

City of Falcon Heights

A G E N D A

Regular Meeting of the City Council April 26, 1995

- I. CALL TO ORDER: 7 p.m.
- II. BALDWIN _____ GEHRZ _____ GIBSON TALBOT _____ HUSTAD _____
JACOBS _____ HOYT _____ ASLESON _____
ATTORNEY _____ ENGINEER _____
- III. COMMUNITY FORUM
- IV. APPROVAL OF MINUTES: Minutes of April 12, 1995 will be distributed at a later time
- V. PUBLIC HEARING: None
- VI. CONSENT AGENDA:
 - C-1. Disbursements
 - a. General disbursements through 4/20/95, \$67,285.31
 - b. Payroll, 4/1/95 to 4/15/95, \$12,726.35
 - C-2. Licenses
 - C-3. Request for a variance from Chapter 9-2.04 subd. 2(b) of the zoning code for 1857 N. Fairview Avenue
 - C-4. Community Park prairie seeding and maintenance contracts
- VII. POLICY AGENDA:
 - P-1. Consideration of a request for a conditional use permit at 1532 W. Larpenteur Avenue for the operation of a secondhand goods store

ACTION: _____
 - P-2. Presentation and discussion of the first design of the Larpenteur Avenue corridor plans

ACTION: _____
 - P-3. Discussion regarding the Precinct Two polling place

ACTION: _____
- VIII. INFORMATION AND ANNOUNCEMENTS:
- IX. ADJOURNMENT

**CITY OF FALCON HEIGHTS
REGULAR CITY COUNCIL MEETING
MINUTES OF APRIL 12, 1995**

Mayor Baldwin convened the meeting at 7:04 p.m.

PRESENT

Baldwin, Gehrz, Gibson Talbot, and Jacobs. Also present were Hoyt, Asleson, Maurer, Sampson, Martin, and Jans.

ABSENT

Hustad.

COMMUNITY FORUM

There were no comments from the floor.

MINUTES OF MARCH 22, 1995

Minutes were approved unanimously as presented.

CONSENT AGENDA APPROVED

Upon unanimous consent, item C-7 was added to the consent agenda.

Motion was made by Councilmember Gehrz to approve the following consent agenda. Motion carried unanimously.

1. Disbursements
 - a. General disbursements through 4/6/95: \$73,858.89
 - b. Payroll, 3/16/95 to 3/31/95: \$11,124.37
2. Licenses
3. Approval of ADA modifications to the Community Park building and city hall door
4. Authorization for the purchase of a copy machine for use in the city office
5. Approval of purchase of office products from Facility Systems, Inc
6. Approval of purchase of ventilators and stretcher chairs for the rescue department
7. Authorization for purchase of 94 boulevard trees

PUBLIC HEARING

SECOND HEARING REGARDING THE 1995 ALLEY RECONSTRUCTION PROJECT

Mayor Baldwin explained that due to improper notification of ten properties in the affected assessment area, a second public hearing was being held.

Engineer Maurer gave a brief review of the project's scope and estimated cost.

Mayor Baldwin opened the public hearing at 7:10 p.m.

Mr. Richard Kranz, 1484 Crawford Avenue, asked if any of the alleys north of Larpenteur Avenue were scheduled for reconstruction. Maurer replied that the five alleys being reconstructed were all south of Larpenteur Avenue.

Mr. Kranz commented that the alley behind his house had some drainage problems and needed some maintenance. Mayor Baldwin stated that the purpose of the public hearing being held was to address only the reconstruction of the five alleys south of Larpenteur. Reconstruction of other alleys can be considered at another time. Mayor Baldwin told Mr. Kranz that he would be sent a letter by Administrator Hoyt describing the maintenance that may be performed on his alley this year.

There being no one else wishing to be heard, Mayor Baldwin closed the hearing at 7:14 p.m.

POLICY AGENDA

PRESENTATION OF BIDS RECEIVED FOR 1995 ALLEY RECONSTRUCTION PROJECT

Engineer Maurer presented the council with bids received for the alley reconstruction project. Nine bids were received, with the low bidder being F.M. Frattalone at \$111,306.55. This bid will keep the assessment rate at \$22.58 per front foot.

Maurer noted that included in the specifications was an alternative bid to add storm sewer improvements to one of the affected alleys. This additional work, if completed, will not change the final assessment amounts by more than a few dollars per lot. Maurer recommended including the extra amount in the cost to be assessed since the city can choose at a later date to assess less but cannot assess more once the resolution has been passed. The decision over whether to include the storm sewer work is best made at the time of construction. Maurer noted that this bid presentation was for the council's information only; the bids should be accepted after the assessment hearing of May 10.

CONSIDERATION OF RESOLUTION NO. 95-08, DECLARING COSTS TO BE ASSESSED AND ORDERING PREPARATION OF THE ASSESSMENT ROLL.

Motion was made by Councilmember Jacobs to approve Resolution No. 95-08 and order preparation of the assessment roll with a 7% annual interest rate and a payback period of ten years. Motion passed unanimously.

CONSIDERATION OF RESOLUTION NO. 95-09, SCHEDULING ASSESSMENT HEARING FOR THE 1995 ALLEY RECONSTRUCTION PROJECT

Motion was made by Councilmember Gehrz to approve Resolution No. 95-09, scheduling the assessment hearing for May 10, 1995. Motion passed unanimously.

REQUEST TO CONTRACT FOR PROSECUTION SERVICES

Administrator Hoyt reported that staff had sent out letters of inquiry to four law firms regarding providing prosecution services for the city on a retainer basis due to an anticipated increase in prosecutions with a 24 hour police officer in the city's limits. Letters of inquiry were sent to firms with some affiliation with the city or the St. Anthony Police Department. Of the firms that responded to the inquiry, the lowest bid was from the Hughes and Costello firm. Hughes and Costello provide prosecution services for many cities (including Lauderdale, Maplewood, New Brighton, Mounds View, and Richfield) and received positive reviews from those cities. By contracting on a retainer fee basis, the city should see significant savings.

Motion was made by Councilmember Gehrz to contract with the Hughes and Costello law firm, effective June 1, and to notify the current prosecutor of the change. Motion passed unanimously.

REQUEST TO AMEND THE ASSESSMENT AGREEMENT ON FALCON CROSSING

Administrator Hoyt gave the initial background on this request. In 1984, the city gave financial assistance in the form of \$1,400,000 of commercial revenue bonds and \$600,000 of general obligation bonds to improve blighted commercial property at the northeast corner of Snelling and Larpenteur Avenue (now known as "Falcon Crossing"). This is the only retail center that has ever received public assistance and the only retail center with an assessment agreement (the city also has an assessment agreement on the 1666 Coffman project). The current owner, Mr. Steven Wellington, is asking for termination of the assessment agreement in 1999 to reduce his property taxes after 1999 and, in turn, to reduce rents to his tenants. Since the request had financial implications for the city, Springsted Public Finance Advisors was asked to analyze the request to determine if termination of the agreement would be in the best public interest of the city.

Keith Jans, Springsted, reviewed the reasons for the request and its financial implications. Mr. Wellington's stated reasons for the request are to 1) a desire to reduce the negative financial impact to the property (taxes are higher on this property than they would be without the assessment agreement because the assessment agreement has a minimum market value) and 2) to expedite TIF revenue back to the county and the schools. Mr. Wellington states that

termination of the assessment agreement is a reasonable request since it will not affect the city's ability to repay the bonds that were issued.

Mr. Jans's analysis found that without termination of the assessment agreement, the projected TIF fund balance in 2005 would be \$950,284. If the agreement was terminated in 1999, the fund balance in 2005 would be \$135,952. Using a present value basis, the tax savings to the applicant would be \$414,068 while the city would lose \$646,953 in anticipated TIF revenue and interest to use for planned TIF projects.

Rich Martin, the city's legal counsel, made two comments. First, the city is permitted to grant the applicant's request, but it is not required to do so. Secondly, the assessment agreement is enforceable. The applicant has already filed an assessment appeal with the tax courts. The applicant argues that the development agreement and assessment agreements state that TIF funds generated from Falcon Crossing should be used only to fund improvements on the Falcon Crossing site. Mr. Martin stated that the city is legally permitted to use the TIF funds generated at Falcon Crossing for any project within the TIF district.

To conclude the consultant's and staff's analysis, Administrator Hoyt noted the following findings: 1) the city and Mr. Wellington have the same goal to maintain and enhance a healthy business community; 2) the city frequently provides business owners with non-financial assistance on solving land-use issues; 3) Falcon Heights is a fully developed city with no opportunities to generate additional tax base and 66% of its land is tax-exempt. Therefore, the city must rely on its tax increment revenue to maintain the tax base for all tax-paying jurisdictions; and 4) past requests for assessment adjustments by individual property owners have been denied because of the possible detrimental effect granting them might have on all city taxpayers. From these findings, staff recommends denial of the request. Alternative proposals would be considered with the applicable escrow fees to cover the city's financial and legal costs.

Mr. Bob Long, attorney for the applicant, explained that his client purchased his property on the belief that the assessment agreement and development agreement only guarantee repayment of the bonds, not financing for public improvements within the commercial district. Furthermore, Mr. Long argued that "minimum improvements" are specified only to those to be performed to the Falcon Crossing (Bullseye) site itself, not to other public and private properties.

