

City of Falcon Heights Planning Commission

City Hall
2077 Larpenteur Avenue West

AGENDA

Tuesday, January 23, 2024
7:00 p.m.

A. CALL TO ORDER: 7:00 p.m.

B. ROLL CALL: Scott Wilson ____ Laura Paynter ____
Jacob Brooks ____ Mike Tracy ____
Jim Mogen ____ Rick Seifert ____
Jake Anderson ____

Staff Liaison - Hannah Lynch ____

C. APPROVAL OF AGENDA

D. APPROVAL OF MINUTES

1. October 24, 2023

E. PUBLIC HEARING

F. NEW BUSINESS

1. 2024 Officer Nominations
2. Adoption of Standing Rules
3. 2024 Schedule
4. Discussion - 2024 Priorities

G. INFORMATION AND ANNOUNCEMENTS

1. Staff Liaison Report

H. ADJOURN

Next regular meeting date: February 27, 2024

CITY OF FALCON HEIGHTS
Planning Commission
City Hall
2077 West Larpenteur Avenue

MINUTES

October 24th, 2023 at 7:00 P.M.

A. CALL TO ORDER: 7:00 P.M.

B. ROLL CALL:

Scott Wilson X Laura Paynter X
Jacob Brooks X Mike Tracy X
Jim Mogen X Rick Seifert X
Jake Anderson X

Council Liaison Gustafson X
Staff Liaison Lynch X

C. APPROVAL OF AGENDA

Commissioner Paynter made a motion to approve agenda; approved 7-0.

D. APPROVAL OF MINUTES

1. Regular Meeting - September 26, 2023
2. Workshop - September 26, 2023

Council Liaison Gustafson noted an incorrect date on the September 26, 2023 workshop minutes. Commissioner Anderson made a motion to approve September 26, 2023 workshop minutes with the updated date, and the September 26, 2023 regular meeting minutes. Minutes were approved 7-0.

E. PUBLIC HEARING

1. Amber Flats - PUD Proposal

Chair Wilson invited Staff Liaison Lynch to give an overview of the PUD proposal. Staff Liaison Lynch described the project and went through City Code requirements and how this proposal does and does not meet City Code. The proposal is for Amber Flats, a 100-unit affordable housing apartment building to be located in the parking lot directly to the west of the existing Amber Union Apartments. The plan is for sixty 1-bedroom units and forty 2-bedroom units. 114 parking spaces are proposed, with 51 of them being

surface-level parking spaces and 63 of them being located sublevel in a garage below the apartment building.

City Code dictates apartment buildings located in the R-5M zoning district to have a maximum of 40 dwelling units per acre, have setbacks of 30' in the front, 10' or ½ the height of the building on the side, 30' on the rear, and 50' abutting R-1 zoned property. The proposal meets all of these standards. It is proposed to have 39 dwelling units per acre, have over 128' from the building to any R-1 zoned property (east side), have a setback of over 45' on the front, over 25' on the west side, and over 50' on the rear side of the property.

City Code also dictates requirements about the height of buildings, impervious surface, and parking. These are three areas the proposal does not meet the requirements. Buildings must have a maximum height of 40' or four stories, whichever is less. This project is going to end up being around 43' in height. Additionally, there is a maximum impervious surface coverage amount of the property of 75%. After the completion of the project, the property will be 76% impervious. Finally, for an apartment building in R-5M with 100 units, 200 parking spaces would be required, with 160 of those located underground in a garage in the same building as the apartments. Currently 114 parking spaces are proposed, with 51 of them being surface-level parking spaces and 63 of them being located sublevel in a garage below the apartment building.

Staff Liaison Lynch then handed the presentation off to Harrison Mohagan from Buhl Investors and David Miller from UrbanWorks Architecture LLC. Harrison Mohagan began by giving an overview of the timeline of development on the southwest corner of Larpenteur and Snelling Avenues and an update on Amber Union's progress for occupancy and awards they have received. He stated there were several takeaways from the Caribou proposal which was rejected in March 2023, including the need for more density, a concern over traffic impacts from the drive-through, necessary pedestrian improvements, and idling car concerns. With these takeaways, Buhl and UrbanWorks have come up with the design for Amber Flats.

David Miller gave a brief overview on the design choices for Amber Flats. The idea is for Amber Flats to look to Amber Union for its design, but rather than imitating a historic design, instead draw respectful inspiration. Amber Flats is set back from the road to have the front of the building align with the front of Amber Union. They are also planning to utilize the existing Larpenteur curb cut, but narrow it slightly, and possibly move it east, depending on Ramsey County. They are also looking to add sidewalks and pathways through the site for pedestrians.

Miller continued with his presentation and stated the reason for the height being 3' over what City Code requires is due to poor soil qualities and contamination issues. This determines how the underground garage is placed, which pushed the entire building slightly higher. In addition, the goal was to maintain a smaller footprint on the site so going taller was the best option for this. He also addressed the parking difference. As a parking lot, the area was far over the allowed impervious surface amount, and their plan brings that down. However, if they were to include the required amount of parking,

which they feel is too much parking, it would again raise the amount of impervious surface on the property. The intent was to find a balance in these areas.

Harrison Mohagan continued the presentation and gave an overview of the project benefits, looking to the Falcon Heights 2040 Comprehensive Plan. The proposal will provide multifamily housing along a transit line and the Larpenteur Corridor, it will shrink existing pavement surface by .23 acres, it will provide a better pedestrian experience along Larpenteur, provide new patrons for businesses in the area, deliver new housing without impacting parking reserved for Amber Union, and retain trees along the southeast of the site, adjacent to Hollywood Court.

