

**City of Falcon Heights
Planning Commission Minutes
June 26, 2012**

PRESENT: Commissioners Black, Brown, Gustafson, Noble, Council Member Harris, City Attorney Soren Mattick, Staff Liaison Jones.

ABSENT: With notice, Commissioners Minns, Fite, Wartick

The meeting was called to order at 7:01 p.m. by the Chair, Commissioner Black, who noted that a quorum was present. The minutes for April, 2012, were approved.

Public Hearing: Amendment to Chapter 113 of the City Code concerning parking spaces and parking lots

The Chair asked the staff liaison to introduce the proposed code amendment. Jones explained that the proposed changes are minor and are designed to bring Falcon Heights code into line with more current parking lot design standards and best practices. The existing code was written when cars were much larger and there was less concern about storm water runoff. There are two changes: (1) reducing the minimum size of a parking space from 9 feet by 20 feet to 9 feet by 18 feet and allowing narrower aisles between rows; (2) giving the City Engineer discretion to allow alternate pavement edge and curb designs to direct water to filtration basins and other landscape features designed to keep storm water on site.

The Chair opened the public hearing. No members of the public came forward to speak, and staff did not receive any comments before the meeting. The hearing was closed.

Planning Commission discussion on the parking lot amendment.

Commissioner Noble asked Ms. Jones to give a definition of “wheel guard.” Jones said her understanding is that this means an alternate type of barrier (other than a solid curb) to keep a vehicle from accidentally rolling off the pavement. In response to a question from Commissioner Black she said there is generally no barrier required between abutting parking spaces because this would raise costs and impede snow plowing.

In response to a question from Commissioner Black, Jones went into further detail on the amendment’s specifications for angled parking and one way aisles, giving property owners more options for striping parking spaces. Commissioner Gustafson asked if this amendment would affect the required number of parking spaces. Jones said no, it does not address that at all. Property owners would not be required to reduce their parking space sizes; these are minimum standards. Black said it looked like this amendment would be a benefit to property owners and to the environment.

Gustafson moved, Brown seconded, that the Commission recommend approval. Approval was unanimous with no further discussion.

Planning Commission discussion on possible special event permit ordinance.

Staff Liaison Jones began with an introduction. Several business owners have approached the City to find out if they could hold a special event that would involve putting up a tent in the parking lot and serving food and drink outside. The City Code does not provide for this kind of use as a permitted, conditional or accessory use; therefore, it is not allowed. Many cities have ordinances that allow and regulate such events by special permit. The City Council asked the Planning Commission to study the issue of whether or not Falcon Heights might adopt such an ordinance. The Commission worked on this topic in March and April and viewed information from a variety of cities both in the Twin Cities area and elsewhere. Jones said she felt the Commission had reached a point where they felt that this is a very big topic and they desired more definite guidance from the Council on whether or not to proceed further.

Council Member Harris said she had not come away from the workshop with the impression that the Commission really wanted a “mandate” from the Council but that the Commission had informally concluded that the permitting process might be so cumbersome and expensive that it would be doing businesses a favor not to adopt a special event permit process. This is what she had communicated to the Council. Black asked for clarification: could a business come to the City now and get permission to do this kind of thing. Jones said no.

Gustafson said he felt that last month’s workshop raised so many issues of neighborhood impact, parking and event management that the process of getting a permit would be onerous on the businesses. Then there is the question of whether events should be allowed during the major fairground events that already have a significant impact, and would it be worthwhile to the businesses if we only allowed it at other times. He felt the Commission needs input not only from the Council but from the businesses and from the residents.

Jones commented that the Roseville ordinance had changed her own view of the issue because it is so much simpler than most of the models the Commission had viewed in the earlier workshops. It works for Roseville, a city six times the size of Falcon Heights, and shows that this is “doable.” She read the conditions in the Roseville ordinance, which is only one page. Black pointed out that Roseville gives a lot of discretion to the Community Development Department staff to evaluate and approve individual event applications without spelling out all the conditions – a contrast to the cities specify a lot of details such as permitted hours in their ordinances. He said he would like the Commission to get some formal direction from the Council whether or not to continue.

Ms. Harris said the Council wasn’t going to make that determination without more from the Planning Commission. Jones said then perhaps the Commission should vote on whether or not to proceed. Gustafson asked if the next step should be a public hearing to take input from the public. Attorney Mattick said a public hearing could be used to get initial feedback, not just at the stage of formally considering a proposed text amendment.

Commissioner Brown said he would feel more comfortable having some input from the businesses as to what they want to do and from the public as to how they feel. Until residents know what kinds of events businesses want to present they won’t know how to react. Commissioner Noble pointed out that business districts are directly adjacent to residential areas. She is concerned about neighborhood impacts and recommends moving cautiously.

Mr. Mattick asked what has driven this process. What kinds of inquiries have been received? Jones said Stout's Pub and Dino's expressed interest in having a "beer tent" type of event during the "Back to the 50s" event at the State Fairground. The Coffee Grounds would like to have an outdoor music festival in the summer. Spire Credit Union has expressed an interest in having a one or two day sale of cars in their parking lot, offering auto financing to their credit union customers, as they do at some of their other sites. The City often receives inquiries from entrepreneurs or organizations who wish to set up the kind of booth seen on Snelling in St. Paul at State Fair time. Over the years there has been consistent community opposition to such temporary commercial enterprises at Fair time or other times, but, she pointed out, Falcon Heights could tailor a special event ordinance to only allow the kinds of events the community finds appropriate. The City doesn't have to allow every kind of special event anybody wants.