Mr. Long also stated that the city currently has no specific, formally approved plans for the projects described in the TIF plan. He suggested that the city may be able to find other funds for projects planned for TIF revenue. For example, the Larpentuer Avenue improvements and improvement of the southeast corner of the business district could be funded through other programs, including county/state aid money, Community Development Block Grant funds, Housing Redevelopment Authority funds, and special assessments.

Continuing on, Mr. Long stated that Mr. Wellington is paying much higher taxes than other commercial centers in the area. Any tax savings realized after 1997 would be passed along to tenants in the form of lower rents. Mr. Long admitted that Falcon Crossing is not going "under" but commented that when leases come due, some tenants may be leaving to cheaper rents unless the council takes action to lower the property taxes on this property. The goals of the council and applicant are the same - a healthy business community.

Mayor Baldwin stated that the council expects any property owner to attempt to improve their financial situation and they expect that the city will be asked for help. The city, however, has several restrictions on helping in this situation, including a small staff, limited funding, and covenants made with the taxpayers of the city. This project was originally part of an agreement between the developer and the citizens of Falcon Heights that, in return for financial assistance, additional revenue would be generated for the project and development that the city could not otherwise finance. Baldwin noted that the policy issue is that a covenant was made with city taxpayers - the city took on the financing of this project with the promise of a payoff to the public. The council needs to deliver to the public on the \$650,000 beyond the initial investment.

Baldwin stressed that he does not want to cut off discussions with Mr. Wellington about how to improve his business situation but that in order to terminate the assessment agreement, the applicant will need to find funds not otherwise available to the city to replace the \$650,000 lost to TIF revenue. Since the city's legal counsel has stated that the city is legally entitled to enforce the agreement, the city's obligation is to litigate if necessary to avoid termination of the assessment agreement.

Councilmember Jacobs asked Mr. Wellington for the meaning of the term "negative economic impact", outside of increased property taxes on the project.

The applicant, Mr. Wellington, made several comments in reply. These included that he was not part of the original agreement on the property and that the property taxes on this property are burdensome. Falcon Crossing is not about to "tip over" but some tenants are having problems with their rent levels. Mr. Wellington stated that he would like to see the special assessment approach to public improvements rather than the use of TIF funds and that the amount of proposed improvements might be extreme. Mr. Wellington also noted his dissatisfaction with being asked to pay for the city's consultants in order to continue discussions.

Continuing on, Mr. Wellington asserted that the tenant base at Falcon Crossing needs to be solidified and that he would like to be able to compete effectively for quality tenants. The property will always have limitations in attracting new tenants, particularly limitation in parking and vehicular access. Finally, Mr.

Wellington stated that this proposal will not put taxpayers at risk because TIF funds would be used defease the bonds and terminate the assessment agreement.

Councilmember Jacobs thanked Mr. Wellington for the improvements that he has made to the appearance of Falcon Crossing. Jacobs commented that he is impressed with Mr. Wellington's entrepreneurial spirit but that he is also impressed with the fact that Mr. Wellington bought a retail building for \$330,000 when Mr. Wellington's appraisal gave it a value of \$749,000. Jacobs also noted that some tenants have recently moved from across the street to Falcon Crossing and therefore, the rents and relative commercial space must be somewhat competitive. He noted that Mr. Wellington chose not to release rent rates to the city when requested and that when the property was purchased in July 1994, Mr. Wellington knew what the taxes were, he knew it was in a TIF district, and he had been told by the City Administrator that it was unlikely that the city could find a public purpose to amend the assessment agreement. Jacobs stated that if the assessment agreement is terminated, the city stands to lose \$650,000 and Mr. Wellington stands to gain over \$414,000. Finally, Jacobs said that at this time he doesn't believe Mr. Wellington will allow the property to deteriorate and that the tenants will stay even if the city does nothing. Jacobs concluded by asking Mr. Wellington "What's really in this for the city?"

Mr. Wellington replied that his building's appraisal was done without information about the TIF and debt arrangements, so it is really not reflective of the buildings value. He chose not to release rent information to the city because it would become public information that his competitors would use against him.

Councilmember Gibson Talbot commented that, in her mind, there is a single policy question: "What is the benefit to the public?". She noted that she can't find any specific public good in the current proposal as presented. She agreed with Councilmember Jacobs' appreciation for the site improvements done and the quality of tenants attracted thus far. Other individual assessment amounts have not been reduced and it would not be fair to reduce this one unless a positive public good can be served.

Mr. Long asked the council if they felt that Larpenteur Avenue improvements would be the best use of this money when compared to what the county and school district could do with the funds. He said that he believes that TIF itself is questionable as a public policy tool since it redirects taxes from counties and school districts and gives them to cities for development projects.

Councilmember Gehrz remarked that the future of TIF is an unknown - the legislature might change the use rules, for example. Gehrz said that she would be open to looking at a new proposal in the future, but that she could not support the proposal presently before the council. The city council is responsible to all city taxpayers.

Mayor Baldwin concluded the discussion by noting his satisfaction with the current owner of the Falcon Crossing site. He reiterated that the taxes on the site may be a burden to the owner, but that burden was known to the applicant when the property was purchased. Baldwin stated that he would like to get the property off of the TIF roll without breaking the financial covenant made with taxpayers. If new funds that could not otherwise be available to the city are available to get the property off the TIF roll, those funds could be dedicated to relieving this property's tax burden.

Councilmember Jacobs moved the following:

"The city council denies the applicant's request to defease the bonds and amend the assessment agreement on the Falcon Crossing property (formerly Bullseye Plaza) because of the potential negative impact that it would have on all city property taxpayers from the loss of anticipated tax increment revenue to implement planned public improvements and revitalization efforts in the city as identified in the tax increment plan, including the reconstruction of Larpenteur Avenue and the commercial revitalization of the southeast corner."

Councilmember Jacobs stated that he does not want to bring to end any discussions of a public-private partnership on this issue. However, he also stated that he hopes the motion brings to an end any discussions regarding "cutting a deal" regarding the TIF arrangement.

Councilmember Gibson Talbot remarked that she would not be in favor of amending the assessment agreement even if there is \$650,000 in other funds (like CDBG) available. Mayor Baldwin asked Gibson Talbot if she would favor a termination if the money came from a new source, such as funding from the legislature specifically to pay off the bonds. Councilmember Gibson Talbot replied that would be acceptable, provided that the funds come from a source not already available to the city.

The motion to deny the applicant's request, as noted above, was voted upon and unanimously approved.

CITY INFORMATION AND ANNOUNCEMENTS

Councilmember Gehrz announced that the Ramsey County League of Local Governments would be holding a session on crime at their April 19th meeting. The public was invited to attend.

Mayor Baldwin reported that he'd recently attended the AMM Urban Issues Task Force and had participated in a good discussion on common concerns such as affordable housing. He also reported on a compliment he'd received from a resident about the city's excellent police and rescue service.

Councilmember Gibson Talbot reported that attendance was good the first of two Neighborhood Watch block captain meetings. She also announced that Falcon Heights Elementary would be holding a community parade on May 18th.

Administrator Hoyt made several announcements regarding park and street maintenance and upcoming community events.

ADJOURNMENT

The meeting was adjourned at 9:22 p.m.

Tom Baldwin, Mayor

Carla Asleson
Recording Secretary

Meeting Date: 4/26/95

Agenda Item: C - 1

CITY OF FALCON HEIGHTS
REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION: Disbursements

SUBMITTED BY: Joe Rigdon, City Accountant

EXPLANATION/SUMMARY:

- a. General disbursements through 4/20/95, \$67,285.31
- b. Payroll, 4/1/95 to 4/15/95, \$12,726.35

ACTION REQUESTED: Approval

APPROVAL OF BILLS
PERIOD ENDING: 04/20/95

CHECK#	VENDOR NAME	DESCRIPTION	DEPT.	AMOUNT
	AT&T	2ND QTR PHONE LEASE	FIRE FIG	18.26
	ASLESON, CARLA	MILEAGE	PLANNING	5.04
	ASLESON, CARLA	MILEAGE/PARKING	ADMINIST	6.70
	ASLESON, CARLA	COOKIES-COMMUNITY EVENT	COMMUNIC	6.68
	ASLESON, CARLA	VIDEOTAPES	COMMUNIC	7.44
	ASLESON, CARLA	DISHWASHER SOAP	ADMINIST	1.67
	*** TOTAL FOR ASLESON, CARLA			27.53
	AMERICAN LINEN SUPPLY CO.	LINEN CLEANING	FIRE FIG	34.77
	BROWNING-FERRIS IND.	4/95 REFUSE SERVICE	BUILDING	141.24
	BAUMANN, NICHOLAS	REPAIR SEAT BELTS	FIRE FIG	19.75
	CASH	POSTAGE	ADMINIST	9.64
	CASH	OFFICE SUPPLIES	ADMINIST	4.26
	CASH	OFFICE SUPPLIES	RESCUE S	9.24
	CASH	POSTAGE	RESCUE S	3.10
	CASH	PARKING	95 ALLEY	0.50
	CASH	PARKING	PLANNING	2.00
	CASH	TRUCK PARTS	STREETS	24.81
	*** TOTAL FOR CASH			53.55
	EMERGENCY APPARATUS MAINT 757	OIL CHANGE	FIRE FIG	170.27
	EMERGENCY APPARATUS MAINT 757	NFPA, CHECK	FIRE FIG	681.69
	*** TOTAL FOR EMERGENCY APPARATUS			851.96
	FOCUS NEWSPAPERS	LEGAL NOTICE	LEGISLAT	19.75
	FOCUS NEWSPAPERS	LEGAL NOTICE	LEGISLAT	18.17
	*** TOTAL FOR FOCUS NEWSPAPERS			37.92
	FULLER, GREG	MATTRESS PAD, PILLOWS	FIRE FIG	31.26
	GOPHER SIGN COMPANY	STREET SIGNS	STREETS	59.11
	ST. PAUL RETIRED VOLUNTER	RSVP CONTRIBUTION	LEGISLAT	40.00
	GRAINGER, W. W., INC.	REPAIR COMM PARK DOOR	PARK MAI	22.12
	HOISINGTON KOEGLER GROUP	3/95 PLANNING & DESIGN	LARPENTE	588.05
	HOISINGTON KOEGLER GROUP	3/95 PLAN/DESIGN TREES	PLANNING	142.72
	*** TOTAL FOR HOISINGTON-KOEGLER G			730.77
	HONEYWELL PROTECTION SERV	5/1 TO 7/31 MONITOR CHG	PARK & R	100.00
	THE HOOVER COMPANY	REPAIR VACUUM	FIRE FIG	60.45
	ICMA RETIREMENT TRUST 457	4/95 CONTRIBUTIONS	ADMINIST	100.00
	ICMA RETIREMENT TRUST 457	4/95 CONTRIBUTIONS	FINANCE	100.00
	*** TOTAL FOR ICMA RETIREMENT TRUS			200.00
	INSTY-PRINTS PLUS	SPRING REC FLYER	PARK PRO	379.34

