

**City of Falcon Heights  
Planning Commission Minutes  
April 24, 2012**

**PRESENT:** Commissioners Black, Fite, Gustafson, Noble, Wartick, Council Member Harris, Staff Liaison Jones.

**ABSENT:** With notice, Commissioners Minns and Brown

The meeting was called to order at 7:00 p.m. by the Chair, Commissioner Black, who noted that a quorum was present. The minutes for February, 2012, were approved by consensus.

**Planning Commission Discussion on Front Porches (tabled from February)**

Staff liaison Jones presented a detailed review of the history of this issue, which began as a request from the City Council for the Planning Commission to consider whether to amend the city code to allow the encroachment of certain kinds and sizes of front porches into the required front setback on single-family residential lots. The present code does not allow even a covered stoop. Jones was careful to emphasize that porches themselves are not illegal. They can be built behind the front setback line. It is their encroachment into the setback (or “required front yard”) that is the question. A majority of Falcon Heights homes were built at a time when these features were not in fashion. Commissioners soon realized that this matter was deeper and more complicated than it seems to be on the surface because it has the potential to affect neighborhood architectural styles and the visual open space along streets in ways that might not be anticipated or wholly positive.

A public hearing was held in February. Three citizens attended and expressed support for allowing front porches because of their neighborhood value. However, Planning Commissioners were not satisfied in February with the language of the proposed amendment draft – in particular the wording relative to side setbacks – and decided to return to workshop on the amendment, which they did in March. As a result of that workshop, new language was provided by the city attorney, and a new draft of the code amendment was presented to the Commission for consideration. (A new public hearing was not required). The new draft removes the references to the side property lines and adds a 50 square foot limit on footprint size for front porch or portico encroachments into the front setback. The new draft maintains the requirement that porches must be open, without walls, windows or screens. Open railings are allowed.

Commissioner Black emphasized that Commissioners embrace the neighborhood values expressed by the citizens who attended the hearing, but they are also concerned about moving cautiously where a change like this can have a big impact on the style and quality of a neighborhood, potentially removing open space that residents have shown they value. At this time Falcon Heights houses are set back from the street at a fairly uniform distance.

Commissioner Wartick said his chief concern is the impact on the open space and neighborhood character. He said he has given this matter a lot of thought and decided he is in favor of allowing some kind of encroachment if the size is limited. He favored the 50 square foot limit in the new draft, which he felt is a good compromise.

Commissioner Gustafson said he also favors the 50 square foot limit and added a reminder that this restriction only applies to that portion of a porch that encroaches into the front setback, not to the portion that is behind that setback line.

Commissioner Fite said she thinks it is important to allow people to add covered porticos or open entries to their front doors.

Ms. Jones reminded the audience that the public right of ways in residential districts are much wider than the paved street. The street may be only half the public right of way, so the private property begins as much as 15 feet or more from the curb, and that is where the 30 foot setback starts.

Commissioner Black asked if the neighborhoods with sidewalks have property lines just inside the sidewalks. Jones said yes, within a few inches to a foot. She confirmed that houses are lined up uniformly on most blocks. Black reminded residents to check with City Hall before planning a front porch.

Council Member Harris said she would be concerned that a front porch might obstruct the view from the house next door, and that could be a negative impact.

Commissioners having made all the comments they wished to, the Chair called for action on the amendment. Gustafson moved to recommend the second version of the ordinance. The Commission voted to recommend; there was no dissent. Jones read the text of the amendment in entirety once again for the benefit of the audience.

### **Information and Announcements:**

Jones announced that the newly refurbished tennis court will open with a parent-child tennis tournament on May 5. Also on May 5, there will be a parking lot sale of rain barrels and compost bins at Roseville City Hall.

The second annual Spring Together event will be at Curtiss Field on May 22. The event celebrates Somali culture and every one is welcome. Additional information is on the City website for this and the above events.

Jones announced that the formal meeting would be followed by a workshop for the Commission to receive orientation on a possible ordinance to allow special events not currently allowed in the city code. Several businesses have approached the city to find out if this would be possible.

Councilmember Harris announced that the City Council meeting is tomorrow night, and everyone is invited. The auditors will be presenting the financial report for 2011.

**ADJOURNMENT:** The meeting was adjourned at 7:28 p.m. to workshop

Respectfully submitted,

Deborah Jones, Staff Liaison

## **Minutes of the Planning Commission Workshop April 24, 2012**

The special events topic was introduced by Zoning and Planning Director Jones, liaison to the Planning Commission. The City has been approached by three local business owners who would like to have special events of the “beer tent” variety in their parking lots. These would be one-time events or possibly annual events. The “Back to the Fifties” weekend was the time requested by two of the businesses. At this time the zoning code does not provide for such events. According to the city attorney, if a use is not specifically allowed, it is prohibited. Therefore, in order to allow the types of events proposed, something would need to be added to the city code. Many cities do have such an ordinance.

Staff found that in all cases researched, cities require some kind of permit to hold the event. Supporting documentation required may include insurance bonds, emergency plans, traffic and parking plans, sanitation plans, health inspections and licensing, security and law enforcement plans and more. Fees are charged to recompense the municipality for extra city resources required to handle the event.

Commissioners were offered a selection of sample ordinances from other cities plus informational material from city websites and actual special event permit applications showing the kinds of information requested by cities, documentation required and fees charged. Example cities were chosen to reflect a very broad range of city size, event magnitude and the ways in which events are handled. Some cities included were Plymouth, MN, Farmington Hills, MI, LaPeer, MI, Mountain Village, CO and Sacramento, CA. Events ranged from neighborhood carnivals to parades to annual “beer garden” type commercial events to large multi-day festivals attended by thousands of people.

Commissioners’ most immediate concerns were for neighborhood impact, especially parking, traffic, noise and neighborhood security. All three businesses that have approached the City (Stout’s Pub, Dino’s and the Coffee Grounds) are located adjacent to residential areas and have limited parking on site.

As discussion moved on to specifics, Commissioners realized that they needed to figure out where to draw a line between specifics that would need to be addressed in an ordinance and those that could be left to the permitting process. They worked together to create a list of all aspects of special events that need to be looked at. Realizing that this matter was too big to settle in one evening, Commissioners decided to continue at a future workshop and asked staff to create a worksheet on paper to help them put their thoughts together. Jones offered to supply this worksheet in advance of the next meeting so Commissioners can begin to write down their ideas and concerns.

The workshop adjourned at approximately 9:00 p.m.