

City of Falcon Heights Planning Commission

City Hall
2077 W. Larpenteur Avenue

Tuesday, June 23, 2015
7:00 p.m.

A G E N D A

- A. CALL TO ORDER: 7:00 p.m.
- B. ROLL CALL: Alexander____ Fite____
 Murphy____ Wartick____
 Williams____ Schafer____
 Council Liaison Harris ____ Staff Liaison Moretto ____
- C. APPROVAL OF MINUTES for March 24, 2015
- D. AGENDA
 - 1. Election of a Vice Chair
 - 2. WSB Planning 101 Workshop Presentation
- E. INFORMATION AND ANNOUNCEMENTS
- F. ADJOURN

If you have a disability and need accommodation in order to attend this meeting, please notify City Hall 48 hours in advance between the hours of 8:00 a.m. and 4:30 p.m. at 651-792-7600. We will be happy to help.

**City of Falcon Heights
Planning Commission Minutes
March 24, 2015**

PRESENT: Commissioners Murphy, Wartick, Williams, Schafer, Council Member Harris, Staff Liaison Moretto, Planning Consultant Lewis

ABSENT: Commissioners Fite, Alexander

The meeting was called to order at 7:15 p.m. by the Substitute Chair Schafer.

Introductions and Welcome to new Staff Liaison Paul Moretto

Substitute Chair Schafer introduced new Staff Liaison Paul Moretto. Staff Liaison Moretto provided a brief update and bio on himself and his experience.

Election of Planning Commission Chair for 2015

The Commission unanimously selected Commissioner Schafer as the 2015 Chair of the Commission.

Announcement of a Workshop

It was announced that a workshop would be held after the regular meeting had been adjourned. The subject would be the development of a parcel of land at 0 Tatum Street.

The minutes of the January 27th, 2015 meeting of the Planning Commission were approved.

Information and Announcements:

No information or announcements were made.

Community Forum:

Ken Crawley, of 1747 Snelling Service Road West, presented one diagram, distributed to the Commission, of his property with a rendering of a “horse shoe” driveway. Mr. Crawley spoke to the Commission regarding the merits of this plan and sought the Commission’s advice. Mr. Lewis explained that the Mr. Crawley’s plan was submitted as a variance and its current state was incomplete pending additional information. The Commission asked questions of the plan until it was determined that the topic be arrested until a completed variance had been formally submitted.

ADJOURNMENT: The meeting was adjourned at 7:14 p.m.

Respectfully submitted,


Paul Moretto – Staff Liaison

Commissioners met for the workshop at the end of regular business which started at 7:00 pm. Present were Commission Chair Schafer, Commissioners Murphy, Wartick, Williams, Council Liaison Harris, Staff Liaison Moretto, and Planning Consultant Lewis. The featured presenter was John Labalestra representing 0 (1704) Tatum St. in Falcon Heights.

Planned Unit Development and Zoning Change at (0) 1704 Tatum Street

John Labalestra, owner of the subject lot, described why he wanted to develop the lot as a multi-unit residence. Mr. Labalestra cited the need to take care of family members and to the economic infeasibility of alternatives such as a single family unit or any development less than three (3) units. Mr. Labalestra requested guidance from the Commission.

The Commission had questions concerning:

1. Parking
2. Condos or Rentals
3. Requirements for Rezoning
4. Variance or Rezoning
5. Why is there a request to change the lot line by 5'
6. Why five (5) units?
7. Design Style
8. Based on this scenario, what stops others from attempting this kind of development in other residential neighborhoods?

The Commission, Liaisons, Planning Consultant and Mr. Labalestra discussed the eight (8) topics. It was stated by Mr. Lewis that the presented plans in the Commission packet were preliminary sketches and not submitted drafts.

1. Parking – Parking would have to meet code and pass any fire codes for safety access. Packet designs are conceptual and not to be taken literally. Issue was discussed further. Staff would work with Mr. Labalestra on the parking issue.
2. Condos or Rentals – the Commission inquired as to the use of these units. Mr. Labalestra suggested condo units but also suggested they would be tied to one meter for economic reasons. Mr. Labalestra was one to any suggestions.
3. Requirements for Rezoning – Mr. Lewis review the requirements for a PUD and the connection between the subject property and the R-4 zoning requirements. Mr. Lewis explained that the subject lot is too narrow, 80' versus the required 90', and does not conform to R-4 zoning. He also referred to the connection between the comprehensive plan's land-use map and the subject property zoning change to a PUD as in compliance.
4. Variance or Rezoning – Mr. Lewis clarified that a variance for this use would be inappropriate given that the PUD would make variances unnecessary. PUD would cover the multi-family use and any other requirements for development. Public comment would be facilitated through the PUD process.

