



**DATE:** December 7, 2022

**TO:** Planning Commission Chair and Commissioners

**FROM:** Jessica Jagoe, Community Development Director

**SUBJECT: Planning Case #22-023 – Public Hearing Required**  
**Applicant:** Arden Hills RE, LLC on behalf of New Perspective Senior Living  
**Property Location:** 3565 Pine Tree Drive  
**Request:** Planned Unit Development Amendment

## **Requested Action**

Arden Hills RE, LLC (“Applicant”), on behalf of New Perspective Senior Living, has submitted an application for an amendment to the approved Planned Unit Development for the property located at 3565 Pine Tree Drive (“Subject Property”). The proposal is for flexibility from the City Code on a proposed signage plan for the New Perspective Senior Living building. The Applicant is seeking flexibility on the design, location, and number/size of the proposed freestanding and wall signs.

## **Background**

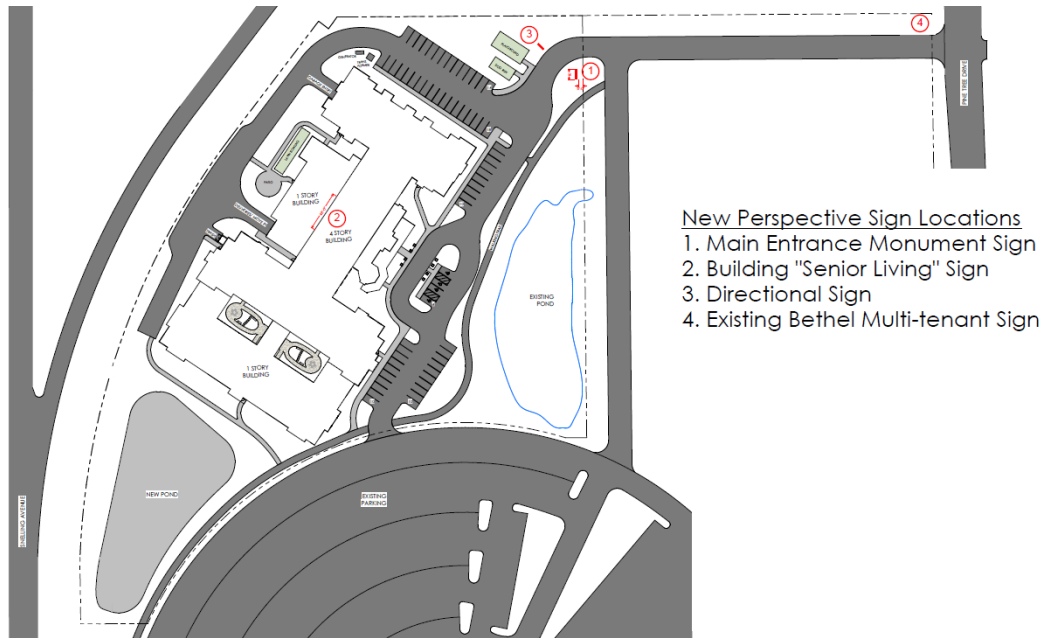
### **1. Overview of Request**

The Applicant has submitted a land use application for a Planned Unit Development Amendment, seeking flexibility on the size, location, and design of wall and monument signs at the New Perspective Senior Living building. The Applicant shares an existing multi-tenant sign with Bethel University. The Applicant is proposing three additional signs, a main entrance monument sign, a wall sign, and a directional sign. The proposed main entrance monument size requires flexibility on the design, location, and number/size. The proposed wall sign requires flexibility on the size.

