

# *City of Falcon Heights Planning Commission*

City Hall  
2077 W. Larpenteur Avenue

Tuesday, January 24, 2012  
7:00 p.m.

## **A G E N D A**

- A. CALL TO ORDER: 7:00 p.m.
- B. ROLL CALL:       Black\_\_\_\_ Brown \_\_\_\_ Gustafson \_\_\_\_  
                          Minns \_\_\_\_ Noble \_\_\_\_ Wartick\_\_\_\_  
                          Council Liaison Harris \_\_\_\_ Staff Liaison Jones \_\_\_\_  
                          City Administrator \_\_\_\_ City Attorney \_\_\_\_
- C. AGENDA
  - 1. Welcome and introductions (Staff)
  - 2. Election of Planning Commission Chair and Vice-Chair for 2012  
(2011 Chair will preside until this point)
  - 3. Annual review of Planning Commission policies and standing rules
- D. APPROVAL OF MINUTES for October 25, 2011
- E. INFORMATION AND ANNOUNCEMENTS
- F. ADJOURN to training workshop (open to the public):
  - 1. Update on status of Hermes property and other projects
  - 2. Annual orientation/review of Commission procedures

*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.*

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**City of Falcon Heights  
Planning Commission Minutes  
October 25, 2011**

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

**ABSENT:** (with notice) Commissioners Black and Brown

The meeting was called to order at 7:05 p.m. by the Vice Chair, Commissioner Noble, who noted that a quorum was present.

The minutes for June 28 and September 27 were approved as submitted.

**PRESENTATION: Proposed renovation of Buck's Furniture building by Cox Insurance Company**

Staff liaison Jones introduced the presentation by providing some background on the history of the building, which began as a clothing store in the 1950s. It has been vacant for over a year and has recently been purchased by Cox Insurance, a local company, which has approached the city with proposed plans for renovation and an addition. Jones said great care has been taken to keep the proposed project within the requirements of the existing code for the Snelling-Larpenteur Central Business District. Therefore, no special permits or variances are needed, only building permits. This evening's presentation is simply for public information, so the community will know what is being done at the site.

Ric Cox, owner of Cox Insurance, told the Commission and audience a little about his company, a 60+ year old, third generation family owned business presently located in Roseville. He expressed appreciation for the welcome and cooperation the company has received from Falcon Heights staff. He and his family grew up in the area and lived in Falcon Heights in the past, so when their business outgrew its present facility, they searched for a new location and found that the Buck's site would suit their needs and could be renovated to accommodate their company. Their proposed plan will add over 3000 square feet to the building in the front and completely renovate the existing building and the landscaping.

They believe in sustainable architecture and plan to substantially increase the amount of green space on the property. They will also provide office space for the law firm that shares their present building, a retail space at the southeast corner of the building, and space in the common area for local artists to show their work. Mr. Cox said his company is an advocate of helping kids in need and runs a non-profit called "Soup it up" that raises money for local children in need.

Mr. Cox introduced his architect, Dave Clark of WCL Associates, who showed a "fly through" graphic of the proposed renovation and described the plans. The building will be in a modern style and make an architectural "statement" on the street. Vehicle access cuts will be removed from Larpenteur. A new parking lot access would be put in from Fry Street to the west parking space.

Commissioners had some questions about parking. Jones said staff had taken a careful look at the parking configuration and the ordinance and concluded that parking would be "ample" for the proposed use. There will be no need to overlap with the restaurant parking to meet requirements, though property owners would be free to make arrangements on their own.

Mr. Cox returned to the podium to show a preliminary plan for the landscaping. He said the company hoped to start construction in January and complete work in early August, 2012. In response to Commissioner Wartick's question about signage, Jones said that would be permitted separately. Mr. Clark said signage plans were not yet set. Mr. Cox said Commissioners are welcome to stop by their current building on Fairview at County Road D.

Commissioners' response to the renovation plan was uniformly positive

**Information And Announcements:**

The only announcement was a staff reminder to the public that the Commission would be adjourning to workshop to finish their work on considering changes to the City's ordinances to allow more in the way of front entry porches than the code now permits.

