

City of Falcon Heights Planning Commission

City Hall
2077 W. Larpenteur Avenue

October 25, 2011
7:00 p.m.

A G E N D A

- A. CALL TO ORDER: 7:00 p.m.
- B. ROLL CALL: Black ____ Brown ____ Fite ____ Gustafson ____
 Minns ____ Noble ____ Wartick ____
 Council Liaison Harris ____
 City Administrator Miller ____ Staff Liaison Jones ____
 City Attorney ____
- C. Approval of the minutes for June 28, 2011; September 27, 2011
- D. PRESENTATION by Cox Insurance on Proposed Renovation of Buck's Furniture Site, 1639 Larpenteur
- E. INFORMATION AND ANNOUNCEMENTS
- F. ADJOURN to workshop

WORKSHOP AGENDA

This workshop is open to the public.

- 1. Workshop: Revisiting front porches, continued
Due to lack of a quorum in September, the workshop was postponed to October. The goal is to reach a consensus on whether or not to go ahead with some change to the zoning code at this time and request a proposed code amendment, if needed.

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
September 27, 2011**

PRESENT: Commissioners Black, Brown, Noble, Council Member Harris, Staff Liaison Jones.

ABSENT: Commissioners Fite, Wartick, Gustafson, Minns

The meeting was called to order at 7:07 p.m. by the Chair, Commissioner Black, who noted that the Commission did not have a quorum in attendance.

The only item of official business, approval of the minutes for June 28, 2011, was tabled until the next meeting.

Information And Announcements:

Zoning and Planning Director Jones reminded the audience that tonight's meeting is being held as scheduled in spite of lack of official business because of a requirement in the city code that the Planning Commission must meet at least once per quarter. Since the Commission has not met formally since June, September was the only remaining opportunity. For the same reason, the Commission will meet again in October to make sure there is a fourth quarter meeting before the holiday season makes it difficult to get a quorum.

Staff had intended for the front porch workshop to continue, but in view of the absences Ms. Jones recommended postponing the workshop to the next meeting. Council Member Harris said that the Council would like to get something concrete on the front porch issue by the end of the year.

ADJOURNMENT: The meeting was adjourned at 7:12 p.m.

Respectfully submitted,

Deborah Jones, Staff Liaison

**City of Falcon Heights
Planning Commission Minutes
June 28, 2011**

PRESENT: Commissioners Black, Brown, Gustafson, Minns, Noble, Staff Liaison Jones.

ABSENT (with notice): Commissioners Fite, Wartick, Council Member Harris

A quorum being present, the meeting was called to order by the Commissioner Black, Chair, at 7:02 p.m.

The minutes for February 22, 2011, were approved.

Public Hearing: Amending the Falcon Heights City Code to make the variance ordinance consistent with new State Law

Staff Liaison Jones offered a detailed introduction of the matter under consideration. A 2010 decision by the Minnesota Supreme Court had a major impact on the ability of cities to grant zoning variances, requiring a much narrower and stricter standard than had been the practice for many years. In May, 2011, a new state law went into effect that essentially returned the standard for variances to the “reasonable manner” understanding that was in effect before the 2010 decision. The League of Minnesota Cities recommended that cities look at their variance ordinances and bring them into line with new state law. A draft amendment has been provided by the city attorney for consideration this evening.

The Chair opened the public hearing. As there was no one who wished to speak, the Chair asked for and received a motion to close the hearing, seconded and approved unanimously.

Variance Amendment: Discussion and Commission Action

Jones offered to read the definition of “practical difficulties” as set out in both the Minnesota Statute and the proposed new city ordinance. The new wording moves the “uniqueness” requirement that was formerly in the findings to the definition. She confirmed that “practical difficulties” replaces the “hardship” phrases in the existing version of the variance section.

Commissioners asked for clarification on several points and discussed a couple of examples from Falcon Heights over the last ten years. A Frequently Asked Questions document from the League of Minnesota Cities website was recommended for reading by any interested member of the public.

Staff asked the Chair for the opportunity to provide two additional points of public education, also found in the LMC FAQ document:

- Public opinion alone is not sufficient to grant or deny a variance. “All my neighbors say it’s OK” is not grounds for approval. The statutory standards must be met.