### **2. Planning Case Background**

At its January 25, 2021 meeting, the City Council approved a Conditional Use Permit for the property at 3665 Pine Tree Drive. On February 8, 2021, the Council subsequently approved a Planned Unit Development and a Site Plan for this development, allowing for the construction of a four (4) story multi-family senior living facility. This approval did not include signs. A Condition of Approval was included in the City Council’s approval that required a separate sign permit for all proposed signage and for all signage to meet the requirements of Sign District 4. The Conditions of Approval also required the Applicant to provide City staff with written approval from Bethel University, the owner of Outlot A, permitting the construction of the proposed monument sign on

Bethel's property. In a letter dated September 27, 2021, the Applicant agreed to forego the right to an individual monument sign on Outlot A to be part of a multi-tenant sign with Bethel University. The multi-tenant sign has since been constructed and is currently located on Outlot A, where Pine Tree Drive meets the access road to New Perspective Senior Living and Bethel University's Anderson Center. The location of existing multi-tenant monument sign and the three proposed signs is shown below.



### 3. Site Data

<b>Future Land Use Plan:</b>	Community Mixed Use (CMU)
<b>Existing Land Use:</b>	Senior Living Facility
<b>Zoning:</b>	General Business District (B-2)
<b>Size:</b>	6.4 Acres

### Approvals

#### 1. Planned Unit Development Amendment

A Planned Unit Development (PUD) Amendment to alter the original Planned Unit Development, Conditional Use Permit, and Site Plan for the New Perspective Senior Living building located at 3565 Pine Tree Drive. The original PUD for the Subject Property did not include a request for flexibility on signage. A condition of approval stated that all proposed signage shall meet the requirements of Sign District 4. Installation of future signage would be reviewed by planning staff as part of the permit process for verification of compliance with sign regulations.

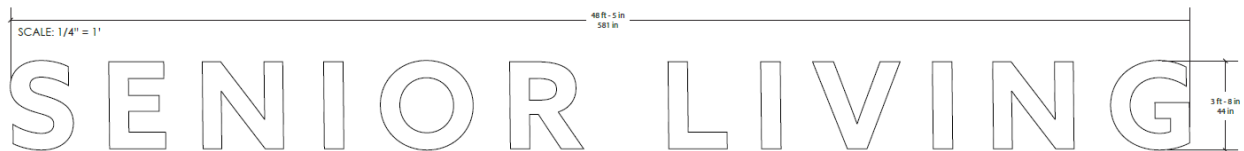
### Plan Evaluation

#### Chapter 12, Sign Code

##### A. Wall Signs – Flexibility Requested

The Applicant is proposing one (1) wall sign on the northwest side of the existing building, facing Snelling Avenue. The proposed wall sign would have a sign copy area of 177.5 square feet and would be located 148 feet from the northwest property line. Sign District 4 allows for walls signs with a sign copy area of no more than 50 square feet. The Applicant is requesting flexibility to allow an additional 127.5 square feet of wall signage to construct the proposed wall sign.

As part of the application, the Applicant submitted a lighting plan for the proposed wall sign, showing the foot candles produced by the sign at various distances. The proposed sign would be located 148 feet from the nearest property line. The internally lit channel letters produce 0.12 foot candles of light at 100 feet and 0.05 foot candles of light at 150 feet. The Arden Hills City Code states lighting shall not exceed 0.4 foot candles at the property line. The proposed wall sign is pictured below.



**B. Monument Signs – Flexibility Requested**

*1. Number of Freestanding Signs*

Sign District 4 also allows no more than one freestanding sign on any site except in cases where properties front more than one public street. For properties that front more than one public street, an additional freestanding sign may be permitted for each street front provided that each additional freestanding sign does not exceed half the size of the maximum sign area allowed for a freestanding sign in the underlying sign district.

The Subject Property shall be permitted one (1) freestanding sign as it has frontage on one (1) public street, Snelling Avenue. The Applicant is proposing a main entrance monument sign on the east side of their property. This would be their second freestanding sign. New Perspective Senior Living currently has freestanding signage installed on the multi-tenant sign owned by Bethel University located off of Pine Tree Drive. As part of the multi-tenant signage PUD review in a letter dated September 27, 2021, the Applicant agreed to forego the right to an individual freestanding/monument sign on Outlot A in order to be part of a multi-tenant sign with Bethel University. According the Applicant, the existing multi-tenant sign shall not be considered their one permitted freestanding sign for the Subject Property as it is located on Outlot A, owned by Bethel University.