APPROVAL OF BILLS
 PERIOD ENDING: 04/20/95

CHECK#	VENDOR NAME	DESCRIPTION	DEPT.	AMOUNT
1				
2				
3				
4	INSTY-PRINTS PLUS	TIME-OUT INSERT	PARK PRO	57.51
5	INSTY-PRINTS PLUS	SPRING NEWSLETTER	SOLID WA	160.24
6	INSTY-PRINTS PLUS	SPRING NEWSLETTER	COMMUNIC	420.45
7		*** TOTAL FOR INSTY-PRINTS PLUS		1,017.54
8	KNOX LUMBER COMMERCIAL CR	ADMIN OFFICE SHELF UNIT	BUILDING	16.02
9				
10	DAVID W. KRIESEL, INC.	4/95 BUILDING INSPECT	PLANNING	500.00
11				
12	LEAGUE OF MN CITIES	CITIES BULLETIN SUBSCRIBE	ADMINIST	30.00
13				
14	MCI TELECOMMUNICATIONS	3/95 LONG DISTANCE	BUILDING	2.65
15				
16	METRO. WASTE CONTROL COMM	5/95 SEWER SVC	SANITARY	36,310.00
17				
18	MIDTOWN CLEANERS	LINEN CLEANING	FIRE FIG	16.06
19	MIDTOWN CLEANERS	LINEN CLEANING	FIRE FIG	85.60
20		*** TOTAL FOR MIDTOWN CLEANERS		101.66
21				
22				
23	MIDWEST BUSINESS PRODUCTS	INVOICE UNDERPAID	ADMINIST	7.63
24	MIDWEST BUSINESS PRODUCTS	COMPUTER GLARE SCREEN	ADMINIST	39.93
25		*** TOTAL FOR MIDWEST BUSINESS PRO		47.56
26				
27	30491 MN DEPARTMENT OF REVENUE	STATE WITHHELD 4/15/95	ADMINIST	716.02
28				
29	MINNESOTA STATE TREASURER	1ST QTR BLDG PMT SURCHG		91.96
30				
31	MOORE MEDICAL CORP	2 STETHOSCOPES	RESCUE S	111.50
32				
33	NSP	3/95 ELECTRIC	PARK MAI	18.48
34	NSP	3/95 GAS	PARK MAI	435.01
35	NSP	3/95 ELECTRIC	BUILDING	679.36
36	NSP	3/95 GAS	BUILDING	381.78
37	NSP	3/95 ELECTRIC	SANITARY	137.83
38		*** TOTAL FOR NSP		1,652.46
39				
40	NELSON'S CHEESE FACTORY	SANDWICHES FOR MEETING	LEGISLAT	33.71
41				
42	30490 NORTH STAR STATE BANK	FED WITHHELD 4/15/95	ADMINIST	3,858.88
43				
44	OFFICE MAX, INC.	MOUSE PADS, TAPE	ADMINIST	20.34
45				
46	PERA	PERA WITHHELD 4/15/95	ADMINIST	1,293.19
47				
48	CITY OF SAINT PAUL	REPAIR BUNKER COAT	FIRE FIG	46.50
49				
50	ST. PAUL RAMSEY	RESCUE SUPPLIES	RESCUE S	255.48
51				
52	RAMSEY COUNTY	YEAR-END INFORMATION	ADMINIST	23.47
53	RAMSEY COUNTY	4/95 INSURANCE PREMIUMS	ADMINIST	3,269.76
54	RAMSEY COUNTY	3/95 DATA PROCESSING SVC	ADMINIST	12.29
55		*** TOTAL FOR RAMSEY COUNTY		3,305.52
56				
57	ROAD RESCUE, INC.	SOLID STATE POWER PULSE	RESCUE S	62.67

APPROVAL OF BILLS
PERIOD ENDING: 04/20/95

CHECK#	VENDOR NAME	DESCRIPTION	DEPT.	AMOUNT
	ROAD RESCUE, INC.	OXYGEN MASK	RESCUE S	78.75
	*** TOTAL FOR ROAD RESCUE, INC.			141.42
	S. CROIX RECREATION	BUCKET TOY COMM. PARK	PARK MAI	75.00
	TAFF, SUSAN HOYT	4/95 MILEAGE	ADMINIST	165.00
	T. A. SCHIFSKY & SONS	6.04 TONS ASPHALT	STREETS	144.46
	USWEST CELLULAR	3/95 CELLULAR PHONE	RESCUE S	19.83
30494	USWEST COMMUNICATIONS	4/95 PHONE	FIRE FIG	57.25
		4/95 PHONE	BUILDING	356.41
	USWEST COMMUNICATIONS	4/95 COMM PARK PHONE	PARK & R	57.54
	*** TOTAL FOR USWEST COMMUNICATION			471.20
	WALLIN, AMY	DELIVER NEWSLETTER	COMMUNIC	75.00
	WALLIN, ANDY	DELIVER NEWSLETTER	COMMUNIC	50.00
	WALLIN, ANDY	DELIVER NEWSLETTER	SOLID WA	25.00
	*** TOTAL FOR WALLIN, ANDY			75.00
	BERNARDY, CONNIE LANNERS	4/30/95 MCAD SERVICES	MCAD	1,470.86
	BRÖDERICK, BERNARD	DELIVERY MILEAGE	ADMINIST	10.28
	MN FIRE SVC CERT. BOARD	KOSKELA CERTIFICATION	FIRE FIG	35.00
	COLTER-MUNYER, SUSIE	JR HIGH GROUP TREATS	MCAD	7.35
	G.T. PARTS CO.	BATTERY F250	STREETS	58.99
30492	NOTHERN LIGHTS SOUND,	RVILLE COMM ED PERFORM	MCAD	375.00
30493	MINNESOTA SOCIETY OF	CABLING & BRACING WKSHP		50.00
	COORDINATED BUS. SYSTEMS,	MITA DC 5685 COPIER	GENERAL	11,709.68
	COORDINATED BUS. SYSTEMS,	MAINTENANCE 4/10 TO 7/9	ADMINIST	415.35
	COORDINATED BUS. SYSTEMS,	COPIER STAPLES	ADMINIST	13.02
	*** TOTAL FOR COORDINATED BUS. SYS			12,138.05
	MARTINEZ, JOE	DEFIB. CASSETTE TAPES	RESCUE S	12.25
	PRECISION LANDSCAPE	TRIM ELM 1852 HOLTON	TREE PRO	122.94
	*** TOTAL FOR BANK 01			67,285.31
	*** GRAND TOTAL ***			67,285.31