**ADJOURNMENT:** The meeting was adjourned at 7:34 p.m.

Respectfully submitted,

Deborah Jones, Staff Liaison



**The City That Soars!**

## REQUEST FOR PLANNING COMMISSION ACTION

<b>Meeting Date</b>	January 24, 2012
<b>Agenda Item</b>	1
<b>Title</b>	Annual Review of Commission Standing Rules
<b>Submitted By</b>	Deborah Jones, Staff Liaison

<b>Description</b>	Commission standing rules and policies are to be reviewed annually in January.
<b>Background</b>	<p>Planning Commission policy requires the Commission to review its Standing Rules and other policy documents annually. These documents were extensively reviewed and updated in 2008 with additional corrections in 2009. In 2011, the Planning Commission approved a minor revision of the Commission's Standing Rules. A copy of the revised document is attached for Commission review.</p> <p>As no changes have been discussed in other documents since 2009, those documents (Sikkink's Seven Motion System, Falcon Heights City Code Section 2-118, Planning Commission Policies from the City Administrative Manual) are not attached. Staff requests that Commissioners review their copies from last year and bring any needed changes to the meeting.</p>
<b>Budget Impact</b>	None
<b>Attachment(s)</b>	<ul style="list-style-type: none"> <li>Falcon Heights Planning Commission Standing Rules, June 28, 2011.</li> </ul>
<b>Action(s) Requested</b>	<p>Staff requests that Commissioners review the standing rules and make any necessary recommendations for amendment. If no changes are recommended, no action is needed at this time.</p> <p>Staff recommends that commissioners add this document to their code binders or computer files for future reference.</p>

# FALCON HEIGHTS PLANNING COMMISSION

## PLANNING COMMISSION STANDING RULES

February 26, 2008; Revised June 28, 2011

### INTRODUCTION

In the belief that the best decisions are made by the best informed decision makers and that the public decision process is best served when the public has every opportunity to present views, the following rules are established to govern regular and special commission meetings as well as formal public hearings. There are several goals behind these rules.

1. In general, free and open discussion by all interested parties should be an essential part of the decision making process.
2. The commission process should have as little procedural overhead as possible.
3. Time is better spent on substantial matters rather than pro forma matters.

### MEMBERSHIP

The formal commission membership consists of seven to nine appointed commissioners. All seven to nine have one vote each and all can introduce motions. For purposes of leading the meeting, the chair, or in the absence of the chair, the vice-chair will be considered the chairperson. In the absence of the chair and vice-chair, the Commission shall name an acting chair for the duration of the meeting.

### RULES

#### Agenda

1. To be considered, an item must be on the agenda and the agenda must be distributed to all the commission members and any other persons having responsibility for an item at least three working days prior to the meeting. Distribution may be made by electronic media, including the city website. An agenda can be modified with addenda by a majority vote but this should be used only for minor items or items with extreme time constraints.
2. Since there will be audience and possibly cable TV viewers not familiar with each item, the chair, or person appointed by the chair, will give a brief explanation of each item as it is addressed.
3. The order of items on the agenda need not be followed absolutely. The chair may adjust the order in the interest of:
  - a. Filling in time before a scheduled item, i.e., a public hearing.
  - b. Grouping several items to best make use of consultant time.
  - c. Accommodating individuals who have attended the meeting specifically to provide input on an item.

## Process - Regular and Special Planning Commission Meetings

1. For these proceedings the commission will use the 'open discussion' procedure. That is, discussion is open to any member before or after a motion is made. This privilege is also extended to the city planner and any of the consultants who may have an interest in or can contribute to the item at hand.
2. At the discretion of the chair, this privilege is also extended to those members of the audience who wish to provide input. The chair may also rule out of order any input felt to be redundant, superfluous or irrelevant.
3. The chair can make liberal use of the "unanimous consent" procedure. That is, items that in the judgment of the chair are likely to be unanimously approved, can be introduced for approval with the statement "If there are no objections, ... stands approved (or denied)." If any commissioner has an objection, then the item reverts to the standard motion procedure. This "unanimous consent" procedure cannot be used for items requiring formal votes, i.e. resolutions.
4. The standard motion procedure is changed to not require a second. A motion need only be made to be considered. This also applies to amendments.
5. To eliminate confusion, only one amendment will be considered at a time and that amendment must be germane to the motion. An amendment cannot itself be amended. If a change to an amendment is deemed appropriate, the amendment should be withdrawn and reintroduced accordingly.
6. The general mode of voting will be by acclamation but with enough clarity that the individual votes can be recorded in the minutes. If in doubt, the secretary can request a clarification.
7. The meeting will be electronically recorded and the recording will be retained for at least 6 months following approval of the minutes for that meeting and shall, if possible, be made accessible on the city website during that period. The standard retention can be extended if in the judgment of the city planner such action is warranted.
8. If the commission action is the result of a resident request and that request is denied in whole or in part, reasons of fact supporting the denial will be made part of the public record.
9. No commission meeting will extend beyond 10:00 P.M. except by unanimous vote. This rule is not subject to the modification or suspension provisions of the Standing Rules.

## Process - Public Hearings

Since a public hearing is a more formal procedure and often requires certain procedures and actions to be legal, the meeting rules are changed accordingly.