Existing Freestanding Sign



Proposed Second Freestanding Sign



*2. Size of Freestanding Signs - Copy Area*

Sign District 4 allows freestanding signs up to 10 feet in height with a sign copy area no more than 50 square feet. The proposed freestanding sign is 7.5 feet in height and includes a sign copy area of 24.82 square feet.

As noted above, the Applicant currently has freestanding signage as part of the multi-tenant sign owned by Bethel University and is seeking flexibility as part of this PUD Amendment to allow a second freestanding sign. The sign code does allow for an additional freestanding sign for each street front provided that each additional freestanding sign does not exceed half the size of the maximum sign area allowed for a freestanding sign in the underlying sign district. Again, the maximum sign copy area allowed in Sign District 4 is 50 square feet. For any additional freestanding signs, the maximum sign copy allowed would be 25 square feet. The Applicant's sign copy area on the existing multi-tenant monument sign is 10.875 square feet, less than half the size of the maximum sign area allowed for a freestanding sign in Sign District 4.

If a second freestanding sign was approved under the PUD Amendment, both the proposed and existing freestanding signs would comply with the maximum copy area allowed in Sign District 4. However, due to the request for flexibility to allow a second freestanding sign, staff also asks the Planning Commission to take into consideration the size of existing and proposed freestanding signs as part of this review.

*3. Location of Freestanding Signs*

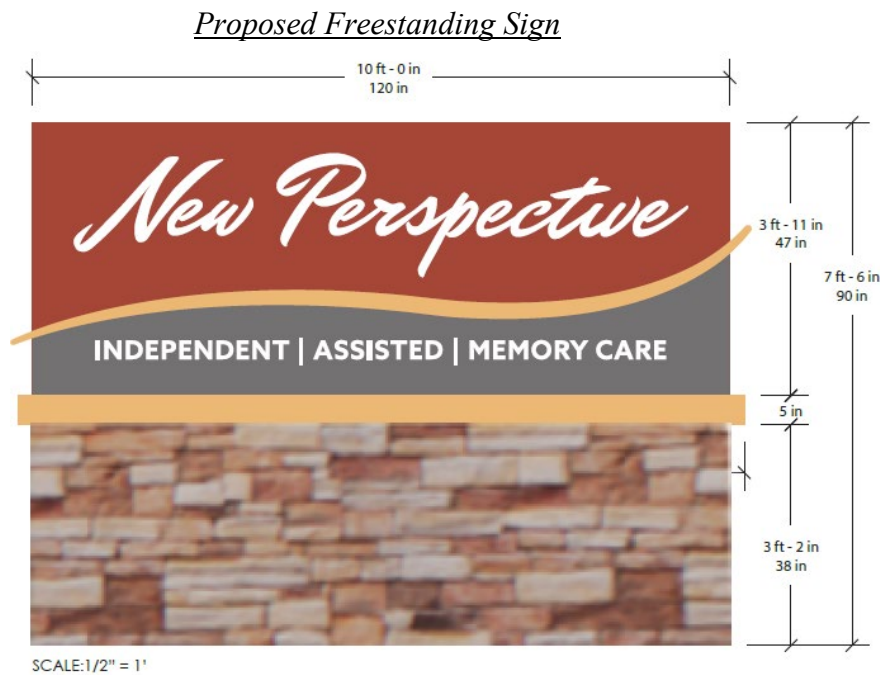
The Applicant is seeking flexibility on the location of the second freestanding sign. The proposed sign will not face the Subject Property's public street front and will instead face the private drive (i.e. Outlot A) the Property shares with Bethel University.

It should be noted that freestanding signs shall be located at least five (5) feet from any property line and shall not project over the property line. The proposed freestanding sign will be located on the south side of their driveway access and setback eight (8) feet from the east property line abutting Outlot A in compliance with this sign code requirements.

