drive lanes through a Planned Unit Development.
2. The proposed ordinance will include amendments to the language of Chapter 13 – Zoning Code of the City Code.
3. Amendments to the Zoning Code regulations require a public hearing prior to action by the City Council.
4. The Planning Commission conducted a public hearing on June 8, 2022.

Options and Motion Language

The Planning Commission reviewed this application at their June 8, 2022 meeting. At that time, they recommended approval of Planning Case 22-011 for a Zoning Code Amendments in Sections 1320.085 - Subd. 3, 1320.09 - Subd. 3, 1320.10 – Subd. 4, 1325.04 – Subd. 1.B of the Arden Hills City Code for the business zoning districts that would amend language requiring a distance of separation between drive-up businesses by a 6-0 vote. The following are motion language options for the City Council to consider.

1. Approval: Motion to *adopt* Ordinance 2022-004 and authorization to publish summary ordinance for Planning Case 22-011 for Zoning Code Amendments in Sections 1320.085 - Subd. 3, 1320.09 - Subd. 3, 1320.10 – Subd. 4, 1325.04 – Subd. 1.B of the Arden Hills City Code for the business zoning districts to remove the requirement for a distance of separation between drive-up businesses, and allows the City Council to add conditions for approval of uses with drive-up windows and drive lanes based on the findings of fact and the June 27, 2022 Report to the City Council.
2. Approval with Amendments: Motion to *adopt* Ordinance 2022-004 and authorization to publish summary ordinance for Planning Case 22-011 for Zoning Code Amendments in Sections 1320.085 - Subd. 3, 1320.09 - Subd. 3, 1320.10 – Subd. 4, 1325.04 – Subd. 1.B of the Arden Hills City Code for the business zoning districts to remove the requirement for a distance of separation between drive-up businesses, and allows the City Council to add conditions for approval of uses with drive-up windows and drive lanes based on the findings of fact and the June 27, 2022 Report to the City Council with amendments.
3. Denial: Motion to *deny* Planning Case 22-011 for Zoning Code Amendments in Sections 1320.085 - Subd. 3, 1320.09 - Subd. 3, 1320.10 – Subd. 4, 1325.04 – Subd. 1.B of the Arden Hills City Code based on the findings of fact: *findings to deny should specifically reference the reasons for denial and why those reasons cannot be mitigated.*
4. Table: Motion to *table* Planning Case 22-011 for Zoning Code Amendments in Sections 1320.085 - Subd. 3, 1320.09 - Subd. 3, 1320.10 – Subd. 4, 1325.04 – Subd. 1.B of the Arden Hills City Code for the following reasons: *a specific reason and/or information request should be included with a motion to table.*

Budget Impact

N/A

Attachments

- A. Ordinance 2022-004 (Redlined)
- B. Summary Ordinance 2022-004
- C. Presentation