5. Why is there a request to change the lot like by 5' – Mr. Labalestra stated that the he owned all the parcels with regard to the lot line change and that this would correct an issue where an existing home rests on the line.
6. Why five (5) units – Commission expressed concern that five (5) units would be too small. Mr. Labalestra stated that he would be flexible and that three (3) units would be a minimum. Five (5) units would be a break even number. He stated that a single family unit would not be economically feasible.
7. Design – The Commission had questions as to the design of the units. Mr. Labalestra suggested that they would be of a Tuscan design and would be harmonious with the neighborhood. They Commission asked if it would be of a four-plex style and Mr. Labalestra confirmed this. Commission mentioned that the Met-Council encourages density and this design facilitates this.
8. Based on this scenario, what stops others from attempting this kind of development in other residential neighborhoods – The Commission voiced concerns that this kind of process could allow for others to engage in a process of converting R-1 single family unit lot to a PUD multi-family. Mr. Lewis explained that this process of rezoning to PUD for the subject lot was in compliance with the comprehensive plan and that any other lot would have to meet this threshold.

The meeting concluded with no decisions.

Respectfully submitted,


Paul Moretto - Staff Liaison

PLANNING 101



What society thinks I do



What my friends think I do



What applicants think I do



What architects think I do



What I think I do



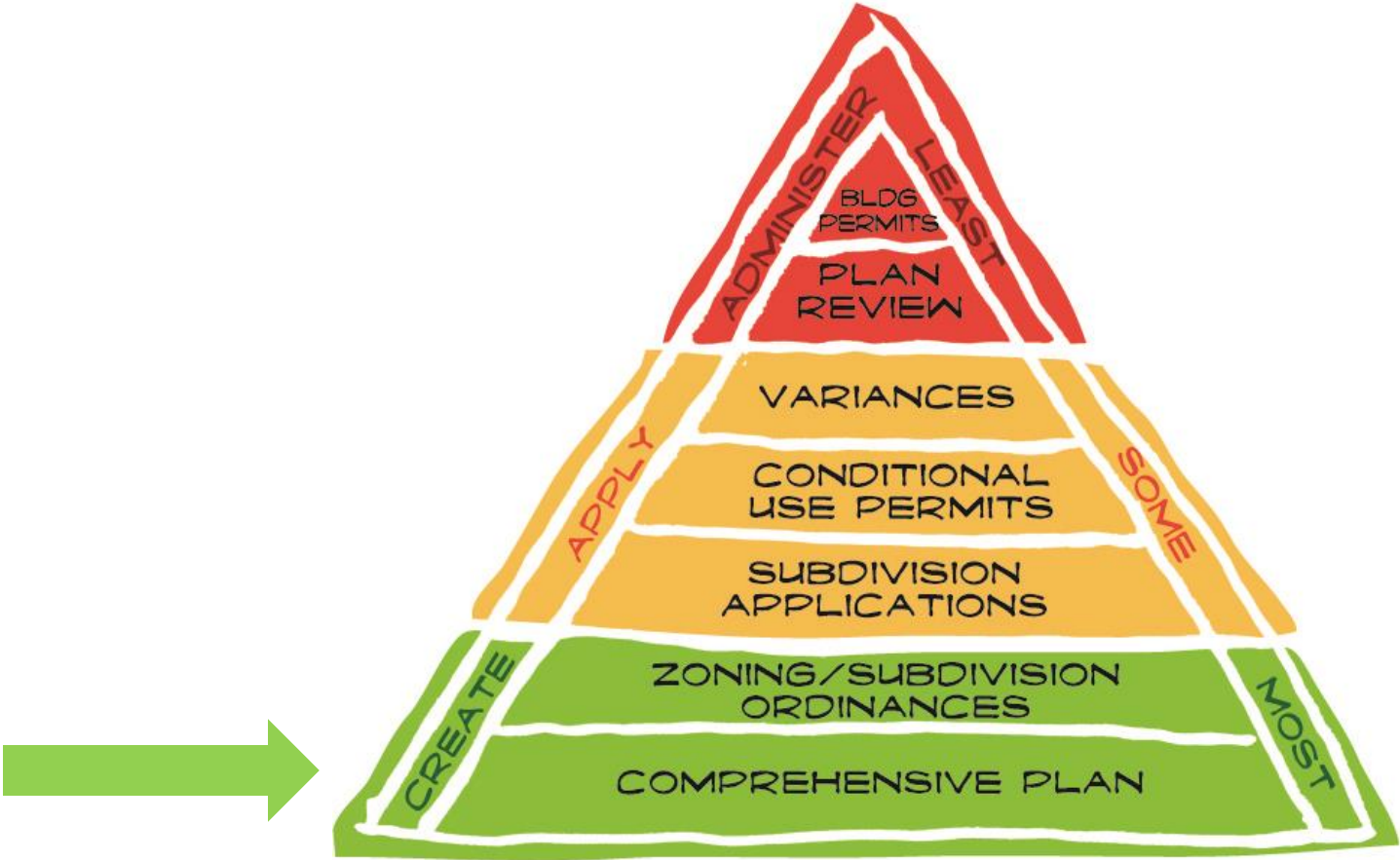
What I really do

PLANNING 101

- Land Use & Zoning Tools
- Mock Variance
- Legal Basics



Land Use and Zoning Tools



Land Use and Zoning Tools

- **Comprehensive Plan**
 - ▣ Serves as a community compass / resource guide on development
 - ▣ Tool used for fostering change or dealing with unanticipated changes
 - ▣ Every community in the 7-County Metro Area is **REQUIRED** to have a Comprehensive Plan
 - Update Plan every 10 years
 - 2016 to 2018 Met Council “planning window”
 - Local Planning Handbook



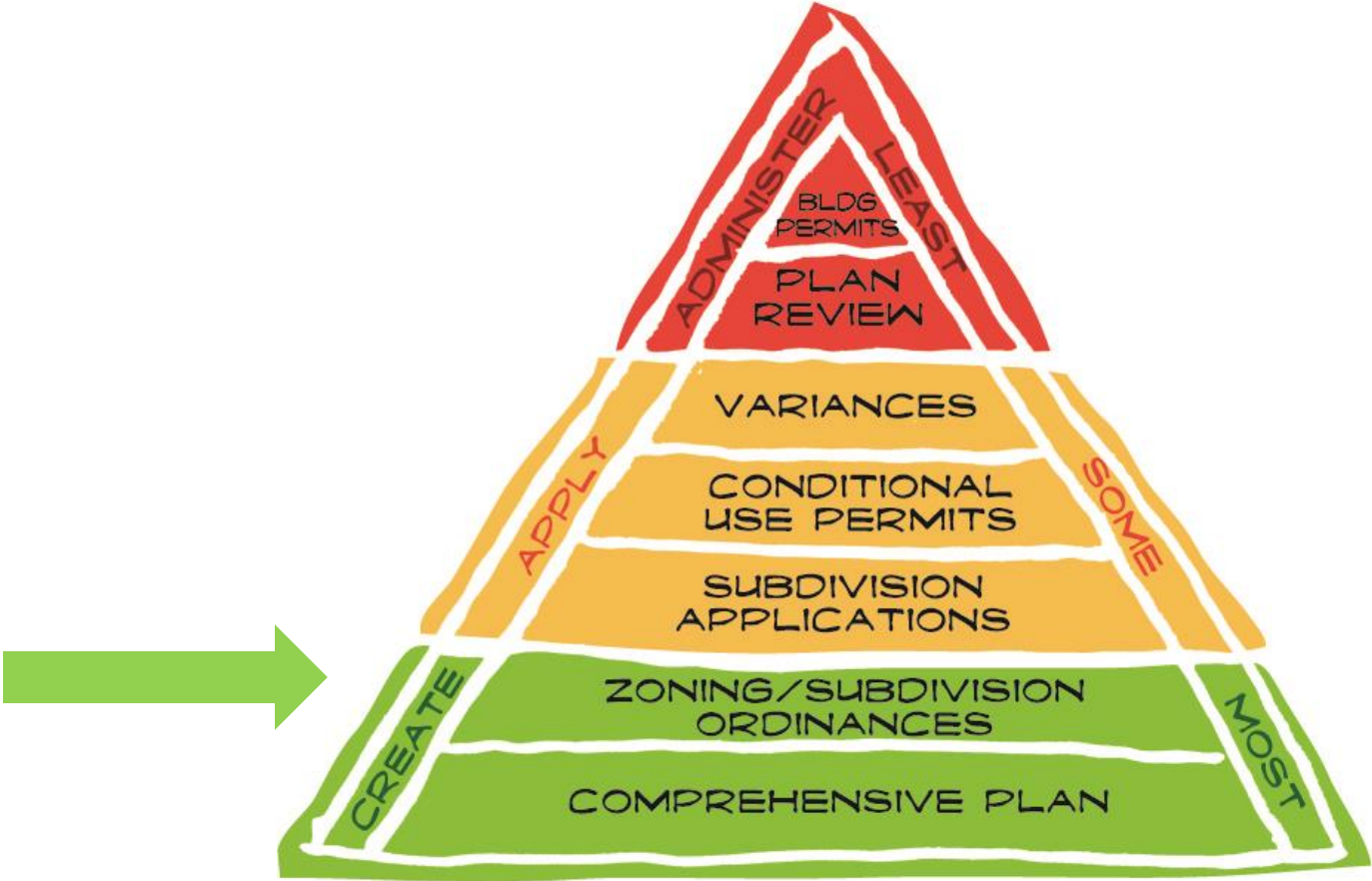
Public involvement in any planning process can help build community ownership and buy-in

Land Use and Zoning Tools

- Metropolitan Land Planning Act
 - Requires 7-County Metro to adopt **Comprehensive Plan** within 3 years of receipt of system statements (2015)
 - Requires official controls (**Zoning**) to “not conflict” with Comprehensive Plan within 9 months of adoption of Comp Plan

What is the difference between Land Use Plan and Zoning Map?

