

**City of Falcon Heights
City Hall
2077 Larpenteur Avenue West**

**Minutes
Planning Commission Meeting
Tuesday, November 24, 2020
7:00 PM**

NOTE: THIS MEETING WAS HELD BY WEB CONFERENCE

A. CALL TO ORDER:

The meeting was called to order by Chair Larkin at 7:00 PM.

B. ROLL CALL:

Present: Larkin, Williams, Gerich, Wilson, Phillips, Jill Bartyzal (New)

Absent: Kotelnicki

Present Interim Staff Liaison: Molly Just from WSB

Present Liaison: Council Liaison Gustafson

Present Staff Liaison: Sack Thongvanh

C. APPROVAL OF MINUTES:

October 27, 2020

The minutes were approved by roll call, 6-0

D. PUBLIC HEARING

1. Amendment to Chapter 113 regarding drive through facilities.

Interim Staff Liaison Molly Just from WSB gave a description of the ordinance amendment, and the changes to the proposed ordinance that would be needed for a drive-through to be approved for Dino's. In addition, she described a conditional use permit that would need to be a part of the approval process at a later date. Interim Staff Liaison Just said that next in the meeting she expects that there will be a public hearing that will lead to a Planning Commission recommendation, and that recommendation will be sent to the City Council for final action. (see Request For Planning Commission Action document).

Chair Larkin asked the public in the room if there was someone in attendance that could speak for Dino's, and what they expect to be the outcome of their conditional use request. When none answered, he asked if Council Liaison Gustafson had any dialog with Dino's and would be willing to give a briefing on any discussions between the City and Dino's, since no representatives from the restaurant were present.

Council Liaison Gustafson gave a description of the workshop meeting that had taken place in the spring of 2020 between City Council members and representatives of Dino's restaurant. The City Council recommended to Dino's to submit an application with the City in order to make changes to the city ordinance, and then to go through the proper channels to seek approval.

Sack Thongvanh, via Zoom, then described his phone conversations with Dino's representatives and their current desire was to have a drive-up-window in the same location instead of a drive-through window. The request would not include an intercom or speaker system. (see Request For Planning Commission Action document). A discussion between commission members took place.

Chair Larkin opened up the public meeting. Several residents/public members, mostly from the near neighborhood of Dino's, were in attendance, or on Zoom, (and seven comments via e-mail were received) and one at a time came forward to offer their opinions regarding the proposed drive-through.

The residents' in attendance comments were as follows:

Susan (talking for her mother who is a resident on Crawford Avenue) - Susan expressed her concern about the additional traffic, including delivery trucks, noise in her neighborhood, Dino's being too close to a residential area, the effect on property values, and late hours of operation that would be created by a drive-through (or drive-up window) at Dino's.

Cindy (resident on Crawford Avenue) - Cindy expressed her concern about the noise, additional traffic, and potential car pollution in her neighborhood that would be created by a drive-through (or drive-up window) at Dino's.

Ginny (resident on Crawford Avenue) - Ginny expressed her concern about the additional traffic, noise, litter, and potential car pollution in her neighborhood, that would be created by a drive-through (or drive-up window) at Dino's.

Wendy (resident on Crawford Avenue) - Wendy is concerned about additional traffic and wanted to know if the change to allow a drive-through would then apply to all B-3 properties in Falcon Heights (including commercial property across the street). She was also concerned about the drive-through (or drive-up window) affecting water run-off in the area due to the additional pavement needed. She expressed a desire to preserve the character of the neighborhood for the future.

Amy (resident on Crawford Avenue) - Amy expressed her concern about the additional traffic that includes delivery trucks, and driving through the neighborhood that would be created by a drive-through (or drive-up window) at Dino's.

Scott (resident on Crawford Avenue) - Scott said that whether the drive-through (or drive-up window) is 20 feet, 50 feet, 75 feet from the nearest street intersection, any major change to a business like that is going to have an impact

on the residents.

Zoom calls from residents were as follows:

Sue (resident on Iowa Avenue, speaking for Crawford Avenue resident) - Sue said her friend on Crawford did not think that it would be a good idea to adopt the change in the ordinance. Also, the standards that the Commission identified does not make it sound any better. The resident on Crawford wanted to know if any research was done to identify if the change to allow a drive-through would have an impact on nearby residential property values and if the change would set a precedence applying to all B-3 properties in Falcon Heights. She also asked if a curb-side pickup concept would be a better idea with all the issues involved with a drive-through or drive-up window.

Mary (resident on Arona Street) - Mary expressed concern about the additional traffic and noise pollution from both cars and a drive-through speaker. Mary wanted to know if the change to allow a drive-through would be damaging to nearby residential property values in Falcon Heights.

Stacy (resident on Crawford Avenue) – Stacy also expressed her concern about the additional traffic that would be created by a drive-through (or drive-up window) at Dino's. 350 cars a day already drive through the area according to a recent study, and the drive-through or drive-up would only add to that number.

Chair Larkin asked three times if there were any individuals in the audience or on Zoom that would like to make a comment. With no response, Chair Larkin closed the public meeting and asked for comments from the Commissioners.

Jill Bartyzal (new Commissioner) joined the meeting on Zoom. She described herself and her reasons for wanting to join the Planning Commission. She expressed her concerns for the drive-through (or drive-up window) at Dino's.

After comments from each Commissioner and a discussion between Commissioners, a vote was taken.

With a motion, a second and a vote, the Planning Commission unanimously (6 to 0) recommended that the City Council reject the proposed amendment to the code, as it is written.

E. INFORMATION AND ANNOUNCEMENTS

1. Vacant properties ordinance

Chair Larkin said that because of the time it took to cover the Dino's drive-through topic, he would be in favor of delaying the discussion of the draft Vacant Properties Ordinance to a future meeting.

2. December meeting

Chair Larkin announced that there would be no meeting on December 22nd because of how close it is to the Christmas holiday. In addition, Larkin asked if the City Lawyer, and possibly a City administrator, could be present at the January meeting to discuss a few issues, especially related to the proposed Vacant Property ordinance. Sack Thongvanh said that he would check on the availability of the City Lawyer for the January meeting and that he would serve as the City administrator and answer any questions that may come up.

F. ADJOURN

Adjourned by Chair Larkin at 8:43 PM.