

City of Falcon Heights
Planning Commission Agenda
28 March 2000 7:00 PM
City Hall

File PC
Agenda

Commissioners

Tom Brace
Wayne Groff
Barb Heideman
Melissa Maher

Toni Middleton
Ken Salzberg
Irene Struck

Council Liaison Peter Lindstrom

- A. Call to Order
- B. Approval of minutes from December 14, 1999
- C. Introductions
 - 1. New commissioner Barb Heideman
 - 2. New Council Liaison Peter Lindstrom
 - 3. New staff member Heather Worthington
- D. Selection of a chair for 2000
- E. Items for consideration :
 - 1. Consideration of a variance of 6 feet in the required rear yard setback of 30 feet for 1821 Asbury Street
 - 2. Consideration of adoption of Minnesota Rule 1306 related to the fire suppression systems (part of zoning code)
 - 3. Clarification of the zoning code noting that one garage is permitted per dwelling unit in an R-1 zone
 - 4. Information on the proposed change in the references in the business zones to standard industrial classifications (SIC) to specific terms and definitions
 - 5. Proposed minor amendments to the city's 1991 comprehensive plan to comply with Minnesota Statute requiring update of the plan by Dec. 1999
- F. Information only
 - 1. Common principles discussed with the University of Minnesota St. Paul Campus land use planning task force
 - 2. Update on Geographic Information Systems (GIS) implementation
 - 3. Update on commercial properties
- G. Thanks and farewell from Susan Hoyt, city administrator
- H. Adjourn

City of Falcon Heights
PLANNING COMMISSION AGENDA
March 28, 2000
7 p.m., City Hall

- A. Tom Brace ___ Wayne Groff ___ Barb Heideman ___
Melissa Maher ___ Toni Middleton ___ Ken Salzberg ___
Irene Struck ___ Council Liaison Peter Lindstrom ___
- B. CALL TO ORDER
- C. APPROVAL OF MINUTES: December 14, 1999
- D. INTRODUCTIONS AND SELECTION OF CHAIR
1. Introductions of council liaison, Peter Lindstrom, to commission; Barb Heideman, new commissioner, and new staff member Heather Worthington
 2. Selection of a chair for 2000
- E. REQUESTS FOR ACTION:
1. Variance request for 6 foot setback from rear property line at 1821 Asbury
- F. AGENDA:
1. Consideration of Minnesota Rule 1306 related to the fire suppression systems
 2. Clarifying that one garage per single family lot is permitted in the zoning code. Current code has a number of regulations that indirectly address this, but staff will discuss the desire for clarity.
 3. Status of pending amendment to the zoning code clarifying the zoning classifications in the business section
 4. Proposed minor amendments to the city's comprehensive plan to update the data and meet the statutory requirement of updating the plan by December, 2000
 5. Principles discussed with the University of Minnesota St. Paul Campus Land Use planning task force
 6. Implementation of Geographic Information Systems (GIS)
 7. Update on key commercial properties
 8. Thanks and farewell from the city administrator
- G. ADJOURN

City of Falcon Heights
Planning Commission Minutes
14 December 1999

Chair Treadwell called the meeting to order at 7:00 PM. Commissioners Groff, Maher, Middleton, Salzberg and Struck were present. Administrator Hoyt was present.

Commissioner Salzberg moved approval of the minutes from November 23, 1999. Commissioner Struck seconded the motion. The motion passed unanimously.

Chair Treadwell introduced the public hearing and recommendation on ordinance 99-09 regarding zoning code definitions and uses for schools and education in commercial zones, B-1, B-2 and B-3. After a brief explanation, Chair Treadwell opened the public hearing at 7:02 P.M. No one was present to speak so Chair Treadwell closed the public hearing at 7:02:30 P.M. Commissioner Salzberg moved approval of the ordinance 99-09. Commissioner Struck seconded the motion. The motion passed unanimously.