Land Use and Zoning Tools



Land Use and Zoning Tools

- Zoning Map and Zoning Code
 - ▣ “Zoning Districts”



CITY OF FALCON HEIGHTS
2077 W Larpentour Avenue
Falcon Heights, MN 55113

Land Use and Zoning Tools

□ Zoning Map and Zoning Code

■ Use Categories in Districts

- Permitted Uses
- Accessory Uses
- Restricted Uses
- Conditional Uses
- Interim Uses

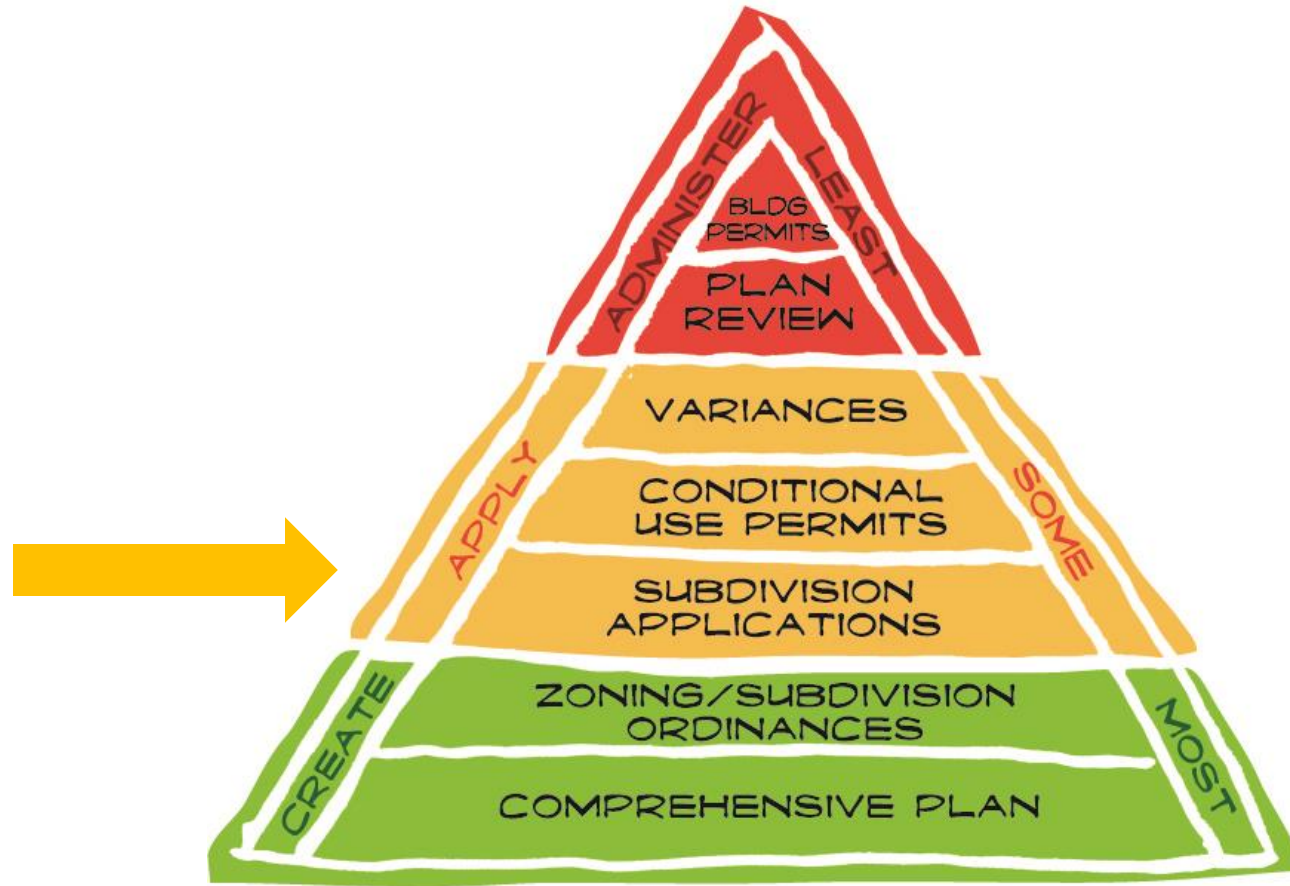
Table 23.7-1 Permitted Uses

Use	R-1	R-2	R-3	B-1	B-2	I-1
Residential						
Single-Family Dwelling	P	P	P			
Duplex		P	P			
Multi-Family			P	P		
Commercial						
Bar/Lounge					P	
Bookstore				P	P	