1. The primary aim of a public hearing is to take input from the public. To accomplish this in the most effective manner the chair will introduce the hearing with an explanation of the issues. This explanation will be given by the chair or a person designated by the chair. The use of explanatory visual aids is encouraged.
2. Following the explanation and before public input is taken, the chair will state the areas where input will be appropriate, the maximum time to be allotted to any individual presenter and any other rules deemed appropriate to guarantee that all concerned parties have a fair and adequate opportunity to be heard. The chair will then open the hearing to input from the public.
3. At the discretion of the chair, all individuals wishing to speak must fill out and submit an identification form and speak into a recording microphone. Individuals not wishing to speak in public may provide a written statement. The commission may take up to 15 minutes to review written statements presented at the meeting. If the commission decides to not act on the issue at the public hearing meeting, it may by majority vote extend the time where written input will be taken to a day no later than 1 week before the next meeting where a deciding vote is planned.
4. All speakers are expected to be business-like, to-the-point and courteous. Anyone not abiding by these rules will be considered out-of-order.
5. The commission will refrain from initiating a discussion during the public input phase of the hearing except to clarify points brought up. These 'point of information' requests should be held to a minimum.
6. Once the public testimony phase is complete the chair will announce the public hearing to be closed and the commission will revert back to its open discussion mode of operation. From this point on, public input will only be appropriate when solicited by the commission.
7. Voting on any motion that results from a public hearing may be by roll call if requested by a commissioner.
8. It shall be the intent of the commission to vote on the issue at the same meeting as the public hearing and as close in time to the public hearing as possible. Should it be necessary to defer voting until a later date, that procedure will be clearly explained to the audience.
9. No public hearing will extend beyond 9:30 p.m.
10. If the motion contains conditions, as may occur in conditional use or variance requests, those conditions will be conveyed in writing to the requestor.
11. If the public hearing is the result of a resident request and that request is denied in whole or in part, reasons of fact supporting the denial will be made part of the public record.



## ADOPTION/MODIFICATION/SUSPENSION

These rules with the exception of the mandatory 10:00 P.M. adjournment, can be adopted, modified or suspended in whole or in part by a 3/4 vote of the commission. If suspended, they are automatically reinstated at the next meeting. Should they be suspended or a situation occurs that is not covered by the standing rules, Sikkink's Seven Motion System (attached) will apply.

## ANNUAL REVIEW

These rules will be reviewed annually in January.

## INTERPRETATION

The chair will interpret the rules. However, the chair's interpretation can be appealed by any commission member and can be overruled by a majority vote.

### *History*

- *Annual review by the Commission on 2/24/09 – No changes*
- *Annual review by the Commission on 1/26/10 – No changes*
- *Annual review by the Commission on 2/22/11 – Change recommended to clarify sequence of events in Process – Public Hearings, Item 2. Change approved 6/28/2011*

# *City of Falcon Heights Planning Commission*

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February 28, 2012  
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 Fischer \_\_\_\_ Staff Liaison Jones \_\_\_\_  
                          City Attorney \_\_\_\_
- C. Approval of the minutes for January, 2012
- D. PUBLIC HEARING: Amending the Falcon Heights City Code to allow certain front porch encroachments into required front yards.
- F. AGENDA ITEMS:
  - 1. Discussion and recommendation to the City Council on proposed front porch ordinance amendment
- G. INFORMATION AND ANNOUNCEMENTS
- H. ADJOURN

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

**PRESENT:** Commissioners Black, Brown, Gustafson, Minns, Noble, Council Member Harris, Staff Liaison Jones. **ABSENT:** (with notice) Commissioners Fite, Wartick

The meeting was called to order at 7:10 p.m. by the 2011 Chair, Commissioner Black, who noted that a quorum was present.

Commissioners elected Commissioners Black and Noble were nominated to serve a second year. They were elected by acclamation.

As required on a yearly basis, Commissioners reviewed the standing rules. Jones gave a brief recap of the last year's change clarifying item 2 under "Process – Public Hearings". She asked for any suggestions this year. Commissioner Noble had a question about Item 4 under Process - Regular and Special Planning Commission Meetings, regarding the seconding of motions not being required. Councilmember Harris said that the Council rarely seconds motions. After a brief discussion, the item was left as it stood, and the Commission voted to approve the standing rules for 2012.

The minutes for October 25 were approved as submitted.

**Information And Announcements:**

Jones announced that the Winterfest event has been canceled due to "lack of winter". This was just announced today. She recommended that people check the City website for confirmation of this or call City Hall for more information.

Jones announced to the public that the meeting would adjourn to the customary annual orientation and training for commissioners – brief because all commissioners are returning – and a recap of certain ongoing projects in the city. She introduced a guest, Tim Venne, one of the brokers for the Hermes property, which is for sale. He accepted an invitation to fill Commissioners in on the market status of that property. Jones said she hoped there would be "real news" of the future of Hermes some time in the new year.

**ADJOURNMENT:** The meeting was adjourned at 7:13 p.m.

Commissioners adjourned to an annual orientation/update workshop.