Finally, Mohagan addressed parking by stating Amber Union currently only uses 90% of their 135 parking stalls, leaving an excess of 13 stalls. Utilizing the same method and assuming Amber Flats would also utilize only 90% of their 114 stalls, there would be an excess of 11 parking spots, leaving an excess of 24 parking stalls for the two developments.

Following these presentations, Chair Wilson opened the Public Hearing for comments.

1. Maureen Hanson Cox - 1639 Larpenteur Avenue, Cox Insurance - Mentioned the Comprehensive Plan references affordable housing for older citizens and students. Stated she believes for housing for the UofM students and older citizens would be great, but she doesn't believe that is what this affordable housing will be.
2. Emily Benz - 1746 St. Mary's Street - Concerns over parking; stated between the two buildings, there should be around 450 parking spots, but only around 250 are allocated. She asked if the demographics change, if more parking spots are needed, what are the contingency plans. She also asked about the number of spots for guest parking.
3. Val Gyurci - 1607 Hollywood Court - Concerns over how trash will be handled; Amber Union is currently having issues with trash control. Asked if trash would be self-contained within the building and if it would be retrieved, but having it outside and accessible has not been positive for Amber Union.
4. Farook Meah - 1597 Hollywood Court - Believes parking will be a problem. Mr. Meah stated he asked previous City Administrator about Amber Union parking and was told it would be addressed when it became a problem. Believes now the parking there is an issue. He does not want additional residents parking on Hollywood Court with people parking late at night on the road. Also concerned about safety and security, and trash control issues. Asked if trash would be the same as east Amber Union building or annex building.
5. Irene Gengler - 1611 Hollywood Court - Does not understand where the sidewalks are that are being referenced. Stated there are not sidewalks and asked where you can walk in Falcon Heights currently, other than crossing Snelling and Larpenteur.
6. Hannah Conner - 91 Mid Oaks Lane, Roseville - Stated she has an office on Larpenteur and the sidewalks and street crossings are not used. Questions about if there is a City Code for restrictions, why is it not followed. Also asked if an

accommodation was made for Amber Union, how and why that is the new standard. Suspicious that Caribous was never a viable option but was rather a proposal with the housing to follow all along. Also asked about occupancy of 1-bedroom and 2-bedroom apartments. Concerns over traffic and cars with parking, as well as about safety. Stated she works across from there and sees police cars in the parking lot very often. She stated the calls to the police department have increased significantly since Amber Union was built and adding another 100-units would again increase that.

7. Rice Davis - 1407 California Avenue - Asked the height of 1550 Larpenteur and clarified the height of Amber Union. Asked the sizes of the units. Also needs definition on what affordable housing means and what would that be in dollar-terms.
8. Joan Paulson - 1511 Idaho Avenue - Stated the big issue is the parking being far off from the current City Code. Asked if the underground parking for Amber Flats would be assigned with each unit, or if the underground parking is an additional cost. Stated there could be underground spots with no one able to afford it. Stated this is a simple math problem. A new unit is being put in that is oversized for the space it has. Cut down the number of units to cut down the number of parking spots. There could be fewer units by adding larger units instead of the smaller ones, or cut off the back of the building or one of the stories.
9. Emily Benz (Second statement) - 1746 St. Mary's Street - Stated where her home is located, she either has to pull out onto Larpenteur or onto Snelling. Otherwise, they have to go about 2 miles out of the way to loop around to Fairview to then go to Snelling. She has young drivers and when they leave the house, they are nervous that they are trying to make left-hand turns at uncontrolled intersections. Stated an additional 100 cars daily will further back up the traffic. Also has noticed an increased police presence. She made a call to Ramsey County and in the past 365 days there have been 403 calls for service at Amber Union. Has concerns about adding at least another 140 people on that corner.
10. Victoria Long - 1717 Albert Street - Wanted to echo concerns about policing especially in light of how Falcon Heights has changed in that area in the last 8 years, and how the city is currently unclear on the future of the policing. Believes another 100 units will impact that. States that City also recently received a grant for the Larpenteur & Snelling Corridor Development Study, and approving this before the study is completed does not make sense. Stated plans will have changed after study is completed by experts.
11. Connie Aiken - 1589 Hollywood Court - Seconded a lot of things that have been said about trash, being accessible getting in and out of the area of Hollywood Court, and about parking. She has heard that Amber Union is charging extra for guest parking and overflow parking at Amber Union is not being used. The road in front of her house is now a normal parking spot and it would be nice for her guests to have room to park too. She has also spoken to police in the area and they are checking on Amber Union every day. She has seen 1 AM parties, there has been a shooting, a stolen car in her neighborhood. Seems like more than they used to deal with in the past. She also sent a message off to Trader Joe's to find out if they would considering building in the space.