■ Minimum Requirements – “Dimensional Requirements”

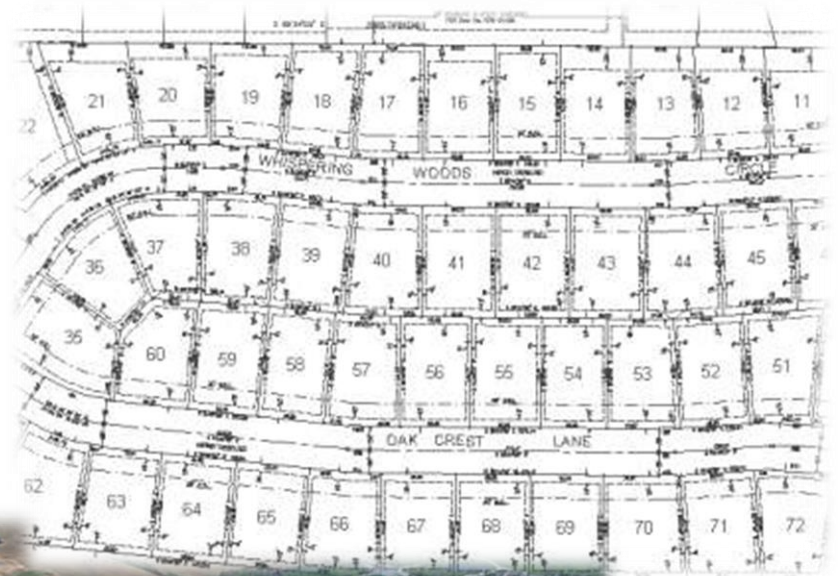
- Lot Size (area), width and depth
- Front, rear, and side building setbacks from property lines
- Building coverage (impervious surface coverage)
- Maximum building size and height
- Landscaping requirements
- Parking standards

