

MINUTES
MAPLEWOOD CITY COUNCIL
7:00 P.M. Monday, February 10, 2025
City Hall, Council Chambers
Meeting No. 03-25

J. NEW BUSINESS

- 2. Maplewood Assisted Living, 1744 County Road D East**
 - a. Conditional Use Permit Amendment Resolution**
 - b. Design Review Resolution**

Community Development Director Parr gave the presentation. Maixia Vang, with MX Real Estate, LLC addressed council.

Councilmember Lee moved to approve the conditional use permit resolution for a PUD amendment for constructing a residential assisted living facility at 1744 County Road D East, subject to certain conditions of approval.

25-02-2384

CONDITIONAL USE PERMIT RESOLUTION FOR A PUD AMENDMENT

BE IT RESOLVED by the City Council of the City of Maplewood, Minnesota, as follows:

Section 1. Background.

- 1.01 Mx Real Estate, LLC has requested to amend the Conditional Use Permit that governs the Planned Unit Development (PUD) for the property at 1744 County Road D East.
- 1.02 The property located at 1744 County Road D East is legally described as:
Lot 3, Block 2, Legacy Village of Maplewood, Ramsey County
PIN: 032922110005
- 1.03 The property is part of the Legacy Village Planned Unit Development, approved on July 14, 2003, and designated as a retail/commercial site. The CUP governing the PUD needs to be amended to allow for a residential assisted living facility on the site.

Section 2. Standards.

- 2.01 General Conditional Use Permit Standards. The City Ordinance states that the City Council must base approval of a Conditional Use Permit on the following nine standards for approval.
 - 1. The use would be located, designed, maintained, constructed, and operated to be in conformity with the City's Comprehensive Plan and Code of Ordinances.
 - 2. The use would not change the existing or planned character of the surrounding area.

3. The use would not depreciate property values.
4. The use would not involve any activity, process, materials, equipment or methods of operation that would be dangerous, hazardous, detrimental, disturbing or cause a nuisance to any person or property, because of excessive noise, glare, smoke, dust, odor, fumes, water or air pollution, drainage, water run-off, vibration, general unsightliness, electrical interference or other nuisances.
5. The use would not exceed the design standards of any affected street.
6. The use would be served by adequate public facilities and services, including streets, police and fire protection, drainage structures, water and sewer systems, schools and parks.
7. The use would not create excessive additional costs for public facilities or services.
8. The use would maximize the preservation of and incorporate the site's natural and scenic features into the development design.
9. The use would cause minimal adverse environmental effects.

Section 3. Findings.

3.01 The proposal meets the specific Conditional Use Permit standards.

Section 4. City Review Process

4.01 The City conducted the following review when considering this conditional use permit request.

1. On January 21, 2025, the Planning Commission held a public hearing. City staff published a hearing notice in the Pioneer Press and sent notices to the surrounding property owners. The Planning Commission allowed everyone to speak and present written statements at the hearing. The Planning Commission recommended that the City Council approve this resolution.
2. On February 10, 2025, the City Council discussed this resolution. They considered reports and recommendations from the planning commission and City staff.

Section 5. City Council

5.01 The City Council hereby approves the resolution. Approval is based on the findings outlined in section 3 of this resolution. Approval is subject to

the following conditions:

1. The use is allowed as long as the provisions of the BC zoning district and conditions outlined here are met.
2. The buildings on the site shall be setback as shown on the site plan approved by the city council, 33 feet from the north lot line.
3. A comprehensive sign plan is approved. The applicant shall submit a sign permit to be reviewed and approved by staff. Pylon signs shall not be allowed. Monument signs may be allowed but shall not exceed 12 feet in height. The base of the monument sign must be landscaped.
4. The architectural character and exterior building materials must be in keeping with the adjacent townhomes and other buildings, if present.
5. Access to the site shall be from the side streets.
6. All ground-mounted and roof-mounted mechanical equipment shall be screened according to the ordinance.
7. Adequate separation, buffering, and screening must be provided for the multifamily residential units from the front doors, parking areas, loading areas, and mechanical equipment of this building.
8. Parking stalls with a width of 9.5 feet are permitted for this site.
9. Applicant must maintain at least 28 parking stalls on site.
10. All construction shall follow the approved plans. The director of community development may approve minor changes.
11. The proposed construction must be substantially started within one year of council approval, or the permit shall become null and void.
12. The city council shall review this permit in one year.
13. The applicant shall meet the conditions outlined in the design review resolution.