12. Gary Kwong – 1700 Fry Street – Board President of Metropolitan Interfaith Council on Affordable Housing – Supports having 60% AMI (\$60,000 annual salary) housing at this site. Has worked with many immigrants who do not make that annually when they first arrive. Immigrants do not have \$30K instant income and also find housing unless you have 80% AMI housing, which is expensive and not profitable for a developer, and it's difficult to get grants for that sort of building. Regarding crime and traffic, it is not disproportionate to the population of Falcon Heights. Additionally, Falcon Heights does not want to drop below 5,000 in population because then it would not be a city of the first class which would reduce subsidies. In St. Paul, everyone has to pay yearly for a street parking permit because the street parking is not owned by the residents. Stated some of the police calls are emergency medical and fire calls. It is disproportionate to his house emergency calls, but there are more people there so there will be more calls. Supports more public housing because MetCouncil still has requirements for each city to have enough affordable and workforce housing and the city needs to maintain that standard.
13. Chuck Laszewski – 1713 St. Mary's Street – Was at the Caribou hearing and was opposed to that, however he is in support of this proposal. Neighbors have raised legitimate concerns and hopes Planning Commission will find a way to mitigate some of those concerns. This proposal is consistent with the City's goals and the comprehensive plan, unlike the drive-through proposal. It is a necessary element in the battle to combat global warming. To reduce the use of fossil fuels, citizens need to live in more densely-constructed housing in cities with easier access to stores and jobs by foot and transit. Amber Flats does this perfectly. Amber Union being at 100% occupancy while only using 90% of its parking is not a fluke. Younger generations today do not own cars at the same rate as the older generations. This is a continuing trend. We also have good transit in both directions. Falcon Heights is only 2.2 square miles. Remove the UofM and State Fair, both non-taxable, and Falcon Heights is only 1 square mile. As such, the state kicks in around 40% of the City budget. The City does not have its own fire department or police department. We do have our own parks and rec department but if kids want to participate they have to go to Roseville or St. Paul. In order to remain a separate City, we need to approve as many legitimate tax-paying developments as possible in the one square mile. Amber Flats does this. Stated that when Philando Castile was gunned down in 2016, the City appointed a task force which came up with dozens of recommendations on policing and inclusion. One recommendation which was approved by City Council was to invest in continuously sustaining and expanding affordable housing options. Amber Flats fits that. Stated that he and his wife lived in federally-subsidized housing when he got his first job and his household did not reach anywhere near \$60,000, and he believes they were still okay neighbors. Finally, regarding crime, the City Council has been dealing with this. A consultant was hired last year to do an in-depth analysis on crime and policing in Falcon Heights, and two of his major points were that looking at 2018 through last year, the total number of incidences reported to the sheriff's office declined from 2781 in 2018 to 2163 last year, which also includes three months of

occupancy at Amber Union. The second point was that over those five years, the daily calls to police by Falcon Heights residences averaged two.

14. Maureen Hanson Cox (second statement) – 1639 Larpenteur Avenue, Cox Insurance – Regarding taxes, would like to know what Amber Union pays in property taxes compared to what 1639 Larpenteur pays in property taxes.
15. Victoria Long (second statement) – 1717 Albert Street – One additional suggestion, possibly make Hollywood Court permit parking.
16. Irene Gengler (second statement) – 1611 Hollywood Court – State she and the Hollywood Court residents dread the State Fair in terms of parking. It is hard to get parking permits to guests. They get lost or fall down, and she does not believe permit parking on Hollywood Court is a good idea.
17. Ric Cox – 1639 Larpenteur Avenue – Cox Insurance – Stated 10-12 years ago when his family purchased 1639 Larpenteur, he spoke with the City about a PUD. The property was then mostly parking lot. The City turned him down and stated it was not acceptable and they would need to go by City Code requirements. They have invested a fair amount into the building and add value to the community. This year they did a remodel, and they recently asked about getting help on a few issues. They would like to add more parking for the growth of their firm and they were told by the City that they would need to stay within the Code for impervious surface. He respects that he is supposed to stay within guidelines of the Code. They have also experienced the changes of habits of community and employees, but they know they will not have enough parking in their location. They also don't have enough cold storage and can't add more because they are at the maximum amount for impervious surface, even though they added a lot of green space when they developed the building originally. He would like Council to be consistent. If they approve the PUD, it basically allows the developers to not follow the Code and apply for a variance. He believes this is important. Roseville has not allowed a PUD since 2009 because it is inconsistent and they prefer to stay within the Code, which possibly should be rewritten. If they cannot add a few parking spots, and the proposal is asking to reduce the parking by around 40%, why is that justified. Roseville stated they would allow adjustments within 5% of the Code. 40% is significant, but they want to add a few parking spots for snow storage or growth and they were told that is not likely to happen. He also feels they have a responsibility as business owners to be good citizens to provide walkways, more parkland, etc., and there is not enough of that in the area. It would be more acceptable if they were asking for a reduction in parking allowance and were providing a park for Falcon Heights. He stated the Amber Union tenants use their parking lot for a basketball court, sleeping in their alley, etc., and they have not called Ramsey County Sheriff's Department. Doesn't believe the statistics other residents mentioned regarding crime were accurate because he thinks they've changed. They would like to remain there but if there is a PUD allowed, that is pretty inconsistent when they are just asking for a little help on their end.
18. Kent Paulson – 1511 Idaho Avenue – Wants to make sure Ric Cox's question and concerns are addressed by the end of the meeting. There are three problems with the proposal that are being overlooked and yet they were not willing to bend for Cox Insurance. Would like one member of the Planning Commission address

that and tell them why. Planning Commission Chair Wilson explained that has nothing to do with the PUD today and that matter did not come before the Planning Commission. The Planning Commission does not know anything about the issue.

19. Farook Meah (second statement) – 1597 Hollywood Court – Agrees with Ms. Gengler that parking permits on Hollywood Court would be harsh on the residents. Instead of that, putting a “residential parking only” sign up. They pay for the surfacing of the road there and the resurfacing of the alley, and he still wants to question their safety. There are no lights on the street and they need to be considered.
20. Chuck Long – 1717 Albert Street – Stated he would not be addressing the merits of the proposal because he does not believe the Planning Commission should address the merits of the proposal at this time. Wants to talk about process and procedure. He is aware of the City applying for and receiving a \$50,000 grant to study the Larpenteur & Snelling corridor. The study has been started but not completed. Given that the City has obtained a sizeable investment, and it probably talks about a long-range plan and the highest and best uses of the corridor, and the recommendations forthcoming from that, to take any action that would impact that study before the information from the study been received, the purpose of the study is being defeated if projects are being approved before even having the benefit of that information. If the study is going to be done, step back and wait to benefit from the study and recommendations, and then make decisions.
21. Kristen Tran – 1745 Arona Street – Understands affordable housing, but in her backyard she has heard the sirens. She knows it may not all be crime and could be medical, but the more people being added the more it increases the traffic and things like that. Just believes a look should be taken at that and about adding more people and traffic, and the study.
22. Joan Paulson (second statement) – 1511 Idaho Avenue – Noted that a few references from the packet to City Code were incorrect and need to be updated. She also requests that acronyms be defined in the document and in the hearing.

