



**City of Prior Lake
 APPLICATION FOR
 SENIOR CARE OVERLAY DISTRICT**

Requested Action	Brief description of proposed project (Please describe the proposed amendment, project, or variance request. Attach additional sheets if necessary).

Applicant: _____
Address: _____
Telephone: _____ (home) _____ (work) _____ (fax)

Property Owners (if different than applicant): _____
Address: _____
Telephone: _____ (home) _____ (work) _____ (fax)
Type of Ownership: Fee Contract for Deed Purchase Agreement

Legal Description of Property (Attach additional sheets if necessary):

To the best of my knowledge the information provided in this application and other material submitted is correct. In addition, I have read the relevant sections of the Prior Lake Ordinance and procedural guidelines, and understand that applications will not be processed until deemed complete by the Planning Director or assignee.

Applicant's Signature _____ **Date** _____

Fee Owner's Signature _____ **Date** _____

ADDITIONAL PROJECT INFORMATION
 (Required for PUD, CUP and SC Overlay District applications)

Will the developers request financial assistance from the City? Yes No

If yes, please describe the amount and type of assistance requested (attach additional pages if necessary).

Will anyone other than the applicant be involved in the ownership, development & management of this project?
 Yes (If yes, please attach a list of the names and the role of all persons involved in the project.) No

PROCEDURE FOR AN APPLICATION FOR A SENIOR CARE OVERLAY DISTRICT

Overview: The Senior Care Overlay District is intended to encourage the development of senior care facilities and to facilitate the development of such facilities. The Senior Care (SC) Overlay District is established for the purpose of allowing senior care facilities in close proximity to support services and complimentary land uses. It is the intent of this District to provide for flexibility in the siting and development of such facilities necessary to facilitate the development and construction of senior care facilities such as assisted living and congregate care developments. It is also intended to implement the housing goals and policies in the City's Comprehensive Plan.

The following uses are permitted as part of a Senior Care Overlay District:

- ***Assisted Living Facility.*** A residential facility providing a combination of housing, meals, support services, limited medical care and assistance with activities of daily living.
- ***Congregate Care Facility.*** A residential facility designed to accommodate independent living which also provides a variety of support services such as meals, laundry, housekeeping, transportation and social and recreational activities.
- ***Senior Care Facilities.*** A residential facility where at least 80% of the residents are 55 years of age or older. Services available to residents cover a broad range of activities from social opportunities to medical care. The term includes assisted living and congregate care. It does not include nursing homes licensed by the State of Minnesota.

Pre-Application Procedure: Prior to submitting an application for a Senior Care Overlay District, applicants are encouraged to meet with the Planning Staff to discuss the following:

- City Plans and policies that might relate to or affect the property.
- Preliminary development or building plans for the property.

The applicant is responsible for understanding the requirements of the City Zoning Ordinance, including setbacks, landscaping, parking, required improvements, submittal requirements, signs, and so on. The Planning Staff will also advise you of other potential governmental jurisdiction involvement.

The following must be brought to the pre-application meeting:

- The location of the property; and
- Any preliminary plans developed for the property.

If a decision is made to proceed after the advisory meeting or meetings, a formal application is made.

The Planning staff also suggests the applicant hold a neighborhood meeting prior to the public hearing to discuss plans for the property.

Process: An application for a Senior Care Overlay District is processed in the same manner as a Conditional Use Permit.

Within ten (10) business days of submission of the application, the applicant will receive formal, written notice from the City about whether the application is complete. Within 30 days of receipt of a complete application, the Planning Department will schedule a public hearing for review by the Planning Commission.

Timing: Public hearings are scheduled for the Planning Commission on the 2nd and 4th Mondays of each month. Complete applications must be submitted to the Planning Department at least thirty (30) days prior to the scheduled meeting to allow publication of hearing notice. The Planning Department will publish notices in the *Prior Lake American* and notify the applicant and other affected property owners of the date and time the proposal will be heard by the Planning Commission. The City will also post a sign on the subject site identifying the proposed application.

Staff Report: The Planning Department will prepare a staff report which: 1) explains the request; 2) reviews how the proposal relates to the requirements for a Senior Care Overlay District and other Zoning Ordinance requirements; and 3) provides a recommendation.

Hearing: A public hearing will be held by the Planning Commission. The Commission will review the staff report and hear from the applicant. Public testimony on the request will also be taken. The Planning Commission, after reviewing all of the information, will make a recommendation to the City Council on the application based on findings addressing the relationship of the proposed amendment to the following standards:

- (1) **Proximity to Support Facilities.** The applicant for any senior care overlay district proposed for development shall demonstrate that the proposed site is readily accessible to health care facilities, retail shopping, religious institutions, public transportation and other supporting facilities and activities. The City Council, in its sole discretion, shall determine the adequacy and availability of such supporting facilities. The degree to which the senior care facility is in close proximity to these services and facilities will determine the degree to which incentives for development will be granted.
- (2) **Incentives.** As an inducement to encourage the development of senior care facilities, the City Council may consider certain incentives. These incentives include increases in building height, decreased setbacks, increases in floor area ratios and ground floor area ratios, modification of landscaping requirements, fee waivers, relaxation of controls on architectural materials, relaxation of fencing regulations, relaxation of parking lot landscaping requirements and relaxation of proof of parking requirements. In the C-3 Use District, the City Council may also consider a relaxation of open space requirements due to the proximity to Lakefront Park. In the initial application, the applicant shall provide a schedule showing which incentives are being sought and supporting evidence which shows the justification for the incentives, including an analysis of the degree to which the criteria in subsection 1106A.500(1) have been met. The City Council, in its sole discretion will determine which, if any incentives will be granted to a specific project.