Commissioner Black said that citizens would realize that it is too late for "Back to the 50s" this year, that this is something that is going to take time to be done right. Noble said the Commission could decide to do nothing. Gustafson again suggested a public hearing. He also said the Commission could vote a formal recommendation that the City would not proceed. He expressed concern that some businesses that already operate with parking variances would have additional parking deficits under event permits and could not meet the conditions in the Roseville ordinance. Black said it would be up to staff to determine whether this loss of regular parking would be tolerable. Harris pointed out that an event would attract more people to less parking – which would naturally overflow into the neighborhoods.

Black said these requests are not unreasonable and he is not prepared to rule it out absolutely at this point. Brown said he felt this matter should go back to workshop. Black agreed and would rather get public input after the Commission has more specifics to put before the public. However, public input should be gathered before all the decisions are made. Gustafson said in the workshop it looked like Falcon Heights would have to impose such stringent regulations to minimize negative impacts on residential areas that it would make it not worthwhile to have a permitting process. It seemed that there should be strong motivation for the Commission to go to the effort of formulating a so restrictive an ordinance. The Commission would like to be sure that the Council supports that magnitude of effort. Black agreed that the Commission wants to make sure its time is well spent. Harris said the Council would be guided by the Commission in this.

Brown said that the overflow traffic seems to be the critical issue. Could this not be addressed by severely limiting the number of days that events could take place? There would be weekends of impact but perhaps the residents would be willing to tolerate this for good will and to make the City a more attractive destination. Noble reminded the Commission that Falcon Heights already has to tolerate several major events that create a lot of impact on local residents.

Jones said that a special event ordinance need not allow everything everybody wants. It could be crafted to allow, for instance, only established businesses to put on their own special events on a limited basis but not outside vendors coming in. She felt that staff could handle the kinds of events that have been proposed so far. Brown said that the permit fee could certainly be high enough to compensate the City for some of the additional staff time and other resources that would be needed. Black said the event sponsors would have to be

responsible for covering the costs of the event; that the City should not have to bear any of the financial burden.

Gustafson repeated his call for some kind of public hearing to get citizen input. July might not be the best time. Perhaps September would be a good time and something could be put in place for next year. Jones agreed that July and August might not be the best time to gather information, that the fall might be better, before the holidays. The Commission could use a variety of means to gather input, including a web poll. She suggested using the next month to plan how to conduct that information phase. Black said he agrees that more public input is needed but not necessarily a formal hearing until there is a more definite action proposed.

Brown asked what the Commission needs to do next about this. Jones said that the Commission doesn't need to do anything except form a consensus to go on or to stop. She and Council Member Harris would communicate back to the appropriate people. Noble asked if the matter couldn't be tabled to workshop again. Gustafson said it should either be more workshop or a formal vote to stop. Commissioners informally agreed to keep talking about the matter in July.

Information and Announcements:

Harris reminded everyone that the Ice Cream Social is coming up Thursday, July 28, at Community Park.

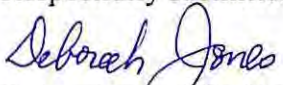
Jones announced that the date has been set for the annual City-wide Garage Sale on September 15. Sign-ups will open in August.

Gustafson reminded residents that the Night to Unite is coming up in August. Time to organize your block parties!

Harris announced the sidewalk poetry contest sponsored by the Lions.

ADJOURNMENT: The meeting was adjourned at 8:15 p.m. to workshop

Respectfully submitted,


Deborah Jones, Staff Liaison

Planning Commission Workshop: Prairie Gardens

The Council has asked the Planning Commission to study an ordinance recommended by the Environment Commission that would significantly expand Chapter 54 Vegetation. The new text would define in much greater detail the kind of landscaping allowed on residential property, including the use of "natural" landscaping, such as prairie gardens, meadow gardens and rain gardens. The ordinance, based on City of Minnetonka code, would define and allow prairie gardens without setback restrictions except from the paved street. Permits would not be required but plantings would have to meet certain conditions in order to be considered prairie gardens.

Although the new ordinance would not change the Zoning Code, Chapter 113, which is the only chapter under the Planning Commission's direct authority, the Council wants the Planning Commission to review this change for possible impact on planning issues and neighborhood impact and for consistency with the comprehensive plan.

Originally planned for May but tabled due to a large volume of other business, this workshop consisted mostly of orientation and background information from staff, with the earliest stages of discussion. Prairie gardens are increasing in popularity because they are native to the area; they save water and, once established, require less maintenance than traditional suburban landscaping. In addition to the proposed ordinance based on the City of Minnetonka, Commissioners were provided with model ordinances from other cities, including some that do require permits, and literature on procedures and best practices for this type of landscaping.

Staff liaison Jones informed Commissioners that a natural landscaping amendment would be important from a staff point of view because it could provide greater clarity to residents about what is okay to have in a yard and what is okay for a neighbor to do in their yard. It would also give staff some additional code enforcement tools for requiring residents who say they have a prairie garden to meet defined standards on maintenance and what vegetation is allowed. According to the city attorney the existing code is vague on this because it assumes that yards will be the traditional type, with turf grass, trees, shrubs and planting beds, without stating these assumptions explicitly.

Commissioners pointed out that there are already a number of prairie gardens in the City. There was one in front of City Hall until a few years ago, and there is a large prairie garden in Community Park. Council Member Harris was particularly helpful because she has had a small area of prairie vegetation established on her property for several years and could speak to what is involved in setting up and caring for this type of landscaping. Her prairie was set up by a professional and required a lot of attention during the first few years. Now that it is established, she is very pleased with the outcome.

Due to the late hour, the Commission decided to continue the discussion at a future workshop.