Land Use and Zoning Tools

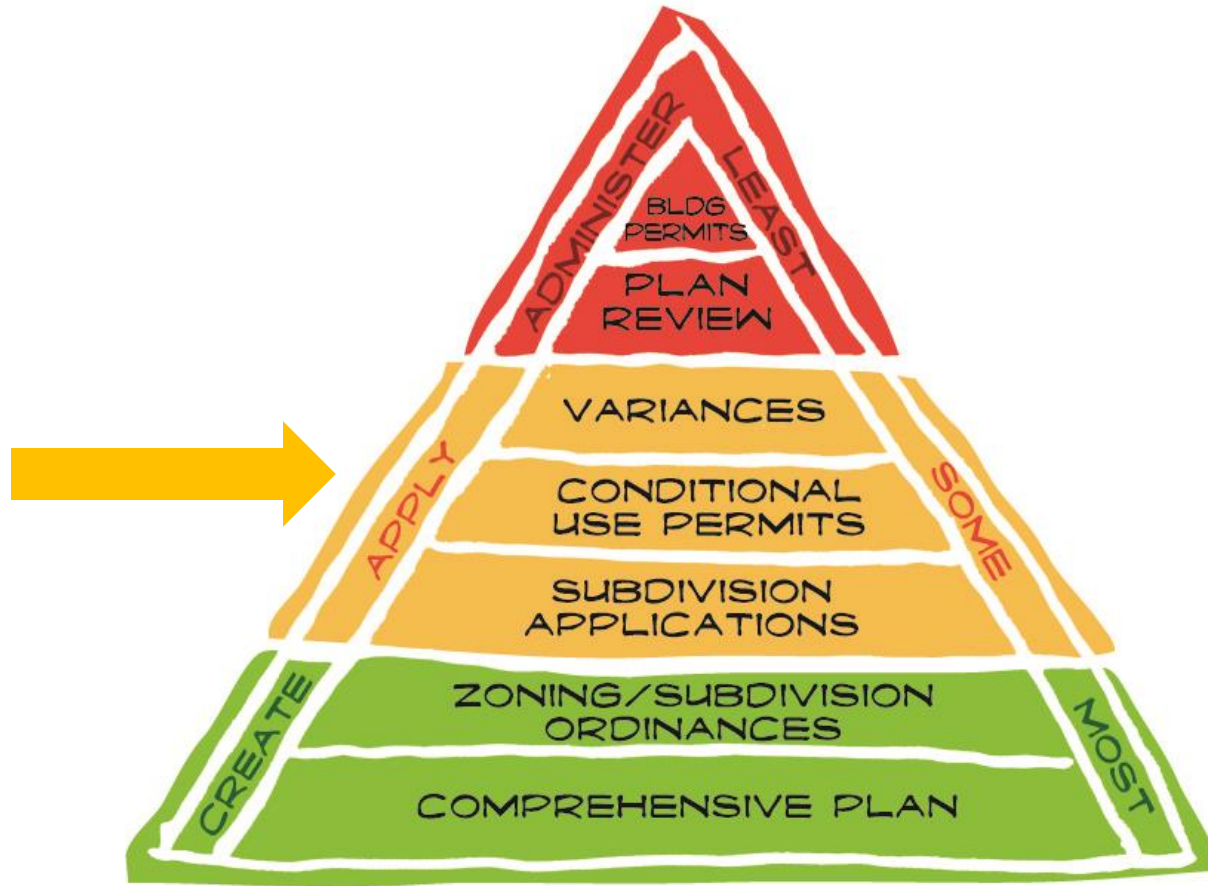


Land Use and Zoning Tools

- Subdividing/Platting
 - ▣ Preliminary Plat/Final Plat
 - ▣ Follow subdivision ordinance
 - ▣ Meets requirements= generally approved



Land Use and Zoning Tools



Land Use and Zoning Tools

□ Conditional Use Permit (CUP)

■ Permitted use with conditions

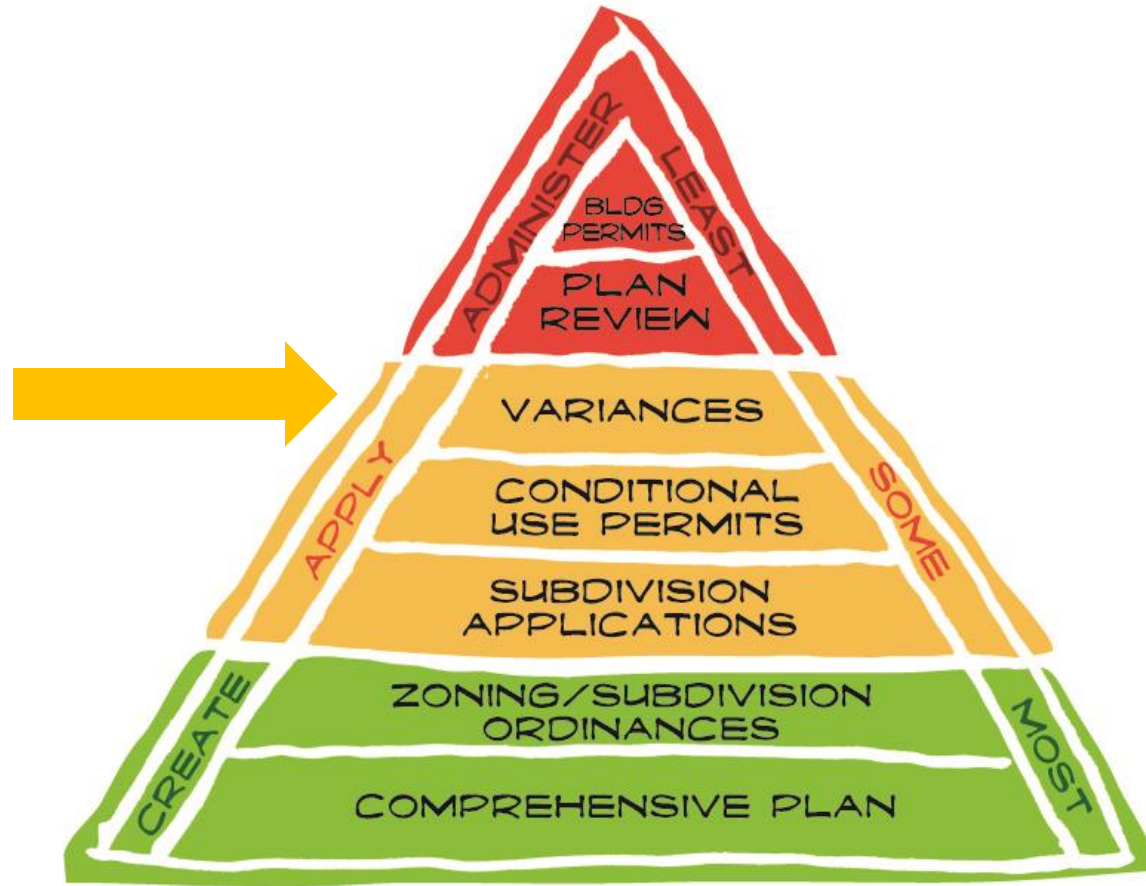
■ Conditions:

- Hours of operation
- Timing of drop-off/pick-up of deliveries
- Truck parking location
- Signage

■ If a specific use is not desired, it should not be listed as a permitted “conditional use”



Land Use and Zoning Tools



Land Use and Zoning Tools

□ Variance

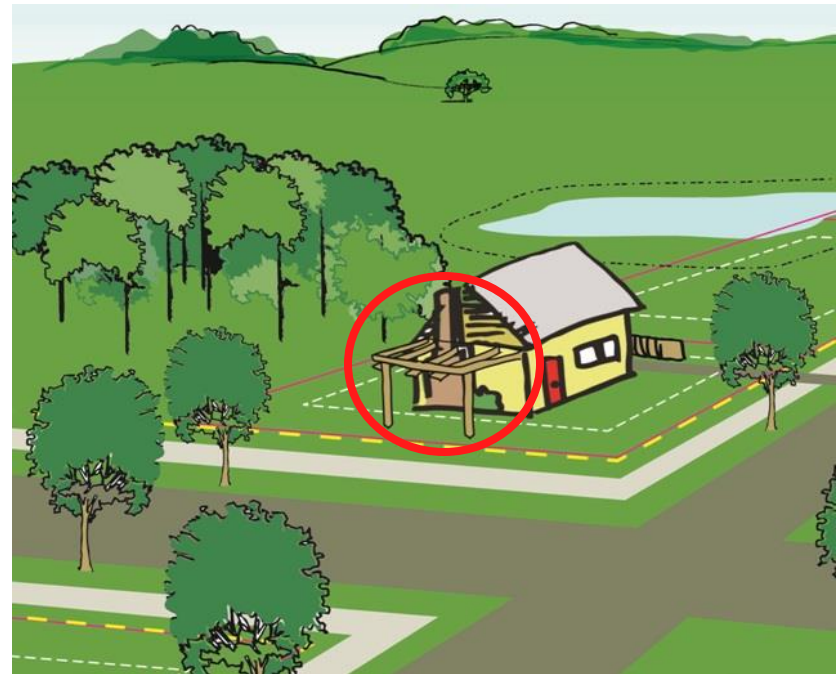
- A permitted departure from strict enforcement of the ordinance
- Hardship vs. Practical Difficulty
 - Reasonableness
 - Uniqueness
 - Essential character