Applicants are invited to use the overhead projector provided, and the exhibits prepared by Staff. Any additional exhibits submitted by the applicant (at the hearing or prior to the hearing) such as photographs, petitions, etc. must be entered into the public record and submitted to the Planning Department for the file.

City Council Review: The City Council will review the application and the recommendation of the Planning Commission, along with the record of the public hearing and other pertinent information. **The**

City Council review of this application is not a public hearing, and the Council may or may not choose to hear testimony. In any case, no new evidence may be introduced to the City Council following the close of the public hearing.

Following City Council approval of the Senior Care Overlay District, the City and developer of an SC Overlay District shall execute a Development Contract, which shall incorporate the resolution approving the SC Overlay District and all conditions set forth in the resolution. The Development Contract may require the developer to provide an irrevocable letter of credit provided by a financial institution licensed in the State of Minnesota and acceptable to the City. The letter of credit shall reference the Development Contract and be in an amount sufficient to insure the provision or development of improvements called for by the Development Contract.

APPLICATION INSTRUCTIONS

No application will be considered until all required information is submitted. The following information, along with the attached checklist, is required for a complete application. The City also reserves the right to request additional information when needed to review an application.

- **Application Fee:** Check payable to the “City of Prior Lake”. The filing fee is \$350.00.
- **Signed Application:** A completed application form signed by the owner or owners of the property. Include authorization from the property owner on the application form or by attached letter of authorization if an agent signs the application.
- **Application Checklist:** The attached checklist identifies the necessary information. *Failure to provide any of the required information will result in an incomplete application.* The Application Checklist will expedite the review of your application. **Attach the checklist with the application materials.**

SENIOR CARE OVERLAY DISTRICT APPLICATION CHECKLIST

PROJECT NAME: _____
DEVELOPER: _____

FILE NUMBER
DATE SUBMITTED
REVIEWED BY

For City Use Only

REQUIRED INFORMATION	LOCATION	VERIFIED (for City use only)
<p>The following data is required as part of an application for a Senior Care Overlay District according to the City of Prior Lake Zoning Ordinance.</p>	<p>Indicate where this information is provided in the application materials such as sheet #, narrative, or other attached report.</p>	<p>Reviewed by city staff to ensure required materials were submitted.</p>
Application		
1. A complete Application Form, signed by the applicant and the fee owner of the property.		
2. The name, address and telephone number of the owner, the owner's agent, the applicant, surveyor and designer of the project.		
3. A radius map and a list and 2 sets of labels of the names and addresses of the owners of property located within 350' of the subject site. These shall be obtained from and certified by an abstract company.		
4. The required filing fee of \$350.00.		
5. Any necessary applications for zone changes and/or variances from the provisions of the Zoning Ordinance, along with the required fees and submittal information for those applications.		
6. A complete legal description of the property, and a location map showing the location of the proposed development in the City.		
7. Ten (10) full-scale copies of the Senior Care Plans and supporting data and one 11"X 17" reduction of each sheet.		
General Development Plan (Section 1108.205):		
1. Site conditions and existing development on the subject property and immediately adjacent properties.		
2. The proposed use of all areas of the site.		

REQUIRED INFORMATION	LOCATION	VERIFIED (for City use only)
3. The proposed density, type, size and location of all dwelling units, if dwelling units are proposed.		
4. The general size, location and use of any proposed nonresidential buildings on the site.		
5. All public streets, entrance and exist drives, and walkway locations.		
6. Parking areas		
7. Landscaped areas		
8. Parks and open spaces, public plazas, and common areas.		
9. Site dimensions		
10. Generalized drainage and utility plans.		
11. A statement indicating how the proposed development meets the objectives and incentives for a Senior Care Overlay District as identified in Section 1106A of the Zoning Ordinance.		
12. Any other information the City may request to determine whether the proposed project meets the requirements of this subsection.		
Summary Sheets which include the following:		
1. Proposed densities, and ground floor areas.		
2. Acreage or square footage of individual land uses on the site.		
3. All proposed modifications of the district regulations being requested.		
4. Generalized phasing plan for the project, including the geographical sequence of construction and the number of dwelling units or square footage of nonresidential property to be contracted in each phase.		
Other information which may be required includes:		
1. A tree preservation and replacement plan, as required by Section 1107.2100 of the Zoning Code.		
2. A lighting plan as required by Section 1107.1800 of the Zoning Code.		
3. A signage plan as required by Section 1107.400 of the Zoning Code.		
4. If applicable, a preliminary plat or other subdivision applications.		

Upon City Council approval of a Senior Care Overlay District, the applicant is required to submit the following information:

REQUIRED INFORMATION	LOCATION	VERIFIED (for City use only)
<p>1. Two (2) full-scale copies of the Senior Care Overlay District and supporting data and one 11"X 17" reduction of each sheet. The Senior Care Overlay District plan shall be organized in the following manner:</p> <ul style="list-style-type: none"> • A cover sheet identifying the name of the project, a general location map, the contact person, and an index of the attached sheets. • A site plan including building locations, parking, lighting, signage, and so on. • A landscape plan, signed by a registered landscape architect. • Building elevations and general floor plans. • Signage plans. • Any other supplementary information required as part of the approval. 		
<p>2. Upon approval of an SC Overlay District for a senior care facility, the applicant shall record a restrictive covenant on the property that states they type and extent of care to be provided and limiting occupancy of the facility to no more than 20% of the residents under the age of 55 years.</p>		