

**MINUTES  
CITY OF FALCON HEIGHTS  
REGULAR PLANNING COMMISSION MEETING  
October 21, 1997**

**PRESENT**

Paul Kuettel, Acting Chair  
Ken Salzberg  
Wayne Groff  
Irene Struck

**ABSENT**

Tom Brace  
Wendy Treadwell

**ALSO PRESENT**

Carla Asleson, Planner  
Susan Hoyt, City Administrator  
Sue Gehrz, Mayor  
Roger Knutson, City Attorney

Meeting was called to order at 7:00 p.m. by Acting Chair Kuettel.

**APPROVAL OF SEPTEMBER 16, 1997 PLANNING COMMISSION MINUTES**

The planning commission minutes of September 16, 1997 were approved by unanimous consent.

**REVIEW OF CITY COUNCIL MINUTES**

The September 10, 1997 city council minutes were reviewed by the commission for informational purposes.

**REQUEST FOR VARIANCES TO CONSTRUCT A PARKING SPACE AT 1588  
VINCENT STREET**

Planner Asleson reported that Phillip and Kathleen Sellev, 1588 Vincent Street, were requesting two variances. The first would allow the placement of a parking pad in the front yard and the second be a one foot variance to allow the combined driveway/parking area to be nineteen feet wide. Asleson explained that this lot has unique topography and the layout is such that there is presently only space to park three cars. There is no other reasonable place to put another parking space. As for the width variance, it is being requested because a retaining wall on the south side of the property will inhibit the opening of the passenger side door and the extra foot would allow a car to park in the space while allowing a second car to pass through to the north. Asleson further noted that a letter in opposition to the variance had been received from Kay Blair, 1582 Vincent Street, who was concerned about the aesthetics of the proposal as well as the possible precedent set by granting the variance.

Phillip Sellev, 1588 Vincent Street, commented on his need to have additional off-street parking. His existing driveway is very narrow and he cannot park his larger vehicle on the driveway when there is a lot of snow.

Lawrence Goodman, 1589 Vincent Street, spoke in favor of the proposed variance, noting that it is difficult for him to back out of his driveway when there are cars parked on Vincent Street. He also stated his opinion that cars on the street are more of a visual problem than off-street parking spaces.

Commissioner Salzberg commented that he understands the necessity for off-street parking spaces, but is concerned about setting precedent, as there are other properties in the Grove neighborhood in similar circumstances. Although this site plan looks good, the aesthetics of the entire neighborhood could be affected if future parking pads were not so well planned.

The commissioners discussed the merits of the variance proposals. Attorney Knutson commented that precedent does not legally apply to variances and that each case can be judged on its own merits.

Motion was made by Commissioner Struck, seconded by Commissioner Groff, to approve Planning Commission Resolution 97-05, recommending approval of the two requested variances. Motion passed unanimously.

**REQUEST FOR CONDITIONAL USE PERMIT FOR THE OPERATION OF A SCHOOL AT 1781 N. PRIOR AVENUE IN A B-2 ZONE AND A REQUEST FOR A VARIANCE TO PERMIT UNLOADING ON A PUBLIC STREET**

Administrator Hoyt reported that the property owner of 1781 N. Prior Avenue had requested consideration of the conditional use permit and variance on behalf of the Metro Deaf School. After giving some background on the history of the site, Hoyt reviewed the proposed conditions in the conditional use permit, which encompassed the areas of loading/unloading of students, on-site parking and designated play areas. Hoyt also reviewed the proposed variance, which would permit the loading and unloading of students off of Prior Avenue. The site presently has only one entrance. It originally had through access when it was built, but the second access was blocked when Maple Court was built. If the variance is granted, students would be dropped off at the curb and would walk about 75 feet to the front door. The fire department has no public safety issues with this practice provided that drivers remain with their vehicles.

Hoyt noted that there were several people who called with questions and concerns regarding the type of school proposed, ages of students, transportation, and arrangements for outdoor recreation.

The commission recessed for a five minute break.

Barbara Boelter, President of the Metro Deaf School (MDS), gave a brief presentation regarding the history of the school and gave the audience an idea of how the organization uses a school building. The school presently is located in downtown St. Paul, which is a security concern for the children. The building under consideration is located in a residential area like many other elementary schools. Students are escorted to and from their vehicles when being delivered and picked up at the end of the day. MDS has had preliminary discussions with the Roseville Schools regarding the use of their facilities for formal physical education classes. Students would be outside, weather permitting, for recess after lunch. There are no formal after school students activities. The anticipated hours of operation are Monday through Friday, 9:00 a.m. to 3:00 p.m. Boelter closed her presentation by noting that she looked forward to working with her neighbors and with the Falcon Heights community.

Commissioner Kuettel asked Boelter to comment on anticipated expansion of the school. Boelter replied that the school foresees that a maximum of 55 to 60 students if the school grows to grade eight would fit in the proposed building while keeping the class sizes small.

Commissioner Kuettel opened the public hearing, noting that the issue at hand is the utilization of the property and not the merits of the school itself. He also explained that the Planning Commission is an advisory body and that the City Council is the final decision making authority on these matters.

Phil Riley, 1785 Maple Court, asked Boelter why MDS needed a new building, whether they had looked at other properties, and about their expansion plans for the future. Boelter replied that the landlord of the current building is moving the school to the basement, which is unacceptable. There are also security issues in the current location. The MDS board has looked at many other properties and finds that 1781 Prior would best fit their needs as a special education school. Finally, Boelter reiterated that MDS anticipates that they would not be able to accommodate more than 60 students in the building.

