

**City of Falcon Heights  
Planning Commission Minutes  
September 22, 2009**

**PRESENT:** Commissioners Black, Gosline, Gustafson, Hasegawa, Noble, Rodich and Watkins, Council Liaison Kuettel, City Attorney Soren Mattick, Staff Liaison Jones.

A quorum being present, the meeting was called to order by the Chair at 7:00 p.m.

The Planning Commission minutes for August 25, 2009, were approved.

**Public Hearing: Comprehensive Plan Amendment, Rezoning and Planned Unit Development for 1871 Larpenteur.**

Staff Liaison Jones gave an introduction to the case. The owners of 1871 Larpenteur Avenue, a small property zoned B-1 Neighborhood Commercial, have applied to change the zoning of the property to allow residential use and the building of a three-unit market-rate apartment building. Since this property was considered too small to be a likely site for redevelopment in the city's 2008 comprehensive plan, it remains designated for commercial use in that plan, so in order to allow the rezoning, the comprehensive plan needs to be amended. The redevelopment of the property would be done as a planned unit development, which also needs approval by the Planning Commission and the Council. In order to make the most efficient use of city resources, all three processes (comprehensive plan amendment, rezoning and development plan) are to be addressed in one public hearing this evening.

The Chair opened the public hearing. The first person to come to the podium was William Wakefield, 1708 Lindig, owner of the property directly north of 1871 Larpenteur. His concerns are that there should be screening between his property and 1871 Larpenteur, and also that there should be adequate off-street parking as street parking is limited on Lindig.

The owner of 1871 Larpenteur, David Gordhamer, spoke next and briefly summarized the proposed development, showing large elevation and site plan drawings. The three level (2 above ground), 3 unit apartment building would occupy approximately the same footprint as the existing commercial building. There would also be a four-stall detached garage and an additional 6 on-site parking spaces to the north of the building. The existing parking lot on the south (Larpenteur) side would become green space.

Commissioners Black and Rodich asked for clarification on the building setbacks, particularly on the west side where the proposed building (and existing building) go almost right up to the property line. Jones explained that under the most applicable zoning designation the city presently has (R4) the required setbacks would render the property unbuildable because of its extremely narrow width. This same dilemma was encountered several years ago when a restaurant was proposed for the property and a large number of variances were sought. A planned unit development allows a more individualized plan, which in this case is to fit the new building into the same width as the existing building so it would not be any more intrusive than the existing building.

Council Member Kuettel asked for explanation of the "EIFS" mentioned in the application letter. Mr. Gordhamer said it stands for Exterior Insulation Finishing System, a stucco-like application.

Marilyn Gates, 1865 Larpenteur, asked about the height of the proposed building. Gordhamer said the design is for a 32 foot height to the top of the parapet, a few feet higher than nearby homes.

Commissioner Rodich asked about an accessible route from the building to the public sidewalk. Gordhamer said there is an accessible route from the building to the parking lot. Rodich asked that required accessibility rules be observed.

Rowland Gates, 1865 Larpenteur, asked about the timetable for demolition and construction. Gordhamer said that once approvals were in place it would take 60 to 90 days, but if this went too late into the cold season construction would have to wait until next year. Mr. Gates also expressed concern about parking.

John Zovitz, 1717 Lindig, asked if the building will necessitate additional street improvements and assessments on Lindig. Jones said this project should not initiate any street improvements that would not be paid for by the owner of the property under development (i.e. curb cuts) and therefore no need for assessments on other property owners. She said she had no knowledge of general improvements planned for Lindig Street as it is outside of her department, but they would be on the regular maintenance schedule and not related to the proposed redevelopment.

There being no one else who wished to speak, the Chair closed the public hearing.

### **Discussion and Recommendations on the zoning actions for 1871 Larpenteur**

In response to a request from Commissioner Rodich, Jones elaborated on the process before the Commission this evening. First the Commission must make a recommendation on whether to amend the comprehensive plan to change the land use from neighborhood commercial to multi-family residential. If the Commission recommends that change, then it will consider whether to recommend approval of the rezoning to P.U.D. Then it will address the actual development plan proposed by the owners. So three recommendations are required. City attorney Mattick added that the third phase would be the time to look at questions of setbacks and required parking and other performance standards for the development that jumps out; conversely, if they Commission likes the plan, that can be part of the recommendation. Jones added that, in the opinion of staff, this is a good change and good use of the land if the details can be worked out.

Commissioner Noble brought up the accessibility issue again. Jones said that accessibility requirements would be covered in the permitting phase and every applicable law would be applied.

Gustafson moved, Black seconded, that the Commission recommend approval of the amendment to the comprehensive plan to change use of the land from commercial to multi-family residential. Motion carried unanimously.

Black moved, Gustafson seconded, that the Commission recommend rezoning from B1 to P.U.D. Motion carried unanimously.

Commissioners discussed the specifics of the development plan presented by the applicants. Gustafson pointed out that the parking provided is very generous relative to the parking available on other small multi-family properties in the city. Rodich suggested the possibility of reducing the parking in the plan in order to increase green space. Black expressed concern about the total impervious surface in the proposed plan, with rain gardens in the public right of way. He would prefer to have more of the runoff contained on the property and not in the pedestrian access.

Commissioner Black also asked about the retaining walls on the Larpenteur side shown on the plan and the apparent extension further south than buildings on either side. Rodich pointed out that the retaining walls are below grade, not an extension of the bulk of the building toward the street.

Black also said that including more than 3 parking spaces per unit is a high standard, in his opinion, and the plan could spare one to more green space.

Commissioner Rodich asked about the building entrance being moved away from Larpenteur toward the parking or “back” side of the building, not consistent with other buildings on Larpenteur. Mary Gordhamer, owner of 1871 Larpenteur, said that the entrance was moved to the back in order to allow the residents to enjoy the exposure and the view to the south and west of the building, across the fields. Rodich also expressed some concern about the height of the planned building.

Jones said that the height is not out of line with the 30 foot or 3 story limit in the R4 zone. She also said the city does not require that the entrance of a building be on a particular side and that for a corner lot it would not be out of line to move the entrance to the other street and even change the address to Lindig, which may happen. The city has the authority to authorize that.

Commissioner Watson asked if there was any further discussion and requested a motion. Rodich moved, Black seconded, that the Commission recommend approval of the planned development with the addition of screening on the north side of the property and providing that the number of parking spaces may be reduced to 9 in order to increase green space. Motion carried unanimously.

#### **INFORMATION AND ANNOUNCEMENTS:**

Councilmember Kuettel spoke to the question from the hearing about additional street improvements or assessments and said that the general maintenance plan would be followed, that this development would not impact that. She confirmed that there would be no additional assessments.

Ms. Jones invited audience members to come forward after adjournment to take a closer look at the drawings and talk to the property owners, commissioners and staff if they wanted to. She also said that there would be drawings available at city hall on request. She outlined the process going forward. The Commission’s recommendations would go to the City Council for their action. If the Council approves, the City will apply to the Metropolitan Council to amend the comprehensive plan, a process that would take at least 60 days, after which permits would be taken out, so the earliest work could begin would be quite late in the fall. And it would be at that point that the construction timetable submitted by the owners would go into effect.

**ADJOURNMENT:** The meeting was adjourned at 7:55 p.m.

Respectfully submitted,

Deborah Jones, Staff Liaison