- Prior variance decisions or existing conditions on other properties are no guarantee that the same thing will be allowed in a new case. Configurations of other properties may have existed before present codes, and prior variance decisions do not set a precedent. The statutory standards, again, must be met for any new variance.

In other words, though the new statute is less restrictive, it does not mean variances will be easy to obtain. Falcon Heights has granted very few over the last 10 years and observes fairly tough criteria. Staff works with owners and contractors to plan within the code in order to meet their goals without variances.

A motion to recommend approval of the ordinance amendment was made by Gustafson, seconded by Minns, and approved unanimously.

Change to Standing Rules – tabled from February 22

At the request of the Commission, staff had rewritten a paragraph dealing with the opening of public hearings, putting procedure into chronological order in the paragraph. The Commission approved the minor change by consensus.

Information And Announcements:

Jones had a few updates for the Commission

- The hearing that was scheduled last month regarding a rezoning of a narrow portion of the Awad Clinic property at Hamline and Larpenteur was canceled last month, staff research discovering that the situation was more complicated than expected and that rezoning might not even be needed. (The western strip of property is on the books as residential, though it has always been used for commercial use.)
- Last month the Commission met in workshop with representatives of the Ramsey County Historical Society to hear about the Society's plans for the future of the Gibbs Museum property. The eventual goal is to give the museum property, currently zoned P1/R1, a more appropriate designation, as it is not really "public land." This will take place when the Historical Society is ready to come forward with a more definite plan. In the meantime the house at 2129 Larpenteur is being rented as a residence, licensed.
- Commissioner Wartick is not present due to a new baby in the family.
- Parks and Recreation has two great events coming up in July – Movie in the Park on July 13 and the Ice Cream Social on July 28.

ADJOURNMENT: The meeting was adjourned at 7:38 p.m.

Respectfully submitted,

Deborah Jones, Staff Liaison



The City That Soars!

REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date	October 25, 2011
Agenda Item	1
Title	Presentation by Cox Insurance, new owner of 1639 Larpenteur
Submitted By	Deborah Jones, Staff Liaison

Description	Personnel from Cox Insurance of Roseville and their architect will present preliminary plans for renovation of the former Buck's Unfinished Furniture site in 2011-2012.
Background	<p>1639 Larpenteur, a commercial property zoned B-3 and located between Fry St. and St. Mary's St., was originally a Robert Hall clothing store, built in 1959. For many years it housed a Buck's Unfinished Furniture store. It has been vacant since early 2010. The property has been purchased by Cox Insurance, a local family-owned agency that has been in business for 60 years and is presently located on Fairview Avenue at County Road D in Roseville. The company is seeking a larger space with more parking than their Roseville site.</p> <p>The company seeks to do extensive renovation to the existing building, plus an addition to the front of the building and significant reconfiguration of landscaping and parking. Preliminary plans have been shown to city staff at several stages. Great care has been taken to be sure the proposed alterations and additions are completely within the requirements of the city code.</p> <p>Cox Insurance has accepted our invitation to present their plan to the Planning Commission as a way of sharing it with the general community and letting neighbors know what is going to happen to the site. Permits will be applied for in the coming weeks, and construction is expected to begin by the end of the year.</p>
Budget Impact	None
Attachment	2008 aerial photo of 1639 Larpenteur with parcel information (Ramsey County)
Action(s) Requested	<p>None. This presentation is informational only.</p> <p>The plans as presented to date conform to code requirements for the B3 zone and do not require variances, conditional use permits or other Council action.</p>

1639 Larpenteur Avenue - Buck's Furniture

2008 Aerial Photo - Ramsey County/Pictometry



- Municipalities
- Road Centerlines (County)
- County Road
- Interstate Hwy
- State Hwy
- Roads
- Pavement Edge
- Water
- Structures
- Parcel Polygons
- Parcel Lines and Land Ties
- Land Ties
- Platted Lot Lines
- Parcel Map Labels
- 2008 Color Aerials
- Highway Shields
- Street Name Labels

DISCLAIMER: This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only.

SOURCES: Ramsey County (June 28, 2010), The Lawrence Group, June 28, 2010 for County parcel and property records data; June 2010 for commercial and residential data; April 2009 for color aerial imagery; All other