C H E C K R E G I S T E R

CHECK TYPE	CHECK DATE	EMPLOYEE NAME NUMBER	CHECK NUMBER	CHECK AMOUNT
COM	4 14 95	30 BAUMANN, NICHOLAS	23255	92.87
COM	4 14 95	31 BERNDT, ROSS	23256	82.63
COM	4 14 95	32 BROWN, RAYMOND	23257	205.26
COM	4 14 95	33 HOLMGREN, JOHN SR.	23258	96.16
COM	4 14 95	34 KURHAJETZ, CLEMENT	23259	152.27
COM	4 14 95	35 LINDIG, LEO	23260	136.88
COM	4 14 95	38 MORGAN, JAY	23261	17.05
COM	4 14 95	40 ANDERSON, KEVIN	23262	304.38
COM	4 14 95	41 BIANCHI, DAVID P	23263	33.94
COM	4 14 95	42 CLARKIN, MICHAEL D.	23264	160.36
COM	4 14 95	43 DOW, MICHAEL J	23265	123.64
COM	4 14 95	45 FULLER, JAMES D.	23266	226.15
COM	4 14 95	47 HEROLD, NATHANIEL	23267	81.84
COM	4 14 95	48 HOLMGREN, JOHN H.	23268	204.50
COM	4 14 95	49 LeMAY, DOUGLAS	23269	18.11
COM	4 14 95	50 MARTINEZ, JOSEPH L.	23270	168.89
COM	4 14 95	51 McDERMOND, CINDY K.	23271	61.42
COM	4 14 95	55 OLSON, JOSEPH E.	23272	63.84
COM	4 14 95	56 PETERSON, GREGORY S.	23273	202.79
COM	4 14 95	59 FULLER, GREGORY M.	23274	296.70
COM	4 14 95	60 IVERSON, TERRY D.	23275	50.88
COM	4 14 95	61 DENNIS G. LEMAY	23276	90.71
COM	4 14 95	62 SCHULTZ BRYON A.	23277	38.09
COM	4 14 95	63 MARVIN, RACHELLE L.	23278	156.02
COM	4 14 95	66 HERNANDEZ, ALFRED	23279	286.87
COM	4 14 95	67 KOSKELA, BRENT W	23280	145.45
COM	4 14 95	69 HYATT, JASON J.	23281	144.65
COM	4 14 95	1002 TAFF, SUSAN HOYT	23284	1421.97
COM	4 14 95	1003 IVERSON, TERRY	23285	937.16
COM	4 14 95	1005 KRIEGLER, CAROL	23286	438.49
COM	4 14 95	1006 MORGAN, JAY	23287	856.89
COM	4 14 95	1007 PHILLIPS, PATRICIA	23288	765.51
COM	4 14 95	1008 SWENSON, DELORIS	23289	722.30
COM	4 14 95	1010 ASLESON, CARLA	23290	881.19
COM	4 14 95	1011 KLINGENBERG LAWRENCE A.	23291	979.45
COM	4 14 95	1012 RIGDON, JOSEPH M.	23292	807.94
COM	4 14 95	1026 CIERNIA, JASON	23293	35.55
COM	4 14 95	1031 TREEFUL, LINDA	23294	362.53
COM	4 14 95	1033 TRETSVEN, DAVE	23295	618.69
COM	4 14 95	1102 AUSTIN M. PETERSON	23296	51.17
COM	4 14 95	1103 DIANE MEYER	23297	197.16

****TOTALS****

12726.35

Meeting Date: 4/26/95

Agenda Item: C-2

CITY OF FALCON HEIGHTS

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION: Licenses

SUBMITTED BY: Dee Swenson

GENERAL CONTRACTOR

Buck Blacktop #3227

MUNICIPAL

*Travel Network #3228
1537 West Larpenteur

TREE TRIMMING

Lone Oak Tree Service, Inc. #3229

Meeting Date: 4/26/95

Agenda Item: C - 3

CITY OF FALCON HEIGHTS

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION: Request for a variance from Chapter 9-2.04 subd. 2(b) of the zoning code for 1857 N. Fairview Avenue

SUBMITTED BY: Susan Thimsen, Property Owner

REVIEWED BY: Planning Commission
Carla Asleson, Administrative Assistant/Planner
Susan Hoyt, Administrator

EXPLANATION/SUMMARY:

Note: This item will be reviewed by the Planning Commission at their April 24, 1995 meeting.

Background

Chapter 9-2.04 subd. 2 (b) of the zoning code limits lot coverage of all detached accessory structures to "not to exceed more than 40% of the required rear yard (30 ft deep x lot width) or a maximum of 1,000 square feet.

Accessory structures are typically garages, utility sheds, and/or free standing gazebos or screen porches. The limit on lot coverage of accessory structures is necessary to limit the open space in rear yards in city neighborhoods. Clearly, filling a rear yard with buildings detracts from the residential character of the neighborhood.

The size limit on accessory structures is also useful to help restrict very large garages or pole barns from being built on residential properties. These can detract from the residential character of the neighborhoods, where lot widths vary from 50 feet to 100 feet, and also become used for storage and outdoor businesses that may not be in keeping with single family residential land use.

Request for Additional Accessory Structure Square Footage

The property owner and applicant, Ms. Susan Thimsen, is requesting a 279.25 square foot variance from the 1,000 square foot maximum to have a total accessory square footage of 1279.25 square feet. The property in question is 106.25 feet wide. Using the 40% of rear yard formula, Ms. Thimsen would be allowed 1,275 square feet of accessory structures (30 x 106.25 x 40% = 1,275 square feet). However the 1,000 maximum supersedes the 40% rule.

Ms. Thimsen is proposing to replace her existing garage, which is divided inside by a concrete wall that separates the garage parking area from a wood shop and allows only enough room to park one vehicle. The entire existing garage would be used as a storage facility. There is also a utility shed (accessory structure) in the rear yard.

The proposed total accessory structure square footage is:

558.00 sq. ft.- proposed new garage
581.25 sq. ft - existing garage/proposed storage area
140.00 sq. ft - existing utility shed

Total proposed detached accessory building area = 1,279.25 square feet (279.25 sq. ft. more than is allowed by code)

Other Items to Note in the Request

- Ms. Thimsen made a request for a similar variance in 1992. In that case, she was granted a variance to place a porch area behind her existing garage. These plans were never completed. A new variance is needed for this request since 1) variances expire if the building is not completed within one year and 2) the design layout is different from the original proposal.
- The request shows the new garage's setback at 4 1/2 feet from the side lot line. This is less than the 5 feet ordinarily required for a detached garage. However, the zoning code allows for adding to a garage at the existing setback, provided that the addition does not encroach further into the setback area. If the planning commission grants a variance in the maximum lot coverage requirements, a setback variance will not be necessary.
- The proposed front setback of 50' is behind the front line of the house and meets the zoning code without a variance.
- The lot is 450 feet deep and a total of 47,812.50 square feet, which is significantly larger than most lots in Falcon Heights.

DISCUSSION

The Thimsen's have one of the largest lots in Falcon Heights, at 106.25' wide x 450' deep (47,812.50 sq. ft.) A typical lot in the Northome neighborhood, by comparison, is 50' wide x 123' deep (6,150 sq. ft.) Therefore, the amount of rear yard or open area filled up by the additional area of garage and storage space will not significantly impact the residential character of the neighborhood.

The new garage is proposed to be built at a standard size. According to the building official, a garage must be at least 22' x 22' in order to park two smaller cars inside. The garage proposed by the Thimsen's is 23.25' x 24'.

If the variance is granted, Ms. Thimsen has indicated that the garage access door for the existing garage would be removed and replaced by a wall once the new garage is built. This would prevent the parking of vehicles in the new storage area and keep only a two car garage on the site. Ms. Thimsen plans to have a small service door between the garage area and the storage space.

STAFF RECOMMENDATION

Staff recommends that this variance in lot coverage be granted for the following reasons:

- 1) The residential character of the addition is in keeping with the residential character of the R-1 zoning district.
- 2) The size of the proposed storage space is reasonable and the new garage is of standard size.
- 3) The subject lot is unique in that it, along with a few other lots on Fairview Avenue, are over one acre in size. A variance of 279.25 sq. ft. of lot coverage by accessory structures does not detract from the amount of open space available in the rear yard. This variance would permit the full use of property rights (see standards for granting a variance, attached).

If the variance is granted, staff recommends the following conditions be placed upon it:

- 1) That the existing garage be reconstructed into a storage area and not used for living quarters, a home occupation, or for the parking of vehicles.
- 2) That the vehicle access door between the existing and new garages be removed and replaced with a standard doorway opening.

ATTACHMENTS:

1. Site Plan
2. Letter of request from property owner
3. Map showing location and size of property
4. Standards for granting a variance
5. Proposed Resolution 95-10

ACTION REQUESTED:

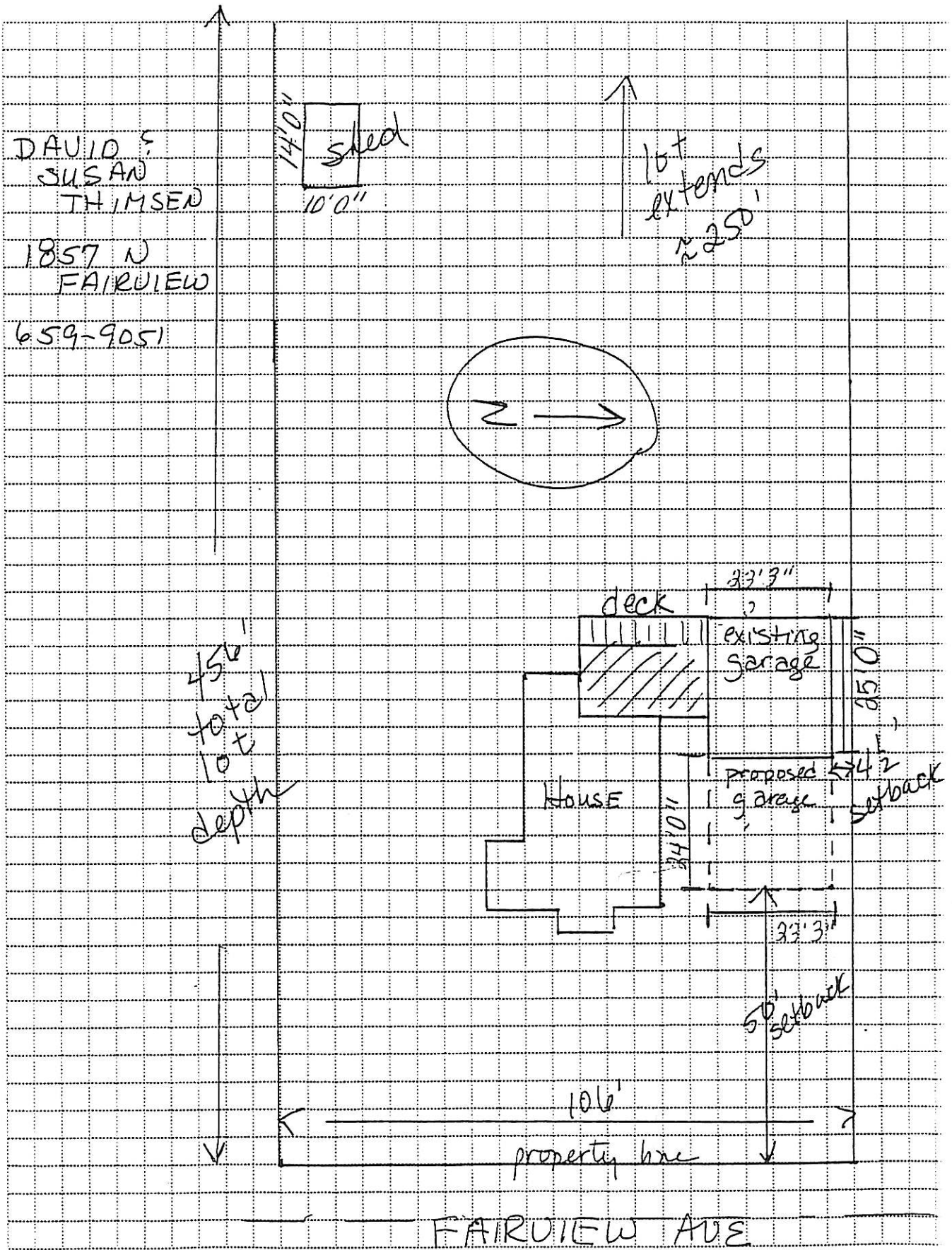
Approve Resolution 95-10, granting the requested variance of 279.25 square feet from Chapter 9-2.04 subd. 2(b) by finding that this property meets the standards for granting a variance.

CONSENT CONSENT CONSENT CONSENT CONSENT CONSENT



PROJECT _____
SUBJECT _____

E NO. _____
SHEET NO. _____ OF _____
DATE _____
COMP. BY _____ CK'D BY _____



2

8 March, 1995

Dear City Planners,

- ◇ We would like to add on to a garage which would result in an accessory building which exceeds the 1,000 sq. ft limit for such structures. The proposed structure would be a total of 1,273 sq. ft. Our lot is one acre in size.

The garage on our property was originally a single car garage. A previous owner put an addition on one side for a wood shop and off the back for storage. So although the existing structure is the size of a two car garage there is space to park only one vehicle inside of it. The single car space is only 19.5 ft long, barely accommodating our mid size van.

We propose building an additional two car garage in front of the existing one. In order to avoid a 'blocky' look from the street we propose to build the new garage with a gabled roof and two dormers facing the street, much like the adjoining property to the North of us.

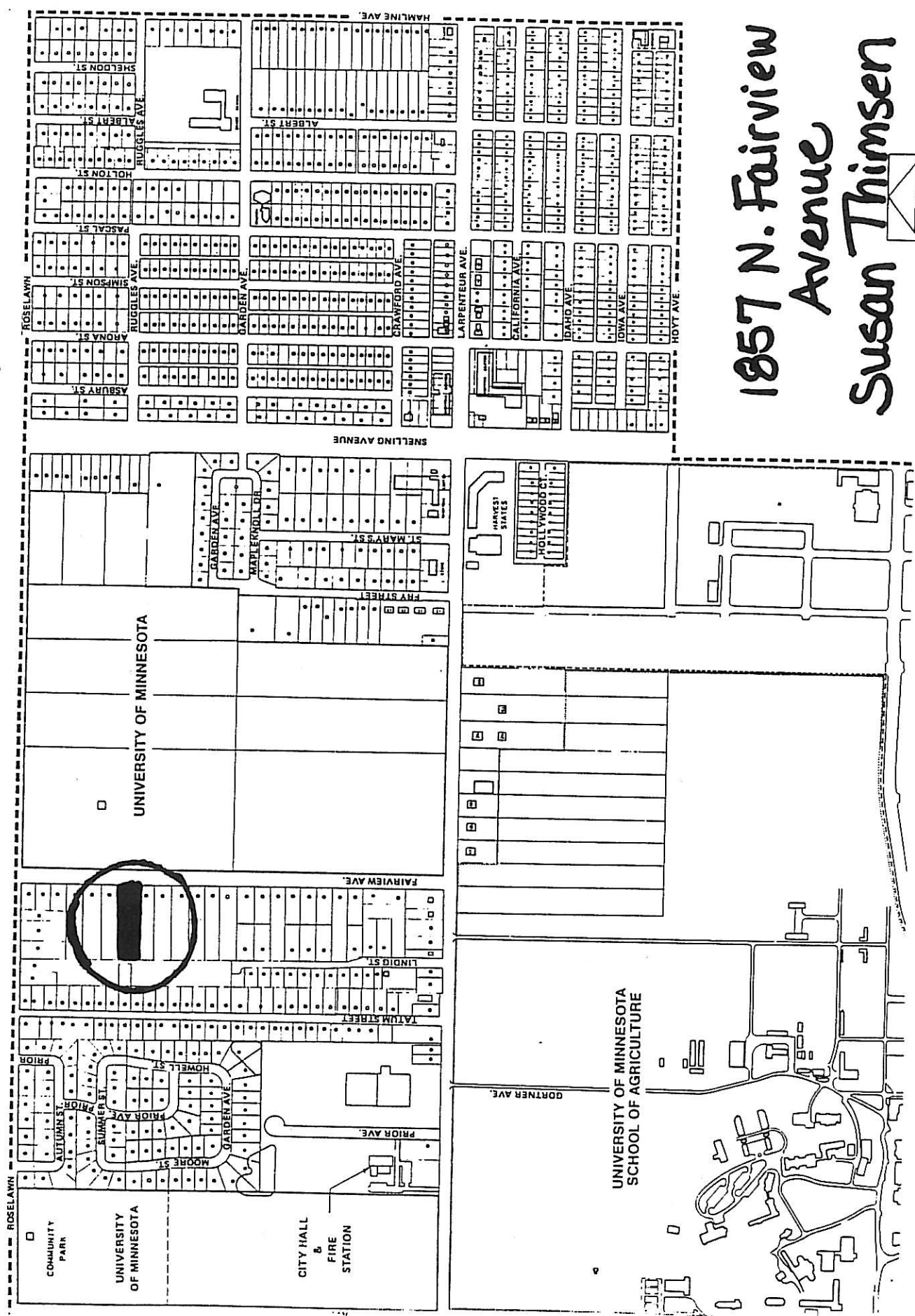
- ◇ The setback along the North side of the existing garage, and proposed garage addition is 4.5ft. We need a variance for this also, since codes state it should be 5'.

Thank you for your consideration of this matter.

Sincerely,



Susan Whitby Thimsen



1857 N. Fairview
 Avenue
 Susan Thimsen

STANDARDS FOR GRANTING A VARIANCE

9-15.03

Subdivision 4. Standards for Granting of Variance. No variance shall be granted unless the city council shall make without qualification on the basis of evidence presented at the meeting the following findings:

a. That the granting of the variance will not be detrimental to the public welfare;

b. That the granting of the variance will not substantially diminish or impair property values or improvements in the area;

* c. That the granting of the variance is necessary for the preservation and enjoyment of substantial property rights;

d. That the variance will not impair an adequate supply of light and air to adjacent property;

e. That the variance will not impair the orderly use of the public streets;

f. That the variance will not increase the danger of fire or endanger the public safety;

g. Whether the shape, topographical condition or other similar characteristic of the tract is such as to distinguish it substantially from all of the other properties in the zoning district of which it is a part, or whether a particular hardship, as distinguished from mere inconvenience to the owner, would result if the strict letter of the chapter were carried out;

h. Whether the variance is sought principally to increase financial gain to the owner of the property, and to determine whether a substantial hardship to the owner would result from a denial of the variance;

i. Whether the conditions which give rise to the application for the variance arose after the adoption of this chapter of the code of the City of Falcon Heights or any amendment thereto which placed the tract in a zoning district different from what it was under the chapter. In the consideration of this item, the city shall make diligent inquiry as to all changes in the property and shall refuse to grant the variance if the problem is one that can be solved through a proper application of a conditional use permit or an amendment of the zoning code. Financial hardship shall not be a basis for the granting of a variance when the owner purchased the property in reliance on a promise that a variance would be granted, and the city shall dismiss the appeal if it shall appear that the property was purchased on such reliance.

5

No. 95-10

CITY OF FALCON HEIGHTS

C O U N C I L R E S O L U T I O N

Date: April 26, 1995

RESOLUTION GRANTING A VARIANCE FOR 1857 N. FAIRVIEW AVENUE

On April 26, 1995, the Falcon Heights city council granted the following variance for 1857 N. Fairview Avenue:

Chapter 9-2.04 subd. 2(b) in the maximum lot coverage of detached accessory buildings on an R-1 lot.

A variance of 279.25 square feet of building area to allow 1,279.25 square feet of detached accessory building space where 1,000 square feet is allowed by the zoning code.