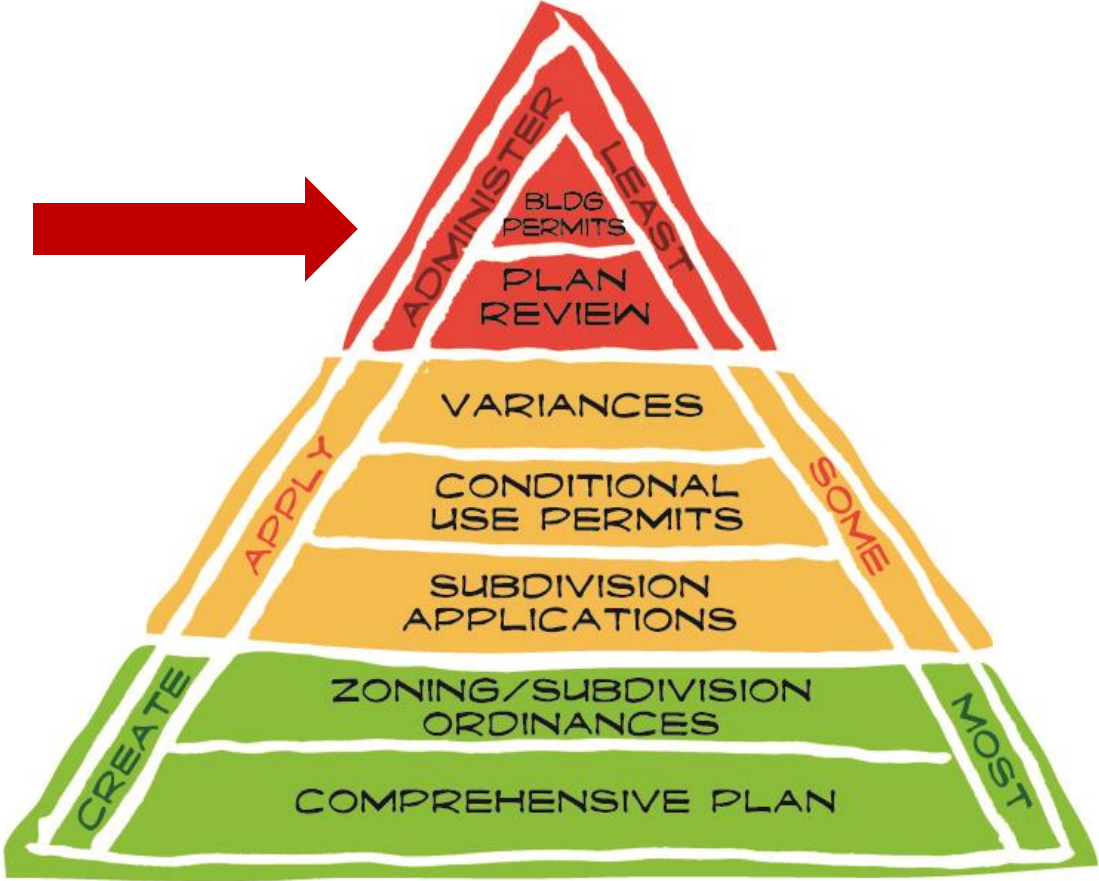
Land Use and Zoning Tools

□ Variance

- A permitted departure from strict enforcement of the ordinance
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Land Use and Zoning Tools



Mock Variance

Mock Variance Application Exercise

- Request for a Variance to the Required Front Yard Setback for a pergola previously constructed without obtaining a building permit

Mock Variance Application Exercise



Mock Variance Application Exercise



Mock Variance Application Exercise

- Front Yard Variance Overview
 - A 14-foot by 14-foot pergola was constructed in the front yard without obtaining a building permit
 - Because the pergola is less than 6 feet from the home, it must meet principal structure setbacks
 - A 30-foot front yard setback is required
 - The pergola is 24 feet from the front lot line, however, it is 37 feet from the edge of the curb

Mock Variance Application Exercise

- Front Yard Variance Overview (Cont.)
 - The Applicants were unfamiliar with the required setbacks or that a building permit was required
 - The Applicants believe the pergola adds to the appearance and enjoyment of the front yard
 - Signatures from 10 other homeowners along the street have been obtained in support of the requested variance

Mock Variance Application Exercise

- Options available to the property owners not requiring a variance:
 1. Remove the pergola from the property
 2. Relocate the pergola to a spot on the property where it meets required setbacks
 3. Decrease the size of the pergola by 6 feet so that it meets the 30-foot setback

Mock Variance Application Exercise

Discussion

10 minutes – Groups of 4-5

□ Variance Criteria

1. Practical difficulty exists
2. Uniqueness to the property
3. Request is not exclusively financial
4. Difficulties not created by property owner
5. Not detrimental to public welfare or other property
6. Is in keeping with the spirit and intent of the ordinance
7. Will not impair light or air to adjacent property
8. Consistency with the Comprehensive Plan

Legal Basics

Legal Basics

- Parliamentary Procedure
 - Order of Business
 - Establishing a quorum
 - Call to order
 - Approval of agenda and minutes
 - Agenda items: consent items, public hearings, other k
 - Announcements
 - Adjournment

 - Making a Motion
 - Call for Motion
 - Motion
 - Second
 - Discussion (Amendments)
 - Call for Vote
 - When a super majority is needed



Legal Basics

▣ Open Meeting Law

- Intended to provide transparency and openness
- Prohibits members of a governing body from discussing official business outside of a public forum
- Includes social media and discussion before a meeting starts

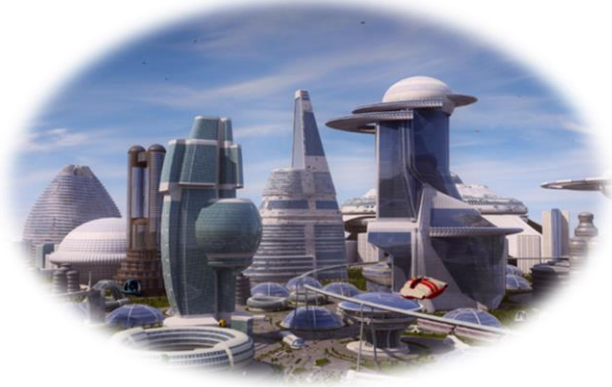


Legal Basics



- Applications
 - 15-days to deem an application complete/incomplete
- 60-Day Rule – Agency must approve or deny a request within 60-days
 - Failure of an agency to deny a request within 60-days is approval of the request
 - Extension of time limit allowed with written notice by an additional 60-days (thus “120-day rule”)
 - Beyond 120-days requires consent by applicant

Plan Today for a Better Tomorrow



Questions?

- WSB's Planning Group

- Breanne Rothstein, AICP

- 763-231-4863

- Addison Lewis

- 763-231-4873

- Planning Resource

- APA MN Citizen Planner Handbook

- http://www.mnapa.com/documents/_2012/Citizen-Planner-Handbook_Nov2012.pdf



American Planning Association
Minnesota Chapter



Citizen Planner
Handbook