Seconded by Councilmember Cave

Ayes – All

The motion passed.

Councilmember Lee moved to approve the design review resolution for constructing a residential assisted living facility at 1744 County Road D East, subject to certain conditions of approval.

25-02-2385
DESIGN REVIEW RESOLUTION

BE IT RESOLVED by the City Council of the City of Maplewood, Minnesota, as follows:

Section 1. Background.

1.01 MX Real Estate, LLC has requested approval of a design review to construct a residential assisted living facility on the property.

1.02 The property is located at 1744 County Road D East and is legally described as:
Lot 3, Block 2, Legacy Village of Maplewood, Ramsey County
PIN: 032922110005

Section 2. Site and Building Plan Standards and Findings.

2.01 City ordinance requires that the community design review board make the following findings to approve plans:

1. That the design and location of the proposed development and its relationship to neighboring, existing, or proposed developments and traffic is such that it will not impair the desirability of investment or occupation in the neighborhood; that it will not unreasonably interfere with the use and enjoyment of neighboring, existing or proposed developments; and that it will not create traffic hazards or congestion.
2. That the design and location of the proposed development are in keeping with the character of the surrounding neighborhood and are not detrimental to the harmonious, orderly, and attractive development contemplated by this article and the city's comprehensive municipal plan.
3. That the design and location of the proposed development would provide a desirable environment for its occupants, as well as for its neighbors, and that it is aesthetically of good composition, materials, textures, and colors.

2.02 The community design review board reviewed this request on January 21, 2025, and voted to approve it.

2.03 The proposal meets the specific findings for design review approval.

Section 3. City Council Action.

3.01 The above-described site and design plans are hereby approved based on the findings outlined in Section 2 of this resolution. Subject to staff approval, the site must be developed and maintained in substantial conformance with the design plans. Approval is subject to the applicant doing the following:

1. If the city has not issued a building permit for this project, repeat this review in two years.
2. All fire marshal, city engineer, and building official requirements must be met.
3. Satisfy the requirements in the engineering review by Jon Jarosch, dated January 3, 2025.
4. Satisfy the requirements in the environmental review by Shann Finwall, dated January 9, 2025.
5. The applicant shall obtain all required permits from the Ramsey-Washington Metro Watershed District.
6. The applicant shall obtain a license for the facility from the Minnesota Department of Health and provide a copy to the city. If the facility has a third-party providing food service activities, the applicant shall also obtain a food service license from the city.
7. A comprehensive sign plan is approved. The applicant shall submit a sign permit to be reviewed and approved by staff. Pylon signs shall not be allowed. Monument signs may be allowed but shall not exceed 12 feet in height. The base of the monument sign must be landscaped.
8. The applicant shall install two stop signs at each exit of the parking lot on the property.
9. The applicant shall install a sidewalk along the south, east, and west rights-of-ways.
10. Per city ordinance standards, all mechanical equipment and trash receptacles shall be screened from view of all nearby residential properties.
11. Before the issuance of a building permit, the applicant shall submit for staff approval the following items:
 - a. The applicant shall provide the city with a cash escrow or an irrevocable letter of credit for all required exterior improvements. The amount shall be 150 percent of the cost of the work.
 - b. Staff must review and approve elevation perspectives of the transformer and generator, showing that both are adequately screened. The elevations must include all enclosure sides and detail the materials and colors.
 - c. Additional details to accompany the lighting plan: a photometric site plan with light levels at the property lines and a description of

each luminaire, including the manufacturer's catalog cuts and drawings.

- d. An updated landscape plan as outlined in the environmental review.
12. The applicant shall complete the following before occupying the building:
- a. Replace any property irons that were removed because of this construction.
 - b. Provide continuous concrete curb and gutter around the parking lot and driveways.
 - c. Install all required landscaping and an in-ground lawn irrigation system for all landscaped areas.
 - d. Install all required outdoor lighting.
 - e. Install all required sidewalks and trails.
13. If any required work is not done, the city may allow temporary occupancy if:
- a. The city determines that the work is not essential to public health, safety, or welfare.
 - b. The above-required letter of credit or cash escrow is held by the City of Maplewood for all required exterior improvements. The owner or contractor shall complete any unfinished exterior improvements by June 1 of the following year if occupancy of the building is in the fall or winter or within six weeks of occupancy of the building if occupancy is in the spring or summer.
14. All work shall follow the approved plans. The director of community development may approve minor changes.

Seconded by Councilmember Cave

Ayes – All

The motion passed.