Chair Wilson called twice for additional speakers before calling for a motion to end the hearing. Commissioner Mogen moved to close the public hearing, hearing was closed by consent.

F. NEW BUSINESS

1. Amber Flats – PUD Proposal

Chair Wilson opened the floor for comments, questions, and discussion from Commissioners.

Planning Commission Questions:

- Commissioner Tracy – Asked why the decision was made to only have 1- and 2-bedroom units. Harrison Mohagen stated was purely economical. These projects

are becoming more difficult to execute and Amber Union had so many because it was a historic building with strange layouts and they were able to add the larger units into it. They were happy to include these units at that time because the economic outlook was different then, but now decisions about unit-mix comes back to efficiency. Stated otherwise a deal like this, that is already difficult to find funding for, is simply not possible.

- Commissioner Mogen – What is the trash plan for the new building? Mohagen stated the plan for Amber Flats would be like the east building of Amber Union, with interior trash and trash chutes. Regarding the trash issues brought up by residents about the outdoor trash at Amber Union, they currently hold townhalls at the apartment building to educate residents on the proper ways to bring trash to the dumpsters.
- Commissioner Mogen – Asked about the plan for guest parking and charging for parking. Mohagen stated they would plan to charge for the underground parking. They have looked at comparables in the Twin Cities to inform them about this on the cost, and it has not been determined yet. For the surface parking, there would be a small service fee or no fee. There is permitted parking for all of the stalls and a guest parking area designated for guests, employees, and people coming in to inquire about leasing. Mogen asked if Amber Union charges for parking. Mohagen stated it does not currently. They are working with the property manager there to have everyone in Amber Union sign a parking agreement, regardless of if they use it, so they can identify and address issues.
- Mayor Gustafson – Asked if they currently utilize permit parking at Amber Union for the residents. Mohagen answered they do, but it can be better. They are wanting everyone to sign an agreement rather than just have a fob, so they can track everyone in a spot and any potential problems that arise.
- Commissioner Mogen – Asked if the trees in the plan along Larpenteur and Underwood would be able to be added as a condition of the PUD. Mohagen answered yes, they are committed to tree preservation and addition.
- Chair Wilson – How many parking spots at Amber Flats will be for guests/employees/future tenants, and is it part of the 114 total proposed? Mohagen answered he does not have an exact number, but it would typically be driven by the property manager. Making an assumption, he would probably say they would attribute the parking that they believe would end up being extra (10% from the presentation) to the designated guest/employee parking.
- Harrison Mohagen additionally wanted to address a few points made by Hannah Conner (91 Mid Oaks Lane, Roseville). At the time of the Caribou proposal, they did have a phase two which was multifamily affordable housing. They would have loved to do the Caribou deal, but Caribou and other coffee places are also only doing the drive-through only options.
- Chair Wilson thanked Mohagen and Buhl for bringing back another plan but there are still a few questions to address.
- Vice-Chair Paynter – Asked about exterior lighting. The City of Falcon Heights does not do a great job at street lighting. Asked them to talk about exterior lighting. David Miller stated they want to make sure surfaces in a public area are safe and secure. A lighting plan hasn't been done yet, but they'd probably have

downlights along the building and on sidewalks. They would also have typically lit parking lot standards with full cutoff fixtures and dark sky compliance.

- Vice-Chair Paynter – Asked if the tan brick in the renders would be on a different plane. Miller stated that is still being priced out so he can't commit or promise anything, but they'd like to be able to do the vertical stack bond.
- Vice-Chair Paynter – Asked if they would be getting any money from the state for financing on this project. Mohagen stated they are not. They are investigating every and all grants possible. They are currently pursuing the Emerging Developer Grant from Ramsey County and would look to pursue any other grants through the county or other public agencies. He thanked the City of Falcon Heights as they were a huge help with getting grants for Amber Union, whether by supporting via a resolution or otherwise, and they were able to identify and be awarded about \$3 million in grants. They have been successful in getting grants in the past for projects, and that is underway.
- Commissioner Brooks – If they were approved for the PUD status, is the funding in place to complete the project? Mohagen stated not yet, but getting the approval would be the green light to start the bonding process. For Amber Union, they received approval for the project then went into the bond process four times, and you can only do this every six months. It is extremely difficult to complete deals currently, and it is not a lucrative project. They still want to do it and are passionate about affordable housing. They will try to get every grant possible and make the bond process easier and quicker. In the past they deepened the AMI on Amber Union to jump ahead in the order for bonding. Miller added that often having an approved project improves the scoring to receive those bonds.
- Commissioner Tracy – Do they know now what rent will be? Mohagen stated there is a guideline for affordable housing but he didn't have it in front of him. City Administrator Jack Linehan stated the guidelines are set and they vary per year. They look at AMI which is set annually. They don't know what it will be, but if they were to assume the AMI is \$100,000, 60% AMI would be \$60,000, which would be the limit of income. Affordable housing is considered to be 30% of the take-home pay which would set the rent at around \$1500/month.
- Commissioner Mogen – Is this receiving TIF funding, or is it the plan to receive TIF funding? Mohagen stated they will try to get every grant, but it is possible. But the City has not approved TIF funding at this point.
- Commissioner Mogen – What is the plan if the grants don't come in? Is there a market-rate plan? Mohagen stated they have not considered that at this time. Miller stated that interest rates would have to remarkably change. Mohagen stated that unfortunately, market-rate projects are also becoming extremely difficult to execute.
- Commissioner Mogen – What will the size of the units be? Miller stated the 1-bedroom units would be between 500 and 600 square feet, and the 2-bedroom units would be just over 900 square feet, which is consistent with another Buhl project in St. Paul.
- Chair Wilson – Asked about the sidewalks and trails. How will that be different from where they are currently? Miller stated in regard to sidewalks and pedestrian paths, the biggest impact will be at Larpenteur and Fry where a lot of