Chair Treadwell introduced the public hearing and recommendation on ordinance 99-10 amending the zoning code to clarify the sideyard setback for garages on alleys. Chair Treadwell opened the public hearing at 7:07 P.M. No one was present to speak so Chair Treadwell closed the public hearing at 7:07:30 P.M. Commissioner Groff moved approval of ordinance 99-10. Commissioner Maher seconded the motion. The motion passed unanimously.

Administrator Hoyt announced that the planning commission will meet with the city council on January 26, 2000 to hear a presentation of building plans by the University of Minnesota.

The commission and staff thanked Chair Treadwell for her service as planning commissioner over the past years.

Commissioner Middleton moved to adjourn the meeting. Commissioner Maher seconded the motion. The meeting was adjourned at 7:12 P.M.

Respectfully submitted,

Susan Hoyt
Recording Secretary
City Administrator

Item: 1
Date: 3/28/00

ITEM: Consideration of a variance of 6 feet in the required rear yard setback of 30 feet for 1821 Asbury Street

SUBMITTED BY: Randy Boggio and Janet Schultz, Property Owners, 1821 Asbury

REVIEWED BY: Susan Hoyt, City Administrator
Heather Worthington, Assistant to the City Administrator

EXPLANATION / DESCRIPTION:

Summary and action requested. The planning commission is being asked to consider a request for a variance of 6 feet in the required 30 foot rear yard setback of 30 feet to put on an addition to their home at 1821 Asbury Street. The variance, if granted, will maintain the existing rear yard setback of 24 feet. The staff recommends the variance request because the unusually shallow lot (75 feet rather than a standard 120 feet) creates a unique property related hardship for the property owner and, therefore, it meets the requirements for granting a variance. State statute requires that a variance have a hardship associated with the property. A variance cannot be granted because of cost or family living space concerns.

Characteristics of the property.

1821 Asbury Street is an atypical lot in Falcon Heights where there are three blocks that were subdivided to be narrow lots (75 feet in depth rather than 120 to 135) and wider (90 feet compared to 50 to 75 feet). They are typically 40 feet wider and 45 feet shorter than most city lots.

Homes along these narrow lots typically add on in the sideyard rather than cutting further into the rear yard, although there are several examples from many years ago where additions were put on to encroach within 15 feet of the rear property line.

Background.

A few years ago the planning commission and council denied a request for a variance for a homeowner who wished to reduce the rear yard to 12 feet in depth from the existing 25 feet because the property owner had the opportunity to add onto the house in the sideyard without a variance.

The property owners of 1821 Asbury Street originally submitted plans to add onto their by extending the addition toward the rear lot line rather than going out the side of the home. However, they were amenable to revising their plans to maintain the existing rear line of the structure and expanding into the rear yard.

The zoning code permits property owners to maintain the existing setbacks for side yards, and therefore, it is not inconsistent in this unique case to allow the existing rear yard setback to continue.

Compatibility with neighborhood design. The proposed addition to the side and rear without further reducing the rear yard is consistent with other houses along these narrow lots.

Comments from neighbors. Five abutting property owners were notified of the variance as of this writing no one has commented on the request. (Whether or not neighbors object is not a legal reason for approving or denying a variance request.)

Staff recommendation.

The staff recommends granting this variance because the property depth creates a hardship in retaining a 30 foot rear yard setback.

The proposed addition is consistent with the rest of the neighborhood.

The variance will not create a threat to the public health and safety.

