



DATE: February 13, 2023

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

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

Budgeted Amount:	Actual Amount:	Funding Source:
N/A	N/A	N/A

Council Should Consider

Motions to approve, table, or deny the following:

- Planning Case 22-023 for a Planned Unit Development Amendment for signage flexibility at the property located at 3565 Pine Tree Drive (“Subject Property”). Arden Hills RE, LLC (“Applicant”), on behalf of New Perspective Senior Living is seeking flexibility from the approved Planned Unit Development on the location, number, and size of freestanding and wall signs.

Approval of an amended PUD requires an affirmative vote of four councilmembers.

Background

The Applicant has submitted a land use application for a Planned Unit Development Amendment, seeking flexibility on the location, number, and size of freestanding and wall 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 location and number/size. The proposed wall sign requires flexibility on the size.

Findings of Fact

The Planning Commission reviewed this application at their December 7, 2022 meeting and have offered the following findings of fact for your 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 size, type, design, location, and number of freestanding and wall 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.
8. The Planning Commission conducted a public hearing on December 7, 2022.

Options and Motion Language

The Planning Commission reviewed this application at their December 7, 2022 meeting. At that time, they recommended approval with conditions of Arden Hills RE, LLC's application for a Planned Unit Development Amendment by a 6-0 vote. The following are motion language options for the City Council to consider.

1. Approve with Conditions: Motion to *approve* 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 February 13, 2023 Report to the City Council:
 - 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.
 - 4) The Planning Commission recommends approval of signs 1, 3 and 4 and recommends denial of sign 2 due to the location as prohibited under the city code requesting the applicant prepare alternate options for a wall sign that is suited to the size of the building, location, and design that will enhance the area, and be consistent with the architecture of the building, or consideration of a freestanding sign.
 - 5) Regarding Sign 1, the applicant shall provide a base that extends up the sides of the sign base to meet City Code material design standards in Sign District 4.

2. Approve as Submitted: Motion to *approve* 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 February 13, 2023 Report to the City Council.
3. Denial: Motion to *deny* Planning Case 22-023 for a Planned Unit Development Amendment at 3565 Pine Tree Drive, based on the following findings: *findings to deny should specifically reference the reasons for denial and why those reasons cannot be mitigated.*
4. Table: Motion to *table* Planning Case 22-023 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.*

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. City Council Presentation