pedestrians cross. There is a large amount of landscaping and breathing room in the proposed plan and narrow the existing curb cut for pedestrians to cross. Also, all along the parking stalls between the building and surface parking, there will be a sidewalk that extends the length of that.

- Chair Wilson – Asked about snow removal. Will it be hauled off-site or will they be using some of the parking spaces proposed for snow storage? Miller stated a lot will either be shipped offsite or put into the stormwater area. Wilson asked if they can guarantee they won't be covering a lot of parking spots for more than a couple of hours while waiting on it to be shipped out? Mohagen stated they could probably come to an agreement on the number of stalls.
- Chair Wilson – Asked about plans for safety and the police calls, and to combat that to give some ease of mind to neighbors. Mohagen stated they take safety in their buildings very seriously and they do not tolerate crime. When first starting a building, they get a new group of people in and that will happen again for the new building. There is a process with Fair Housing to bring in new eligible tenants. A background check is completed and they do call previous landlords. Even with that, it doesn't catch people that can create problems. If there is an incident, they are moving to evict immediately. Then they can either go through the process again, or they can get referrals from existing residents. He notes the current residents also want a safe place to live. They do not want crime and they are there to have a home that is affordable to them. The townhalls have been a great time for the community to talk to each other and identify problems. As they continue to operate the building, if there is a problem, they are looking to evict and then backfill with a tenant who won't create problems. That has been a good process for them. He does believe anecdotally, the crime calls have gone down as they've operated for just about a year now. And he believes it's an important distinction the density of the building and a lot of the calls are health and fire related.
- Chair Wilson – Has a concern about the underground parking being charged for. He asked if what if they open it and they only have 20 people willing to pay, and then spots unutilized, and then we start having issues with people parking on neighboring roads such as Hollywood Court. Mohagen stated at that point, it's not only a public issue it's also an economic issue because they aren't making money on the stalls and they'd reduce the price. Chair Wilson asked if they'd then be flexible on that, because he wants to make sure all stalls are utilized if they are going to be deviating from City Code parking requirements so much. Miller stated a lot of property management companies charge enough to only have 1-2 parking stalls available at a time, so it is a dynamic pricing. Mohagen stated it's a mini supply and demand. Mohagen also stated he would talk to the property manager at Amber Union to let residents know where guests can park on site instead of neighboring roads.
- Commissioner Mogen – Asked if there is every any agreement with the bank for financing that they have to charge a certain amount for parking? Mohagen stated it would be a part of the financial projections, but it would not lock them into that. If they do not achieve a certain part of those projections, they would not lose their financing.

- Commissioner Brooks – Mentioned the 2040 Comprehensive Plan and stated it mentions that when considering a PUD, a project should provide enough public benefit to justify the potential impacts. He asked Mohagen to speak to the public benefits of the project. Mohagen stated the major benefit to the public would be providing housing for people who cannot afford it. The need for affordable housing is usually the top thing brought up in comprehensive plans, and the need is very high across the Twin Cities. He stated often they have tenants move in, have a stable and affordable housing situation with kids, and then they are able to achieve economic mobility with the stability. From what he's heard from folks involved with advocating for affordable housing, that is the goal. Someone is provided with stable, affordable housing and they are able to move up and out to provide that opportunity for someone else. He stated another benefit is the reduction in impervious surface on the lot. Right now the lot is a parking lot and that is not the highest and best use for the lot. There will be more green space. The Comprehensive Plan states shrinking impervious surface is a benefit to the community. He finally stated new community members to interact with existing community members, and to provide new dollars to local businesses.
- Mayor Gustafson – What do you see as the occupancy rate per dwelling unit? Mohagen stated it will be less than Amber Union because of the lack of 3- and 4-bedroom units. There are standards that the property manager follows in terms of Fair Housing, and there are multiple inspections from MHFA and HUD. He is not currently sure of the occupancy, but they will follow all guidelines proposed by the MHFA and HUD.
- Commissioner Mogen thanked Mohagen and Miller for being very candid and straight-forward and willing to address the concerns and questions from commissioners and residents.