ATTACHMENTS:

- 1 Site plan with proposed addition
- 2 Diagram of comparative lots and development of lots
- 3 Plat of area
- 4 Letter from property owner
- 5 Resolution approving the granting of a variance of 6 feet in the rear yard setback

ACTION REQUESTED:

Report from city administrator

Questions and comments from commissioners to city staff

Questions to property owners from commissioners

Discussion

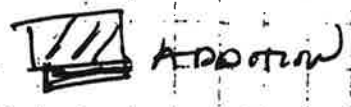
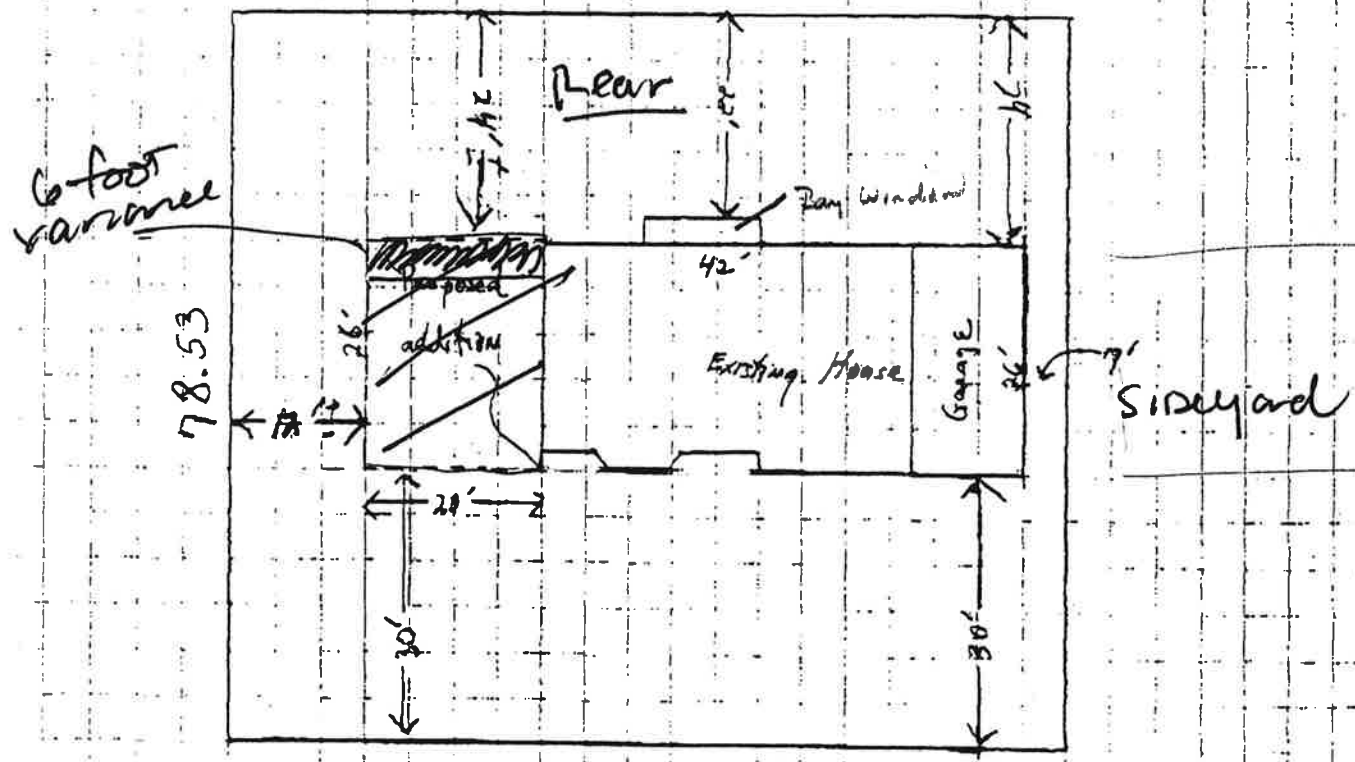
Motion to approve resolution granting the variance, if desired.

This variance will be on the April 12, 2000 council agenda.