*4. Type/Design of Freestanding Signs*

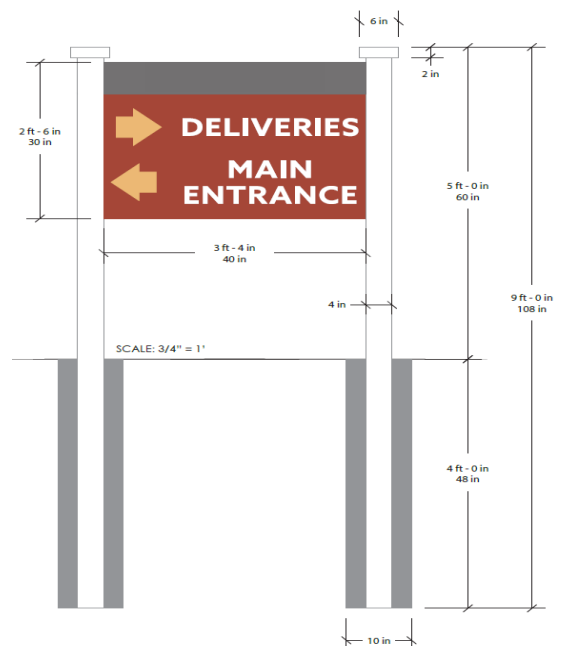
The Arden Hills Sign Code requires freestanding signs in Sign Districts 4 and 5 to be monument type ground signs with the copy resting on and supported by a solid base of brick or rock-faced block in a color similar to or complimentary to the main structure on the site. The material of the base must extend at least one-half way up the sides of the sign face. The Applicant is seeking flexibility on this provision as the base does not extend up the side of the sign face on the proposed sign.

Other design standards in evaluation of the proposed freestanding sign are that the total area of a freestanding sign shall not exceed 1.5 times the permitted sign copy area of a freestanding sign. The total area of the proposed sign is 75 square feet, 1.5 time the permitted sign copy area of 50 square feet. Lastly, the freestanding sign will be externally lit using ground lighting, as permitted by Sign District 4.



**C. Directional Signs – Complies with Requirements**

The Applicant is proposing one (1) directional sign in compliance with Chapter 12 – Sign Code of the Arden Hills City Code. As stated in the application, the directional sign will direct visitors to either the delivery area or the main entrance. According to the Applicant, this is necessary because the loading/off-loading area is located at the back of the building, and the directional sign is placed at the point at which truck deliveries need to be notified to turn. It will also help quickly identify the main entrance for family visitors as well as emergency services.



#### **D. Sign Standard Adjustments, Section 1260.01**

The Applicant requests flexibility on the design, location, and number/size of freestanding and wall signs. City Code Section 1260.01, Sign Standard Adjustments states “adjustments to the requirements and standards for the height, number, type, lighting, area, and/or location of a sign or signs established by this Chapter may be approved with a Site Plan Review or a Planned Unit Development process.” In order to approve an adjustment, the Planning Commission will need to make a determination that the following criteria in the sign code has been satisfied:

1. Subd. 1 There are site conditions which require a sign adjustment to allow the sign to be reasonably visible from a street immediately adjacent to the site.

*According to the Applicant, the size and location of the wall sign is necessary for it to be legible due to the speed of the traffic on Snelling Avenue. The Applicant also states that due to the proximity to the Bethel Anderson Campus, the New Perspective building needs identification on Snelling Ave to identify that the building is not student housing for Bethel University. The proposed wall sign will help the community easily recognize the building's use and avoid confusion for potential residents, families, and students.*

2. Subd. 2 The sign adjustment will allow a sign of exceptional design or a style that will enhance the area or that is more consistent with the architecture and design of the site.

*According to the Applicant, the main entrance sign will be the Subject Property's stand-alone monument sign. It will have the New Perspective community logo and will have colors and materials that match the exterior of the building. This sign is proposed to be lit using flood lights.*

3. Subd. 3 The sign adjustment will not result in a sign that is inconsistent with the purpose of the zoning district in which the property is located or the current land use.

*According to the Applicant, all proposed exterior signs, with the exception of the wall sign, are within the City's Sign Ordinance.*

#### **Application Review**

##### ***1355.04 Procedural Requirements for Specific Applications***

A public hearing for a PUD Amendment request is required before the request can be brought before the City Council. The applicant or its representative shall be given the opportunity to appear before the Planning Commission to answer questions or give explanations regarding the proposal. Upon completion of the public hearing and its study and consideration of the application, the Planning Commission shall submit its written report, containing its findings, conclusions, and recommendations as to the application, to the City Council.