Planning Commission Discussion:

- Chair Wilson stated the Planning Commission will want to discuss now the proposal and the need for a PUD.
- Commissioner Mogen began by stating he loves the plan, even with the parking. He believes it is perfect. It is the nice density needed. He stated that yes, it is a percent higher on impervious surface and 3' higher on height, but even as variances those would probably pass. The only thing here is the very significant adjustment to the parking requirements. It is a legitimate concern. He also wants to recognize that as he talks about this project, it is not "these residents" that are going to be using it, but rather "our neighbors." They are not "somebody else," but instead people who live in our community. When talking about security and police calls, if they happen along his street, he is not concerned about it, but he is concerned about his neighbor getting a call to their house. He is not concerned about the number of cars coming and going. Any use of the property will have traffic. He too is concerned about his son pulling out of St. Mary's Street, but it will not be because of a few more people pulling out of Amber Union and Amber Flats. Regarding the Comprehensive Plan and public benefits, the plan has a ton of benefits – more affordable housing, open space, green space, it's improving walkability, it's a better use than a parking lot, it provides new residents and

new tax base, new customers, etc. It is not a drive-through and is better for the environment. It is a good use of the property. Even the trash issue was addressed. The only thing is the parking, and he is a little concerned about charging for parking which would narrow down the availability of parking, but he believes that has been addressed. They are motivated to have underground parking be fully sold. He is concerned about parking for surface parking, which would be like any dorm, and would not be utilized. He would like to make a condition that surface parking not be charged for, and that the trees along Larpenteur and Underwood on the plan remain part of the project as proposed. He also believes there should be a condition about snow storage on site, that they cannot store it in a parking area for more than 2-3 days.

- Commissioner Tracy – Stated he is supportive of the project, but there is a second light needed. Chair Wilson stated it is a county road and is out of our control. Commissioner Tracy stated he is concerned, regardless, without an additional light there could be a problem.
- Vice-Chair Paynter – Began by talking about the Larpenteur & Snelling Corridor Development Study and the timing of this proposal. He agrees that the timing is not ideal, however the developer has a right to apply for this project and it needs to be considered against the current zoning code. She stated this is a high-density, residentially-zoned property and this a good use of that land. The variances being requested are minor, aside from the parking, and she believes if the developer believes if it is enough parking, it probably is. Younger people don't have as many cars as the older generation, and the trends in urban development are toward less parking. Many cities are eliminating parking requirements all together, so this is a very appropriate use.
- Commissioner Seifert – Stated this is his first meeting with the Planning Commission. He does believe the parking is a concern, but he does believe from everything he has seen, cities are requiring less parking and that is the trend. He is glad a lot of the concerns were addressed, such as with the trash, and he also seconds that the parking volume is lowered and should not be utilized for snow. He is also concerned about the parking being charged for.
- Commissioner Anderson – Stated that he echoes the thoughts of the other Commissioners. He thinks it is a perfect plan for that current parking lot, and thinking about PUDs, he goes back and forth on the concept of them as sometimes they don't make a lot of sense, but this time it does make sense. He also states the Comprehensive Plan is very clear that affordable housing is the point of a PUD. He is glad the concerns were addressed and the City needs to be vigilant moving forward and making sure the tree canopy is maintained and the trash is monitored.
- Commissioner Brooks – He agrees with the other Commissioners as well, but he is also still concerned about parking. The property is zoned R-5M and just making a few changes, the property would go through without it even coming to the Planning Commission.
- Commissioner Mogen – Stated he wanted to add one more condition to the PUD, that the open space cannot be converted into parking.
- Chair Wilson – Asked Staff Liaison Lynch how to move forward with contingencies to the PUD. Lynch stated generally a PUD is written up to state

that it will go by the plans that are given to us, and generally there is a 5% variance written into that in case of necessary dimensional changes. If the plan is showing open space as open space, they would have to build according to that, and if they ever wanted to change that, they would have to go back through this process. Regarding the concern about paying for surface-level parking, she stated she would have to consult with the city attorney for advice on if that can be written into the PUD or not. She also stated this is a recommendation to City Council and we can include these items as what the Planning Commission believes should be included.

- Chair Wilson – Thanked Buhl for listening to the resident concerns about the drive-through and coming back with a plan that worked better for the City. Wilson stated as a side-note to Chuck Long, that the Larpenteur & Snelling Corridor Development Study has been started and one community meeting has been held. He invited everyone to attend these meetings to provide their thoughts and feedback on the future of the City. It will be a longer study, and we are looking at how much more density we want in the City, and it will most likely not lead to the City wanting less density along the A-Line. He believes that is probably one thing they are confident in saying, that density is wanted there according to the Comprehensive Plan and will likely come out of the study as well. He believes waiting a year for this would be a problem, and they would end up with a similar plan. Wilson continued by stating regarding the parking, he was the only current Commissioner sitting when Amber Union came through, and it was approved at 1.09 parking spaces per unit which was well below the 2 spaces per unit required. He was very concerned at the time, but he can attest to the fact that the parking lot is usually very empty. He thinks the mass transit helps, and Minneapolis just approved a building with no parking spots. We are a first-ring suburban city, but we do still need to think about the underground parking to make sure it is utilized.
- Vice-Chair Paynter – Asked the developer if there are any plans for charging stations. Mohagen stated they do exist and are used at Amber Union, and they would be happy to include them on this project. He does know that many tenants at Amber Union also do use the A-Line and Route 61. Paynter recommends they add a condition about charging stations for EVs.
- Chair Wilson asked Staff Liaison Lynch about the next steps. Lynch stated the conditions the Planning Commission is proposing which include: free surface parking, maintaining the trees on the plan along Larpenteur and Underwood, snow storage not in a parking area for more than a couple of days until it's taken off-site, open space cannot be converted into parking, and charging stations for EVs on site. She stated if the Planning Commission voted to make a recommendation to City Council for approval of the PUD with those conditions, she would write up a draft PUD for the city attorney to review, then it would go to City Council to review and discuss and vote on. Vice-Chair Paynter added a condition about lighting, that all sides of the building and parking areas are lit.
- Chair Wilson asked Staff Liaison Lynch to go over the next steps for the audience. Lynch stated it would go before City Council at a future meeting and they would vote on it. It would not be another public hearing unless Council decided to do that. Mayor Gustafson reminded the Commission that the Fire

Marshal, City Engineer, and Ramsey County are also still reviewing the plans. Lynch stated yes, and as part of the recommendation, any notes from those parties would also need to be addressed by the developer. They are generally technical requirements that would not change the overall design of the property, but we would require them to be addressed.