The city council adopted the following conditions upon the granting of the variance at 1857 N. Fairview Avenue:

- 1) That the existing garage be reconstructed into a storage area and not used for living quarters, a home occupation, or for the parking of vehicles.
- 2) That the vehicle access door between the existing and new garages be removed and replaced with a standard doorway opening.

The city council adopted the following findings for the granting of the variance at 1857 N. Fairview Avenue:

- a. That the granting of the variance will not be detrimental to the public welfare;
- b. That the granting of the variance will not substantially diminish or impair property values or improvements in the area;
- c. That the granting of the variance is necessary for the preservation and enjoyment of substantial property rights;
- d. That the variance will not impair an adequate supply of light and air to adjacent property.

- e. That the variance will not impair the orderly use of the public streets;
- f. That the amended variance will not increase the danger of fire or endanger the public safety;
- g. That a particular hardship, as distinguished from mere inconvenience to the owner, would result if the strict letter of the chapter were carried out;
- h. That the variance is not sought principally to increase financial gain of the owner of the property and that a substantial hardship to the owner would result from a denial of the variance.

Moved by: _____

BALDWIN
GEHRZ ___ In Favor
GIBSON TALBOT
HUSTAD ___ Against
JACOBS

Approved by: _____

Mayor
April 26, 1995
Date

Attested by: _____

City Clerk
April 26, 1995
Date

Meeting Date: 4/26/95

Agenda Item: C - 4

CITY OF FALCON HEIGHTS

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION: Community Park prairie seeding and maintenance contracts

SUBMITTED BY: Carol Kriegler, Parks and Recreation Director
Pete Klingenberg, Public Works/Parks Superintendent

EXPLANATION/SUMMARY: The wild areas of the Community Park were seeded with native grasses and wildflowers last year. The areas outside of the immediate surroundings of the new drainage pond, seeded by Prairie Restorations, are doing very well and on course for maturing into a restored prairie with native plant communities. The areas immediately surrounding the pond, seeded by Ramsey County in conjunction with the Cleveland Ave. road construction project, have not fared as well. Late last summer it was evident that these areas were overgrown with clover, an aggressive vegetation that threatened and eventually overwhelmed the desired grasses and wildflower plants. Although it is not clear why there was such a great presence of clover, it is suspected that mulch may have been contaminated with clover seed. The clover was eradicated from the site last fall.

It is recommended that the pond area be prepared by implementing a controlled burn and then reseeded. The cost of these services is \$1,950, provided by Prairie Restoration, Inc.

It is also recommended that Prairie Restorations be contracted for first year plant monitoring and maintenance services. These services could include spot mowing - - cutting of individual plants or scattered colonies of unwanted plants, spot spraying - - herbicide application of individual unwanted plants that cannot be removed by mechanical means, site overspraying - - herbicides applied to control unwanted cool season plants while the prairie plants are dormant, and chopping and hand weeding. It is estimated that this first year management could be as much as \$1,200. All services would be done on an as needed basis and billed at rates for actual work done. As the prairie becomes more established and mature in the coming years, the required maintenance will be minimal and manageable through the city's public works staff. Contracting for these first year maintenance services is considered worthwhile in ensuring successful prairie establishment and protecting the city's investment in the prairie thus far.

ATTACHMENTS: A. Reseeding proposal from Prairie Restoration, Inc.
B. Maintenance proposal from Prairie Restoration, Inc.

ACTION REQUESTED: Authorization to contract with Prairie Restorations, Inc. for services related to reseeded of the Community Park pond area at a cost of \$1,950.00 and for first year plant monitoring and maintenance work at a cost not to exceed \$1,200.00.

A.

October 28, 1994

**An outline of the suggested procedures and materials to be used to reseed pond edge at Falcon Heights Community Park.
Area was previously seeded by the county.
(Estimated project area 1.5 acres)**

A. Site Preparation:

1. In areas with actively growing vegetation apply Roundup® herbicide as per manufacturers directions. Allow a minimum of 7 days before disturbing the vegetation with other procedures. (Conduct late October, early November 1994.)
2. Mow the existing vegetation preferably with a sickle or flail type mower at a height of 4" to 6". (Morning of burn. To be done by city crews.)
3. Implement a controlled burn using appropriate procedures, equipment and permits. (April or May 1995.)

B. Seed and Seeding:

1. Seeding dates shall be in the spring or summer before June 15.
2. All grass seed shall be applied with a Truax® seed drill.
3. A harrowing shall follow all seeding.
4. The seed mix shall consist of the following species and amounts:

Grasses	lbs./project area
Oats cover crop (<i>Avena sativa</i>)	40
Short/dry grass mix (includes 33% Side oats grama, 25% Blue grama and 40% Little bluestem by PLS weights and 2% June grass by bulk weight)	12
Mixed height/mesic grass mix (includes 35% Big bluestem, 9% Side oats grama, 2.5% Canada wild rye, 2.5% Switch grass, 25% Little bluestem and 25% Indian grass by PLS weights and 1% Kalm's brome by bulk weight)	3
Tall/wet grass mix (includes 45% Big bluestem, 20% Canada wild rye, 10% Switch grass, 15% Indian grass, by PLS weights, and 5% Cord grass and 5% Wool grass by bulk weight).	2

Wildflowers

oz./project area

Fragrant giant hyssop (<i>Agastache foeniculum</i>)	2
Leadplant (<i>Amorpha canescens</i>)	2
Swamp milkweed (<i>Asclepias incarnata</i>)	2
Butterfly weed (<i>Asclepias tuberosa</i>)	4
Heath aster (<i>Aster ericoides</i>)	2
New England aster (<i>Aster novae angliae</i>).	2
Azure aster (<i>Aster oolentangiensis</i>)	3
Joe-pye weed (<i>Eupatorium maculatum</i>)	2
Boneset (<i>Eupatorium perfoliatum</i>)	2
Northern bedstraw (<i>Galium boreale</i>)	4
Sneezeweed (<i>Helenium autumnale</i>).	1
Common ox-eye (<i>Heliopsis helianthoides</i>)	3
Bush clover (<i>Lespedeza capitata</i>)	2
Tall blazing star (<i>Liatris pycnostachya</i>).	2
Wild bergamot (<i>Monarda fistulosa</i>).	3
White prairie clover (<i>Petalostemum candidum</i>).	2
Purple prairie clover (<i>Petalostemum purpureum</i>).	4
Mountain mint (<i>Pycnanthemum virginianum</i>).	1
Yellow coneflower (<i>Ratibida pinnata</i>)	1
Black eyed susan (<i>Rudbeckia hirta</i>).	4
Gray goldenrod (<i>Solidago nemoralis</i>).	2
Stiff goldenrod (<i>Solidago rigida</i>)	2
Blue vervain (<i>Verbena hastata</i>).	1
Hoary vervain (<i>Verbena stricta</i>)	2
Golden alexander (<i>Zizia aurea</i>)	2

C. Mulching:

1. Mulching is not required.

D. Management:

1. Management will be included as part of the management contract to care for the other portions of the prairie already in place.
2. In years following the first growing season, management services could include burning, spot spraying, cutting or tree removal. These services should be contracted separately from the installation contract.

E. Costs:

Site preparation:

Spraying	\$250
Burning (includes burning of all prairie areas)	\$600
<u>Seed</u>	<u>\$850</u>
<u>Seeding</u>	<u>\$500</u>
Total	\$2200

Notes:

Management as mentioned in proposal will be included in the management contract for the rest of the prairie areas. The management proposal for 1995 will be sent to you separately by Mike Hiltner (612-389-1314) during the winter months. Mike is our land management specialist.

filename: falchts.sit

February 3, 1994

Ms. Carol Kriegler
City of Falcon Heights
2077 W. Larpenteur
Falcon Heights, MN 55113-5594

Dear Carol,

Your newly planted prairie at Falcon Heights Community Park may require some plant monitoring and hands-on maintenance work during the upcoming growing season. The proper care of the prairie seedlings, and the removal of exotic weed species during the first growing season is essential to the prairie communities' future well being.

Prairie Restorations, Inc. offers prairie management personnel to care for restored prairies like yours. Our crews are trained in properly timing the use of various management methods to achieve the best results. The following methods may be used to properly care for your prairie:

Complete Site Mowing-- Cutting height above the prairie seedlings, but low enough to remove the growing portion of unwanted plants.

Spot Mowing-- Cutting of individual plants or scattered colonies of unwanted plants.

Spot Spraying-- Herbicide application of individual unwanted plants that cannot be removed by mechanical means.

Site Overspraying-- Herbicides applied to control unwanted cool season plants while the prairie plants are dormant.

Chopping and hand weeding-- Mechanical removal of individual unwanted plants.

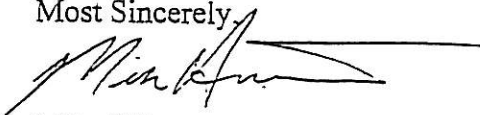
Unwanted Woody Vegetation Removal-- Mechanical and/or chemical removal.

All work is done to achieve the greatest results without disturbing the prairie plant community.

I estimate up to \$1200 will be needed to properly care for your site in 1995. The cost of this hands-on management work will be based on the enclosed management billing rates list. If you would like this work done as recommended, please sign and return the enclosed management contract card or feel free to call me.

I look forward to your response and hope to see you in the spring.