Under Section 1355.06 subd.4, an application for an amendment shall be administered in the same manner as required for a new application. Any structural alteration, enlargement or intensification change in site plan, or similar change not specially permitted, shall require City Council action and all procedures shall apply as if a new application were being requested; provided, however, that when such changes are deemed to be insignificant by the Zoning Administrator, the requirements of a public hearing may be waived.



## **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:

1. The Applicant submitted an application for a Planned Unit Development Amendment.
2. The Subject Property is located within the General Business District (B-2) and is guided for Community Mixed Use (CMU) in the Land Use Plan.
3. The Subject Property is approximately 6.4 acres and is owned by Arden Hills RE, LLC.
4. Adjustments to the requirements and standards for the height, number, type, lighting, area, and/or location of a sign or signs established by this Chapter may be approved with a Site Plan Review or a Planned Unit Development process as described for in Section 1320 and 1355 of the Zoning Code.
5. Flexibility through the PUD process has been requested for the location, number/size, and design of the proposed wall and monument signs.
6. The proposed signage plan will not result in a sign that is inconsistent with the purpose of the zoning district in which the property is located or the current land use.
7. A public hearing for a Planned Unit Development Amendment is required before the request can be brought before the City 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.

- **Recommend Approval with Conditions:** Motion to recommend *approval* of Planning Case 22-023 for a Planned Unit Development Amendment at 3565 Pine Tree Drive, based on the findings of fact and the submitted plans, as amended by the conditions in the December 7, 2022 Report to the Planning Commission:
  - 1) All conditions of the original Preliminary/Final Plat, Planned Unit Development, Conditional Use Permit, and Site Plan Review shall remain in full force and effect.
  - 2) A separate sign permit shall be required for all proposed signage.
  - 3) All signage shall meet all other requirements of Sign District 4.
- **Recommend Approval as Submitted:** Motion to recommend *approval* of Planning Case 22-023 for a Planned Unit Development Amendment at 3565 Pine Tree Drive, based on the findings of fact and the submitted plans in the December 7, 2022 Report to the Planning Commission.
- **Recommend Denial:** Motion to recommend *denial* of Planning Case 22-023 for a Planned Unit Development Amendment at 3565 Pine Tree Drive: *findings to deny should specifically reference the reasons for denial and why those reasons cannot be mitigated.*
- **Table:** Motion to *table* of Planning Case 22-023 for a Planned Unit Development Amendment at 3565 Pine Tree Drive: *a specific reason and information request should be included with a motion to table.*

## **Public Comments**

Notice was published in the *Pioneer Press* on November 23, 2022. Notice was prepared by the City and mailed to property owners within 1,000 feet of the subject property. Staff has not received any public comments regarding this case.

## **Deadline for Agency Actions**

The City of Arden Hills received the completed application for this request on November 21, 2022. Pursuant to Minnesota State Statutes Section 15.99, the City must act on this request by January 19, 2023 (60 days), unless the City provides the petitioner with written reasons for an additional 60 day review period. The sixty (60) day timeline begins on the day the City is in receipt of what has been determined to be a complete application. The City may, with the petitioner's consent, extend the review period beyond the 120 days.

Based on the land use application submission date, the meeting schedule for the Planning Commission and subsequent City Council in January of 2023 will result in the City's inability to process this planning case within the 60-day period. This is due to the cancellation of the City Council's second regular meeting of the month in December. Therefore, it was necessary to extend the review period from 60 days to 120 days so that this planning case may be heard by the City Council. The City notified the Applicant of this requirement and received email confirmation of receipt of the 120 extend time period for City action under Minn. Stat. § 15.99, subd. 3(f). The time period is extended until March 20, 2023 (120 days).

## **Attachments**

- A. Land Use Application
- B. Location Map
- C. Narrative
- D. Proposed Sign Plan