Chair Wilson called for a motion for a recommendation of approval or disapproval of the Amber Flats PUD to City Council with the conditions outlined previously and subject to addressing comments from the Fire Marshal, City Engineer, and Ramsey County, and including a 5% variance from plans as approved by the City Administrator. Commissioner Mogen made a motion for approval as outlined above, seconded by Commissioner Paynter. A vote was made and the motion passed 6-1, with Commissioner Brooks in opposition.

G. INFORMATION AND ANNOUNCEMENTS

1. Staff Liaison Report

Staff Liaison Lynch noted the Larpenteur & Snelling Corridor Development Study is ongoing and there are cards available with QR codes to a survey and an interactive map online for residents to add comments. She welcomed everyone to get involved and they would be including the links online and in the weekly newsletter. She stated when the next community meeting is scheduled, they would be getting it out to everyone as well.

2. Council Liaison Report

Mayor Gustafson stated the next City Council meeting would be the following night, Wednesday, October 25 at 7 PM.

H. ADJOURN

Commissioner Brooks made a motion to adjourn, motion was carried by consent. Meeting was adjourned at 9:04 PM.



ITEM FOR DISCUSSION

Meeting Date	January 23, 2024
Agenda Item	F1
Attachment	None.
Submitted By	Hannah Lynch, Community Development Coordinator / Planner

Item	2024 Officer Nominations
Description	<p>The Commission must nominate and elect officers for 2024. Historically, most Commissions consist of a Chair, Vice Chair, and Secretary. Brief descriptions of these positions are as follows:</p> <p>Chair - Conducts the meeting, opens/closes public hearings, calls for votes, consults with staff regarding agenda topics</p> <p>Vice Chair - Fills duties in the Chair's absence</p> <p>Secretary - Takes official minutes during meetings and sends to staff for review and approval at next meeting.</p>
Budget Impact	None.
Attachment(s)	None.
Action(s) Requested	Staff recommends nominating and electing officers for 2024.



ITEM FOR DISCUSSION

Meeting Date	January 23, 2024
Agenda Item	F2
Attachment	See below.
Submitted By	Hannah Lynch, Community Development Coordinator / Planner

Item	Adoption of Standing Rules for 2024
Description	<p>Introduction to the current Planning Commission Standing Rules:</p> <p>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.</p> <ol style="list-style-type: none"> 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.
Budget Impact	None.
Attachment(s)	<ul style="list-style-type: none"> • Sec. 2-118 - Planning Commission from City Code • City of Falcon Heights Planning Commission Standing Rules • Sikkink's Seven Motion System
Action(s) Requested	Staff recommends approval of the standing rules for 2024.

Falcon Heights City Code
Sec. 2-118. Planning commission.

- (a) The commission shall be the city planning agency authorized by Minn. Stats. § 462.354, subd. 1.
- (b) The duties of the planning commission are:
 - (1) To guide future development of land, services, and facilities;
 - (2) To ensure a safe, pleasant and economical environment for residential, commercial, and public activities; and
 - (3) To promote the public health, safety, and general welfare of the community.
- (c) These duties are to be carried out by:
 - (1) Establishing community objectives and policy;
 - (2) Making recommendations to the council regarding petitions and applications for rezoning, special use permits, etc.;
 - (3) Reviewing and making recommendations on all matters relating to or affecting the physical development of the city.

(Code 1993, § 2-4.05; Ord. No. 98-02, § 3, 4-8-1998)

FALCON HEIGHTS PLANNING COMMISSION
PLANNING COMMISSION STANDING RULES

January 23, 2024

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 proforma matters.

MEMBERSHIP

The formal commission membership consists of seven commissioners. All seven 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 Staff Liaison 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. 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.
8. 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, input from the public will be taken. Prior to accepting input, though, the chair will state the areas where input will be appropriate, the maximum time of FIVE MINUTES to be allotted to any individual presenter and any other procedural rules deemed appropriate to guarantee that all concerned parties have a fair and adequate opportunity to be heard.
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 must be by roll call.
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.

Planning Commission Standing Rules

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.

SIKKINK'S SEVEN MOTION SYSTEM

General Rules for a Simplified System of Parliamentary Procedure

1. The purpose of this decision making system is to allow efficient decision making that represents a majority position. Any motion, request, discussion or proposal, which seems to have as its purpose unreasonable delay, manipulation, or the goal of serving individual ends rather than group ends, can be ruled out of order by the chair. Such a ruling by the chair will be subject to the motion called appeal.
2. Free and open discussions are valued in this decision making system. For that reason, most motions are discussable and the motion to restrict discussion requires a 2/3 vote in order to pass. In recognizing persons for discussion, the chair first recognizes the person who made the motion, next recognizes other persons and always recognizes a person who has not spoken over a person who has already participated in the discussion. As far as possible, the chair should try to alternately recognize persons representing different viewpoints.
3. In examining the chart on the following page, you will note that five of the seven motions are amendable. However, only one amendment at a time may be considered. As soon as that amendment is passed or defeated, another amendment may be proposed.
4. The number in front of the motion listed indicates the rank of each motion. Thus, #1 – General motions are lowest in rank, and #7 – Restrict Debate motions are highest in rank. Two rules apply:
 - (1) You usually cannot consider two motions of the same rank at the same time, and
 - (2) If a motion of one rank is being considered, a motion of the same rank or lower rank is usually out of order, but a motion of higher rank is in order.

