



The City That Soars!

REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date	June 2, 2020
Agenda Item	Agenda E1
Attachment	See below
Submitted By	Justin Markon, Community Development Coordinator

Item	Discuss Conditional Use Permits (CUPs)
Description	<p><i>From a League of Minnesota Cities Information Memo:</i></p> <p>A conditional use is a land use designated in a zoning ordinance that is specifically allowed in a zoning district so long as certain standards are met. The zoning ordinance typically detail both general standards that apply to all conditional uses, as well as specific standards that apply to a particular conditional use in a given zoning district.</p> <p>A use is typically designated in a zoning ordinance as conditional because of hazards inherent in the use itself or because of special problems that its proposed location may present. For example, uses that generate traffic such as family childcare, service stations, convenience stores, or drive-thrus are often designated as conditional uses.</p> <p>A conditional use permit is a document a city issues to grant a conditional use when the general and specific ordinance standards have been met by the applicant. The use is allowed by permit only if the special concerns are addressed as set forth in the zoning ordinance. Conditional use permits are authorized under state law.</p> <p style="text-align: center;">---</p> <p>The City of Falcon Heights has sections of the City Code devoted to conditional uses. Some of these sections are included as an attachment. As the information from the memo above notes, there are conditions that all conditional uses must follow and special ones that may be detailed in City Code or the final City Council approval. Conditional uses are permitted in both residential and business districts. In Falcon Heights, we have only a few active CUPs, namely for gas stations and Falcon Heights Church.</p> <p>CUPs are granted only after a public hearing by the Planning Commission and approval by the City Council showing sufficient evidence that conditions are/will be met. The CUP remains valid as long as the conditions are met and it “runs with the land.”</p>

Attachment(s)	<ul style="list-style-type: none">• League of Minnesota Cities Information Memo• Falcon Heights City Code excerpts
Action(s) Requested	Staff would like to provide this information as background to the topic of CUPs.



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REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date	June 2, 2020
Agenda Item	Agenda E2
Attachment	See below
Submitted By	Justin Markon, Community Development Coordinator

Item	Discuss Drive-Throughs
Description	<p>Currently, drive-throughs are only allowed in Falcon Heights in conjunction with financial institutions. This policy has been in place since 2006. There are no drive-throughs operating in the city currently.</p> <p>Dino's has begun submitting formal documents to request they be allowed to operate a drive-through with their restaurant. We will not be discussing the Dino's property specifically at this time. Rather, staff would like to brief the Commission on the topic of drive-throughs since there are currently none in our city.</p> <p>Drive-throughs are often allowed through the conditional use permit process, as is the case in Falcon Heights. Further, drive-throughs are only allowed in the B-2 zoning district. The only properties currently zoned B-2 are two office buildings north of City Hall and the back half of the Spire Credit Union building on Prior Avenue. Drive-throughs are defined as follows in our City Code:</p> <p><i>Drive-through facility</i> means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or window or automated machine, to persons remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be permitted only as an accessory use in combination with a bank of financial institution. A drive-through facility does not include a vehicle washing facility, a vacuum cleaning station accessory to a vehicle washing facility, or an automobile/gasoline service station.</p> <p>Section 113-252 of the City Code provides the specific conditions that must be met for a drive-through:</p> <p>Sec. 113-252 - Drive-through facilities</p> <p>Drive-through facilities are prohibited except when specifically allowed by a conditional use permit in a zoning district. When allowed, all drive-through facilities must comply with the following requirements:</p>

	<p>(1) The drive-through facility, service window and speakers must be located at least 100 feet from a residential zoned or used property and must be visually screened from adjoining residential property.</p> <p>(2) The entrance and exit drive lanes to the drive-through facility must be at least 75 feet from a street intersection.</p> <p>(3) The lot on which the drive-through facility is located must be at least 35,000 square feet in area.</p> <p>(4) The minimum on-site stacking distance available for the drive-through must be 180 feet in length.</p> <p>(5) Drive-through facilities may only be operated between the hours of 7:00 a.m. and 8:00 p.m.</p> <p>(6) No speaker noise may be audible from adjacent residential property.</p> <p>(7) A traffic study must be completed documenting that the drive-through facility will not create traffic problems.</p> <p>(Ord. No. 06-03, § 2, 9-13-2006)</p> <p>Other cities' drive-through conditions are included in an attachment below.</p>
Attachment(s)	<ul style="list-style-type: none"> • Nearby city drive-through rules/regulations/conditions
Action(s) Requested	<p>Staff would like to provide this information as background to the topic of drive-throughs.</p>



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REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date	June 2, 2020
Agenda Item	Agenda E3
Attachment	N/A
Submitted By	Justin Markon, Community Development Coordinator

Item	Discuss Planned Unit Developments (PUDs)
Description	<p><i>City Code of Falcon Heights</i></p> <p>Section 113-199 - Purpose</p> <p>The planned unit development district is intended to permit flexibility of site design, the conservation of land and open space through clustering of buildings and activities, and an incentive to developers to plan creatively by providing density bonuses. This flexibility can be achieved by allowing deviations from standards including setbacks, heights and similar regulations. PUDs are characterized by central management, integrated planning and architecture, joint or common use of parking, open space and other facilities, and a harmonious selection and efficient distribution of uses.</p> <p style="text-align: center;">---</p> <p>Cities, including Falcon Heights use the Planned Unit Development zoning as a tool to allow for flexibility in land use planning. It is up to each city to use PUD zoning as it sees fit, and there are no state statutes specific to this topic. In Falcon Heights, the PUD zoning is used for unique projects, and there are eight properties zoned for PUD in the city. This includes The Good Acre and Hendrickson apartments, Amber Union project, Questwood Townhomes, and the south-east corner of Snelling/Larpenteur. These properties were zoned to PUD for various reasons, often because of proposed setbacks and land coverage. The city has general conditions for PUDs, and specific rules/regulations are provided at the time of approval.</p> <p>One of the proposed changes with Dino's is to combine multiple tax parcels into one. When this is done, the new parcel must conform to all current zoning regulations. In the case of Dino's, the new parcel would not conform, thus necessitating a variance or PUD. Staff believe rezoning to PUD is a better option because it provides more flexibility and multiple variances would have been required. Discussions concerning Dino's will take place at future meetings.</p>

Attachment(s)	N/A
Action(s) Requested	Staff would like to provide this information as background to the topic of PUDs.