Most Sincerely,



Mike Hiltner
Plant Communities Manager



1995 PRAIRIE RESTORATIONS, INC.

PRAIRIE MANAGEMENT BILLING RATES

Labor Costs: \$36/hr (including travel time one way)
 \$50/hr Consulting fee

Travel Mileage: \$.28/mile traveled

Material Costs:

Herbicides:	Roundup	-	\$.50/oz.
	Banvel	-	\$.60/oz.
	Transline	-	\$2.00/oz.
	Crossbow	-	\$.50/oz.
	Krenite	-	\$.70/oz.

Grass Seed: \$12/lb. (approximate, depending on species)

Flower Seed: \$8/oz. (approximate, depending on species)

Equipment Costs:

Small power equipemnt use	\$10/HR
Large tractor use	\$35/HR



Meeting Date: 4/26/95

Agenda Item: P - 1

CITY OF FALCON HEIGHTS

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION: Consideration of a request for a conditional use permit at 1532 W. Larpenteur Avenue for the operation of a secondhand goods store

SUBMITTED BY: James Ladner, Property Owner (on behalf of William Erickson, proprietor)

REVIEWED BY: Planning Commission
Carla Asleson, Planner
Susan Hoyt, Administrator

EXPLANATION/SUMMARY:

Note: This item is scheduled for a public hearing and review by the planning commission on April 24, 1995.

Proposal

Mr. Erickson is the proprietor of the Falcon Futons and Area Rugs store in the Northome Shopping Center. He is requesting a conditional use permit to sell used furniture out of the basement of the Falcon Futons store. He will also be renting storefront space to advertise this portion of his business two doors away from the Falcon Futons store, but will not actually operate from that space. The furniture to be sold would be obtained from area estate sales.

Zoning Code

This proposed use meets the definition of a secondhand goods store and is a conditional use in the B - 3 Snelling/Larpenteur Business District of the zoning code (Chapter 9-10.01 subd. 3 (n)) The zoning code defines secondhand goods store as:

"Any store engaged in the business of selling or receiving tangible personal property which has been previously used, rented, owned, or leased, but excluding stores which engage in the sale of any used: automobiles; electronic equipment such as stereos, cameras, computers, televisions, audio and video equipment, and similar equipment or appliances; jewelry or precious gems; or guns. Stores which engage in any pawning activity whatsoever fall within the definition of "pawn shop" and shall not be included within the definition of "secondhand goods store."

Response to public notice and mailings

The city published a notice of the planning commission's April 24 public hearing and mailed letters to property owners within 350 feet of the property. As of this writing, staff has received one call regarding the proposed business. This call came from the owner of a nearby shopping center, who had no objection to the proposed use.

Conditional Use Permit

A conditional use permit goes with the property, not with the business. The council must approve the conditional use permit unless they can demonstrate that the property owner cannot satisfy all the reasonable conditions governing the use.

Staff Recommendation

Staff recommends granting the conditional use permit specifically for the sale of used furniture and household furnishings (such as lamps) rather than a broader permit because of the store's basement location. A change in the type of merchandise sold would require an amendment to the conditional use permit.

Staff recommends that the following conditions be placed upon the use:

1. The store be authorized to sell used furniture and household furnishings only.
2. The hours of operation be limited to 9 a.m. to 9 p.m. Sunday through Saturday.
3. The store shall not receive direct drop off of merchandise from members of the public at these premises.
4. There shall be no outdoor storage of merchandise.
5. Any change or expansion to the type of used goods sold shall require an amendment to the conditional use permit.

These conditions are included in the proposed resolution. As with any business, this business will also be required to meet all applicable city codes.

This recommendation is based upon the following findings:

1. The secondhand goods store is in keeping with the city's comprehensive plan.
2. The use with the recommended conditions will not adversely affect the noise, traffic, health, or welfare of the surrounding neighborhood.

ATTACHMENTS:

1. Location of proposed business
2. Letter of application and statement of use by the proprietor
3. Proposed Resolution 95-11

ACTION REQUESTED:

1. Staff report
2. Discussion
3. Motion to approve Resolution No. 95-11, granting approval of the conditional use permit

POLICY POLICY POLICY POLICY POLICY POLICY POLICY



1532 W. Lar penteur
 Falcon Futons and
 Area Rugs.

Falcon Futon is looking to expand our operation to include used furniture, due to interest expressed to us by the residents of Falcon Heights and surrounding communities.

Our intention is to offer these people affordable, decent furniture while generating business to our neighboring merchants.

We define furniture as: couches, loveseats, sofas, end and coffee tables, head and foot boards, frames, desks, lamps, dining sets and chairs, knick-knacks, etc.

We will not deal in any of the following: automobiles or parts, electronics, jewelry, precious gems, guns, etc. We will also not deal in any pawning activity.

We feel that this addition to futons and area rugs is desirable and beneficial to the Falcon Heights community.

3

No. 95-11

CITY OF FALCON HEIGHTS
COUNCIL RESOLUTION

Date: April 26, 1995

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO OPERATE A SECONDHAND FURNITURE STORE AT 1532 W. LARPEN TEUR AVENUE, NORTHOME SHOPPING CENTER

WHEREAS, the City of Falcon Heights received an application from James Ladner, owner of the Northome Shopping Center on behalf of William Erickson, proprietor of Falcon Futons and Area Rugs, for the issuance of a conditional use permit to operate a secondhand furniture store; and

WHEREAS, the city council did carefully consider the request as well as the recommendations made by the city's planning commission after holding the required public hearing; and

WHEREAS, it was determined that the conditional use permit meets all the general and specific requirements set forth in Chapter 9-15.04 subd. 3 (a) of the zoning code.

NOW, THEREFORE, BE IT RESOLVED, by the city council of the City of Falcon Heights that a conditional use permit for the operation of a secondhand furniture store at 1532 W. Larpenteur Avenue be granted subject to the following conditions:

1. The store be authorized to sell used furniture and household furnishings only.
2. The hours of operation be limited to 9 a.m. to 9 p.m. Sunday to Saturday.
3. The store shall not receive direct drop off of merchandise from members of the public at these premises.
4. There shall be no outdoor storage of merchandise.
5. Any change or expansion to the type of used goods sold shall require an amendment to the conditional use permit.

Moved by: _____

BALDWIN
GEHRZ ___ In Favor
GIBSON TALBOT
HUSTAD ___ Against
JACOBS

Approved by: _____

Mayor

Date

Attested by: _____

City Clerk

Date

Meeting Date: 4/26/95

Agenda Item: P - 2

***CITY OF FALCON HEIGHTS
REQUEST FOR COUNCIL CONSIDERATION***

ITEM DESCRIPTION: Presentation and discussion of the first design of the Larpenteur Avenue Corridor plans

SUBMITTED BY: Fred Hoisington, Hoisington/Koegler Group
Michael Schroeder, Hoisington/Koegler Group

REVIEWED BY: (Review of Concept)
Planning Commission
Susan Hoyt, City Administrator
Terry Maurer, City Engineer

EXPLANATION/SUMMARY: Both the city's 1980 and 1991 comprehensive plans called for upgrading the Larpenteur Avenue corridor, especially the community business district around Snelling and Larpenteur Avenues. The city has the opportunity to realize these improvements with the proposed reconstruction of Larpenteur Avenue in 1997 and 1998. In order to begin some specific design proposals, the council hired Hoisington/Koegler to develop landscape plans for the city. The Hoisington/Koegler Group prepared its first plans for the Larpenteur Avenue Corridor. The staff has not proposed any changes at this time because it is important to review the plan concept prior to making changes. These plans were presented to the planning commission for discussion and questions. The commission endorsed proceeding with the concept.

The plans will be presented for discussion to the city council for approval of the concept prior to meeting with all the interested and affected parties to discuss them further and to bring back revisions to the planning commission and city council. These groups include:

- 1666 Coffman residents
- University of Minnesota Golf Course
- University of Minnesota Agricultural Fields Committee
- University of Minnesota transportation and planning
- Gibbs Farm
- The Minnesota State Fair
- The Minnesota Horticultural Society
- All business owners along Larpenteur Avenue (individually)
- Apartment owners
- Homeowners
- Ramsey County (doing the road reconstruction)

The estimated cost of the proposed improvements is roughly \$1,000,000. The proposed project is included for funding in the city's 1988 Tax Increment Financing Plan. Although financial planning will be part of the Larpenteur Avenue project, preliminary financial analysis shows that, at this time, the city's current tax increment revenue is adequate to cover these costs. The city does not typically assess for landscaping, streetlighting and public pathway improvements.

ACTION REQUESTED:

1. Presentation of plans with questions
2. Discussion
3. Review of process from here
4. Approve the concept for discussion purposes

**CITY OF FALCON HEIGHTS
REQUEST FOR COUNCIL CONSIDERATION**

ITEM DESCRIPTION: Discussion regarding the Precinct Two Polling Place

SUBMITTED BY: Susan Hoyt, City Administrator
Carla Asleson, Administrative Assistant

EXPLANATION/SUMMARY:

Background. In the last year the city council directed the staff to research the possibility of using Falcon Heights Elementary School rather than Falcon Heights United Church of Christ as a polling place in order to provide an opportunity for school children to watch the voting process. Staff recently met with school officials to discuss this and found that, although it may be workable, there are parking and security challenges on this site during the school hours that may interfere with the overall goal of making it easy for voters to vote.