Dick Walrich, 1749 Maple Court, made the following comments:

- This is not a good use for the building. The corner of the commercial building is very close to the property line and to the nearest Maple Court townhouse.
- When the Maple Court residents moved in, it was anticipated that the quiet, low-impact uses of office buildings, City Hall, and the fields would continue. 80% of the residents are retired people and moved to Maple Court because of its quiet characteristics. A school would change this quiet character.
- The increase in value of the townhomes has been due to their location. Having a school building thirty feet away from the townhouses would decrease the value of the property.
- The association's lawn service will not spray for weeds or fertilize with a school building so close to the property line.
- There are problems with the transportation plan in the parking lot in that vehicles must back up to exit the property.
- Loading and unloading in the cul-de-sac will work when there is no snow, but will be a problem once there is a lot of snow on the ground. A sidewalk will need to be installed on Prior Avenue to make the walk safe for the children. Walrich cited state of Minnesota "Guidelines for Loading and Unloading" of school buses and noted areas where this transportation plan did not conform to the guidelines.
- There is no room on the site for kids to play in the winter, and limited room to play in the summer. Busing children to the Roseville Schools for play will increase bus traffic on Prior Avenue.
- There are better sites available for the school, for Maple Court residents, and for the safety of the children. The property owner can get other tenants. He hopes that the proposal will be withdrawn.

The commission took a five minute break.

Julie Fraser, 1998 Garden Avenue, made the following comments:

- She has concerns that the future play area would require the cutting of trees, which are a neighborhood buffer, and the safety of the children given that there is a drainage ditch to the north of the property.
- She had heard that Hewlett-Packard might offer play space on their property. Her own children weren't allowed to play on the H-P property; why would MDS be permitted to do so?
- Her family put in a swimming pool and is concerned about their liability with a school in the area.
- In order to use Community Park, the children would have to walk through the Falcon Woods neighborhood. There are some parked cars in the area, which might be a safety concern.

Ken Yoder, 1759 Maple Court, stated that he doesn't have reservations about a school at the site, but is concerned about the maintenance of the non-developed play area in the rear of the building (reseeding the lawn, picking up the trash, etc.) He is also concerned about how the school would keep the play area contained to the school property.

V. Elving Anderson, 1748 Maple Court, explained that he and his wife are the newest residents of Maple Court. He has been involved in educational boards in the past and realizes that there can be difficulty finding space for school facilities. He has mixed feelings about this proposal. He would like to see a longer range look to the school's future use of the site. Also, the play areas would need quite a bit of monitoring so that the children would know where they could play.

Paul May, architect with Rafferty Rafferty Tollefson Architects, explained that he is the architect working with MDS. He has worked designing schools for the past 15 years on over two dozen schools. He specializes in designing unique schools. He's observed how MDS operates at their downtown location and reported that the children are well supervised and escorted. He also commented that there is no "school" zoning district in any zoning code that he knows of -- they are always a conditional use in a residential or business district.

There being no one further wishing to speak, Acting Chair Kuettel closed the public hearing.

Commissioner Salzberg asked Barbara Boelter for more information about how the school's transportation works. Boelter responded that there are eleven vehicles that transport students, which range from taxis to buses. The majority are minivans of twenty feet or less. Since most metro districts are already sending students to MDS, students enrolling in the future would likely be added to existing vehicles. For those vehicles which would load and unload in the parking lot, there will be a sidewalk added to the front of the building so that students do not need to walk behind vehicles. Students loading and unloading from Prior Avenue would be escorted to and from the building.

Administrator Hoyt explained that the intent of the variance is to allow for pick-up and drop-off by vehicles of any size along the cul-de-sac for easy loading and unloading of students, similar to a school lot. The parking area would also be available. The city's

planning consultant, who reviewed the transportation plan, thought that loading and unloading from a dead-end cul-de-sac is a reasonable alternative for loading.

Ken Yoder, 1759 Maple Court, noted that yard maintenance on the property has been poor in the past and that he would welcome any improvements in that regard. He doesn't have reservations about the play area use but is concerned about the maintenance of the play area.

Commissioner Salzberg asked if there would be a way to differentiate between the two properties via landscaping or fencing. Paul May commented that the open green space in the development benefits both the neighbors and the school and given that the MDS children are well supervised, they would likely respect the property boundaries. Barbara Boelter of MDS noted that the area would be most useful for small group activities, such as story time.

Hazel Anderson, 1751 Maple Court, commented that the school would bring increased traffic to Prior and Larpenteur from buses and cars. She also expressed concern for the safety of the children given the wetland area on the north of the property.

Commissioner Struck suggested that perhaps the school wouldn't need to use the west side of the property for play, which might alleviate some of the neighbors concerns about the use.

Motion was made by Commissioner Salzberg, seconded by Commissioner Groff, to approve Planning Commission resolution 97-03 as presented, recommending approval of a variance to section 9-13.05 subd. 6, to allow a loading zone on Prior Avenue. Motion passed unanimously.

Motion was made by Commissioner Groff, seconded by Commissioner Salzberg, to approve Planning Commission resolution 97-04 as presented, recommending approval of the conditional use permit for 1781 N. Prior Avenue. Motion passed unanimously.

#### ADJOURNMENT

The meeting was adjourned at 9:32 p.m.

Respectfully submitted,



Carla Asleson  
Planner/Recording Secretary