Respectfully submitted,



Deborah Jones, Staff Liaison

## Minutes of the Planning Commission Workshop

January 24, 2012

1. Staff presented a brief review of the parcel information and zoning on the three Hermes parcels, 1750 – 1790 Larpenteur. The total area is 3.44 acres. The property was formerly zoned B-2, Limited Business, but was rezoned in 2010 as R-5M, High Density Residential Mixed use, which includes B-2 uses, as part of the implementation of the 2008 comprehensive plan.
2. Guest Tim Venne, one of the brokers for the property, filled Commissioners in on the market status of the property. There have been numerous enquiries but no sale to date. The market would not currently support market rate housing on a property of that size, so there has been more interest from developers, including non-profits, in developing affordable housing on part of the site. Because these developments depend on grants for financing, the timeline can be long for the seller. There have also been inquiries from potential buyers interested in professional or research use of part of the property.
3. As all Commissioners have served at least one year, the annual orientation was omitted and staff asked Commissioners if they had any questions regarding zoning processes. There were none.
4. Staff presented a preliminary front porch amendment draft based on the St. Louis Park section Commissioners favored at the October workshop. The draft needed concrete numbers for what would be allowed before being sent to the city attorney. Commissioners agreed to use the St. Louis Park numbers, subject to change after the hearing. However they favored allowing the height of the encroachment to be limited by the roof peak of the house, rather than the first floor, as other cities do. The intention is to avoid placing impractical restrictions on the architectural design of these features. They also wanted to make sure some minimum distance (24 feet) is maintained between a front porch encroachment and the front lot line.



**The City That Soars!**

## REQUEST FOR PLANNING COMMISSION ACTION

<b>Meeting Date</b>	February 28, 2012
<b>Agenda Item</b>	1
<b>Title</b>	Ordinance amending the Falcon Heights zoning code to allow certain front porch encroachments
<b>Submitted By</b>	Deborah Jones, Staff Liaison

<b>Description</b>	An ordinance is proposed to amend the City Code to allow limited encroachment of open front porches into required front yards in R-1, R2 and R-3 residential zones.
<b>Background</b>	<p>The Falcon Heights City Council adopted as one of its 2011 goals a revisitation of the rules regarding front porches as allowed front yard encroachments in Falcon Heights. Front porches were not a popular architectural feature when most of the homes in the city were built, but they have a practical value in providing shelter at a front entry. They can also have a community value in encouraging neighborhood socialization. Since most houses in the City were built right up to the front setback line, the addition of a covered stoop or porch means encroaching into the required front setback. Falcon Heights code does not presently allow a porch or covered stoop as an encroachment, but the City regularly receives inquiries from resident interested in adding them.</p> <p>The Planning Commission was charged with researching other cities' ordinances, studying the front porch issue as it might affect the residential streetscapes of Falcon Heights, and coming up with a recommendation to the Council. The commission conducted this work in a series of workshops in August, September and October, 2011.</p> <p>The general consensus of the Commission was that allowing open front porches, including covered stoops, with limits on the encroachment, would be a welcome amenity without adversely altering the character of city neighborhoods. Screening or any other kind of enclosure of such a porch would not be permitted.</p>
<b>Budget Impact</b>	None
<b>Attachment(s)</b>	<ul style="list-style-type: none"> <li>Proposed ordinance amending Chapter 113</li> </ul>
<b>Action(s) Requested</b>	<ul style="list-style-type: none"> <li>Hold a public hearing on the proposed ordinance</li> <li>Make a recommendation to the City Council</li> </ul>

ORDINANCE NO. \_\_\_\_\_

**CITY OF FALCON HEIGHTS  
RAMSEY COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING CHAPTER 113 OF  
THE CITY CODE CONCERNING PORCHES**

THE CITY COUNCIL OF FALCON HEIGHTS ORDAINS:

**SECTION 1.** Section 113-3 of the Falcon Heights City Code is amended by adding the following definition:

Porch means a roofed, open area attached to a building with direct access to and from the building to which it is attached.

**SECTION 2.** Section 113-241 of the Falcon Heights City Code is amended by adding Subsection (b)(5) to provide as follows:

- (5) Porches with open railings which do not have walls, doors, windows or screens and which do not extend above the roof line of the building to which they are attached may encroach into the required front yard six feet if they are a minimum of five feet from any interior side lot line, nine feet from any side yard line abutting a street, and 24 feet from any front lot line.

**SECTION 3. Effective Date.** This ordinance shall take effect from and after its passage.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012, by the City Council of Falcon Heights, Minnesota.

CITY OF FALCON HEIGHTS

BY: \_\_\_\_\_  
Peter Lindstrom, Mayor

ATTEST:

\_\_\_\_\_  
Bart Fischer, City Administrator/Clerk