While these rules generally apply, the chair may allow some flexibility in certain circumstances. These situations almost always occur with motions #5, 6 and 7. For example, if #7 - "Restrict Discussion" is being discussed and a member wants a secret ballot vote on the matter, Request, while lower in rank, could be used to accomplish this purpose. The chair is allowed to make all decisions on exceptions, but all such decisions are subject to appeal.

Type of Motion/Rank	Purpose	Applies To What Situations	Needs Recognition	Needs Second	Can Be Discussed	Amendable	Vote Required
7. Restrict Discussion (highest rank)	To stop or limit discussion	All discussable motions	Yes	Yes	Yes	Yes	2/3
6. Appeal	To let the group vote on a chair's decision	To decision of the chairperson	No	Yes	Yes	No	Majority
5. Request	Not a motion but a way to question, challenge, or seek help	Any appropriate situation	No	No	No	No	Chair decides subject to appeal
4. Postpone	To delay action on any general motion to a future time	General motions	Yes	Yes	Yes	Yes	Majority
3. Refer	To have a general motion studied by a committee	General motions	Yes	Yes	Yes	Yes	Majority
2. Meeting Termination	To recess during a meeting or to end a meeting	Made to recess or adjourn	Yes	Yes	Yes	Yes	Majority
1. General (lowest rank)	To bring up business for majority decisions by the group	For doing business	Yes	Yes	Yes	Yes	Majority



ITEM FOR DISCUSSION

Meeting Date	January 23, 2024
Agenda Item	F3
Attachment	2024 Planning Commission Schedule
Submitted By	Hannah Lynch, Community Development Coordinator / Planner

Item	Review of 2024 Planning Commission Schedule
Description	City Staff created a Planning Schedule to lay out the timeline for Planning Commission and City Council hearings for projects. This schedule will be used for all planning applications that require a public hearing, such as variances, conditional use permits, and code amendments.
Budget Impact	None
Attachment(s)	2024 Planning Commission Schedule
Action(s) Requested	No action necessary.

City of Falcon Heights 2024 Planning and Zoning Schedule

Planning Commission Meeting Date	Planning Application Due	Staff Plan Review	Legal Notice Newspaper Submission Deadline	Notice of Public Hearing Mailed	Legal Notice Newspaper Publication	Planning Packets Distributed	Planning Commission Review	City Council Review
	<i>22 days prior (Monday), 4:30 PM*</i>	<i>As scheduled</i>	<i>12 days prior (Thursday)</i>	<i>12 days prior (Thursday)</i>	<i>10 days prior (Saturday)</i>	<i>Friday prior to meeting</i>	<i>4th Tuesday of the month</i>	<i>2nd Wednesday of the next month</i>
JANUARY 23	Monday, January 1		Thursday, January 11	Thursday, January 11	Saturday, January 13	Friday, January 19	Tuesday, January 23	Wednesday, February 14
FEBRUARY 27	Monday, February 5		Thursday, February 15	Thursday, February 15	Saturday, February 17	Friday, February 23	Tuesday, February 27	Wednesday, March 13
MARCH 26	Monday, March 4		Thursday, March 14	Thursday, March 14	Saturday, March 16	Friday, March 22	Tuesday, March 26	Wednesday, April 10
APRIL 23	Monday, April 1		Thursday, April 11	Thursday, April 11	Saturday, April 13	Friday, April 19	Tuesday, April 23	Wednesday, May 8
MAY 28	Monday, May 6		Thursday, May 16	Thursday, May 16	Saturday, May 18	Friday, May 24	Tuesday, May 28	Wednesday, June 12
JUNE 25	Monday, June 3		Thursday, June 13	Thursday, June 13	Saturday, June 15	Friday, June 21	Tuesday, June 25	Wednesday, July 10
JULY 23	Monday, July 1		Thursday, July 11	Thursday, July 11	Saturday, July 13	Friday, July 19	Tuesday, July 23	Wednesday, August 14
AUGUST 27	Monday, August 5		Thursday, August 15	Thursday, August 15	Saturday, August 17	Friday, August 23	Tuesday, August 27	Wednesday, September 11
SEPTEMBER 24	Monday, September 2		Thursday, September 12	Thursday, September 12	Saturday, September 14	Friday, September 20	Tuesday, September 24	Wednesday, October 9
OCTOBER 22	Monday, September 30		Thursday, October 10	Thursday, October 10	Saturday, October 12	Friday, October 18	Tuesday, October 22	Wednesday, November 13
NOVEMBER 26	Monday, November 4		Thursday, November 14	Thursday, November 14	Saturday, November 16	Friday, November 22	Tuesday, November 26	Wednesday, December 11
DECEMBER 24	CANCELED							
JANUARY 28, 2025	Monday, January 6		Thursday, January 16	Thursday, January 16	Saturday, January 18	Friday, January 24	Tuesday, January 28	Wednesday, February 12

*If the planning application deadline falls on a holiday, the deadline will move 4:30 PM on the next working day.



ITEM FOR DISCUSSION

Meeting Date	January 23, 2024
Agenda Item	F4
Attachment	See below.
Submitted By	Hannah Lynch, Community Development Coordinator / Planner

Item	Discussion of 2024 Priorities
Description	<p>Historically the first Planning Commission meeting of the year looks at the work done in past years and discusses projects for the upcoming year. Several suggestions for this year include:</p> <ul style="list-style-type: none"> - Larpenteur & Snelling Corridor Development Study - EVs and EVSEs in Zoning Code - Cannabis Business Licensing - Code Enforcement Issues / Existing Ordinance Modifications - Accessory Dwelling Units - Short Term Rentals
Budget Impact	None.
Attachment(s)	None.
Action(s) Requested	Staff requests Planning Commission discuss priorities for 2024.