Parking and accessibility to the polling place. There are a number of parking and access constraints on the site. These include:

- There are an average of 88 voters per hour in precinct two during the state and national elections. Many of these voters come between 7 AM and 9 AM prior to going to work.
- With the voting being held in the east gym, voters will come to the east entrance to vote. This entrance also serves the school staff and the parents who are dropping off their children for childcare. All of these parties typically arrive between 7:30 AM and 8:00 AM, which creates congestion at this time of day.
- The two on-site school parking lots provide 64 spaces of which 60 are used by the staff. There are also spots used by school volunteers and visitors during the day.
- There is parking available in front of the school after and before bus loading and drop-off. However, it is not available during the early morning hours. It is also not directly adjacent to the east entrance, where voters are likely wanting to park.
- There is on-street parking on Garden Avenue. This may not provide easy access for voters that have difficulty traveling distances, especially if there is snow and ice on the streets.

Security. Over the past several months all schools are rigorously trying to account for and identify all adults entering a school building. The election invites all adults 18 or over into the school building. In order to control adults from going into the school area outside the polls, a monitor can be seated directly outside the polling place to make sure no adults go beyond that point and that no unsupervised children enter the polling place. This arrangement will enhance security but reduce the children’s likelihood of being exposed to voters.

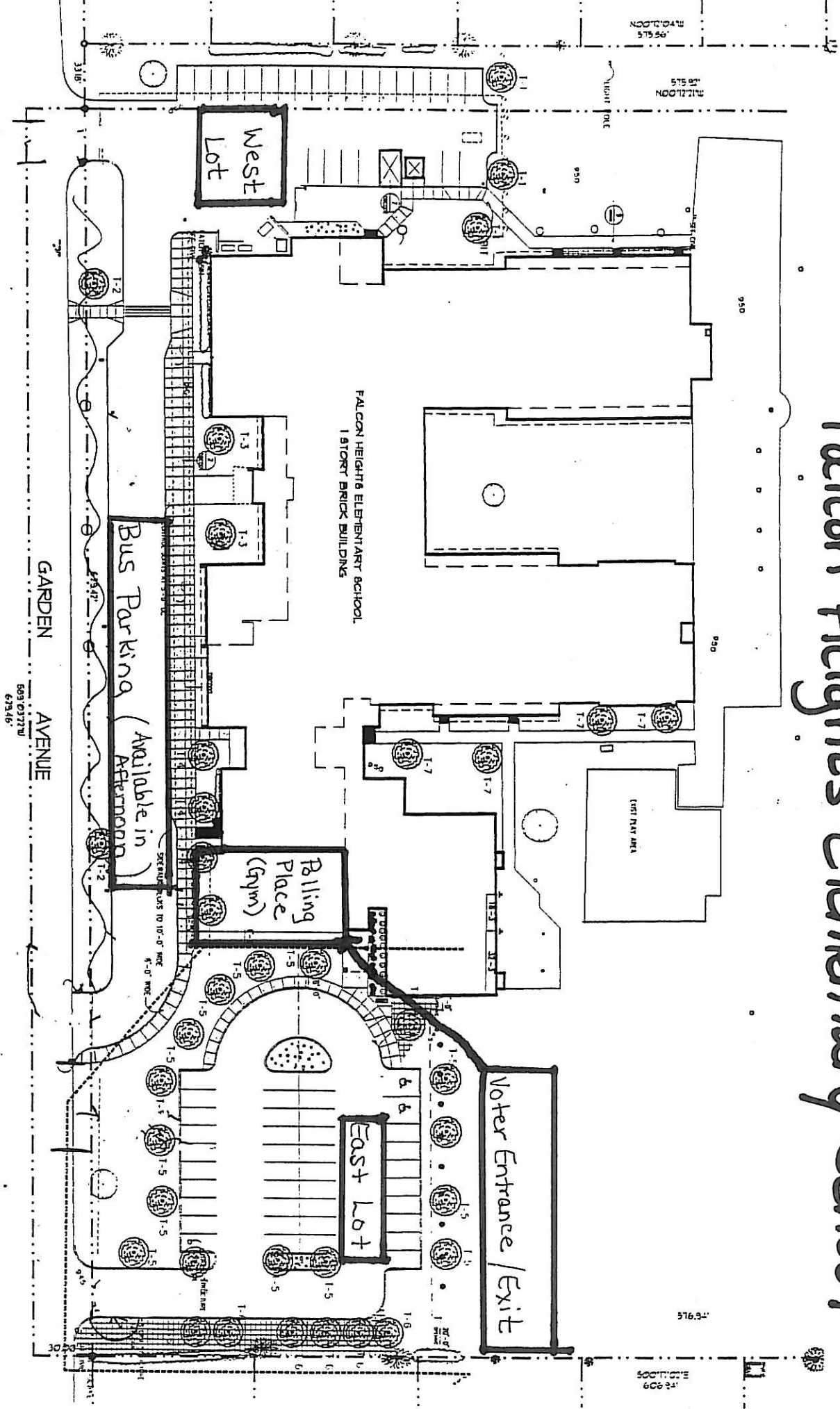
ATTACHMENTS:

- A - Site plan of Falcon Heights Elementary School
- B - Map of surrounding area

ACTION REQUESTED:

Consider and discuss the issues described and establish a polling place to avoid future cost and confusion of changes.

Parking / Site Plan Falcon Heights Elementary School

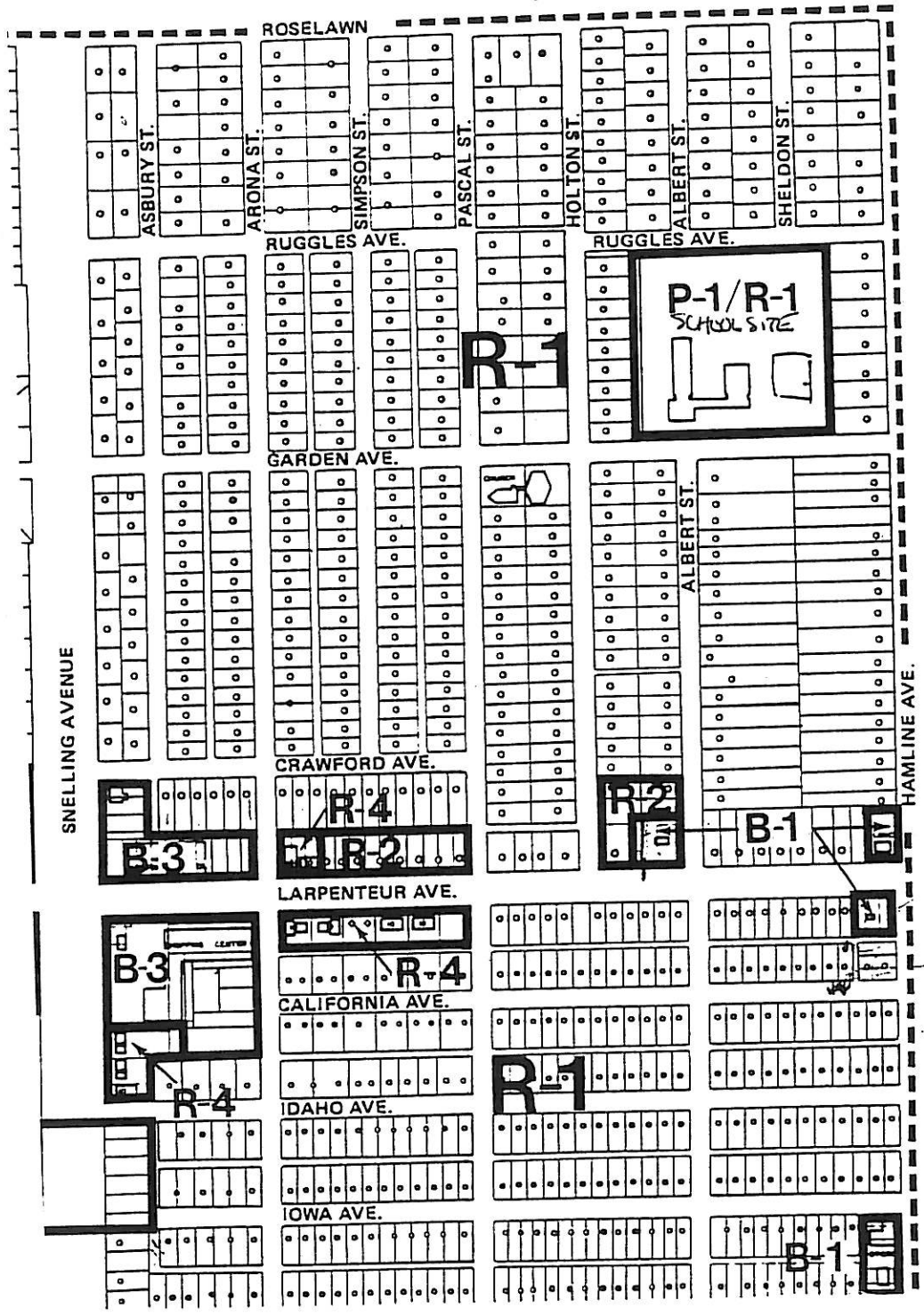


B.M. 1

GARDEN AVENUE
689 0377W
67346

NORTH AVE
575.56'
575.85'
NORTH AVE

606.34'



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5 APRIL 1995

**THE 6:00 PM CITY COUNCIL
WORKSHOP IS CANCELLED.**