N →

Randy Boggio & Janet Schultz
 1821 Asbury St.
 Falcon Heights
 Timber Craft Remodeling
 Revised 3-17-00

"Site Plan"



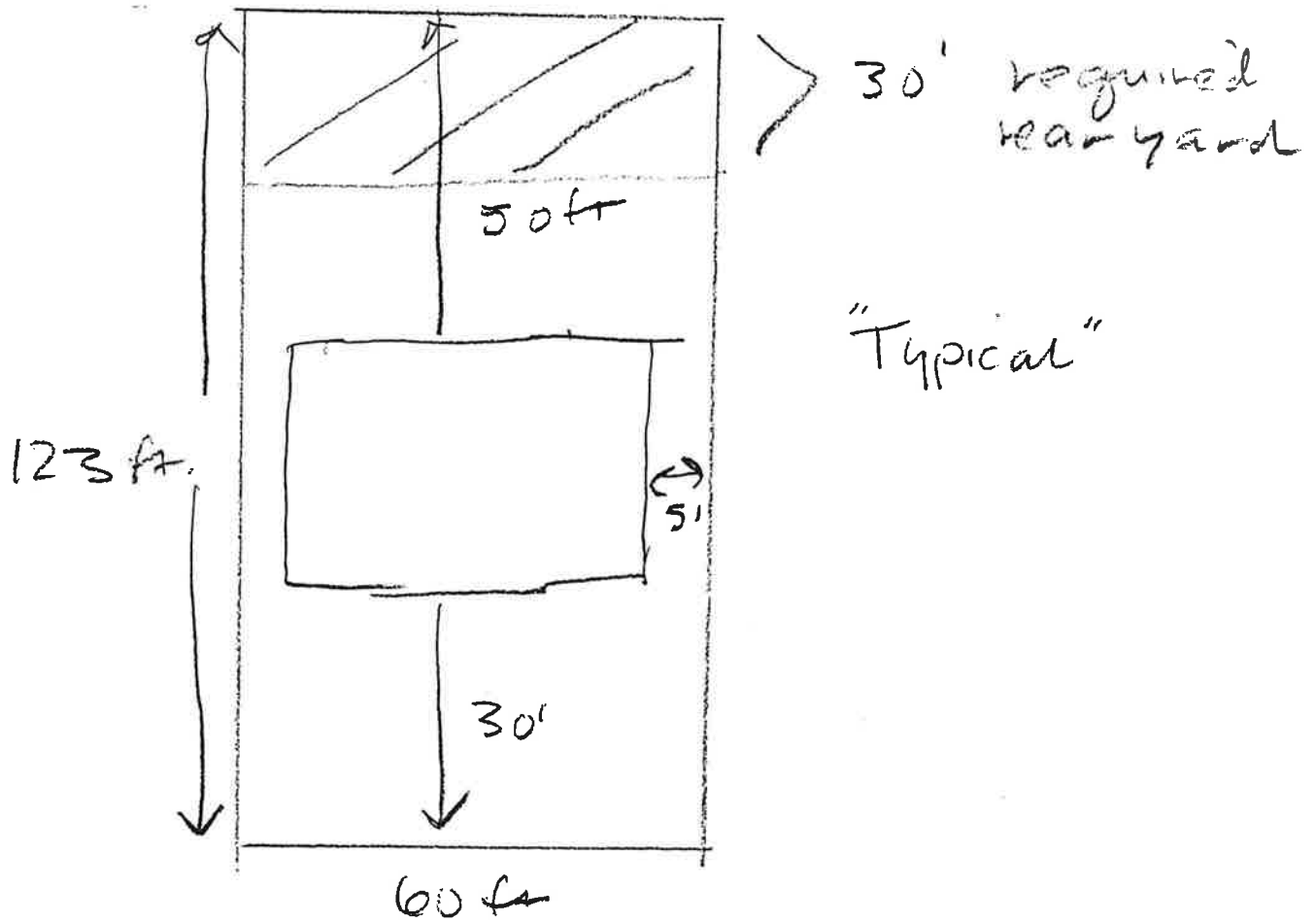
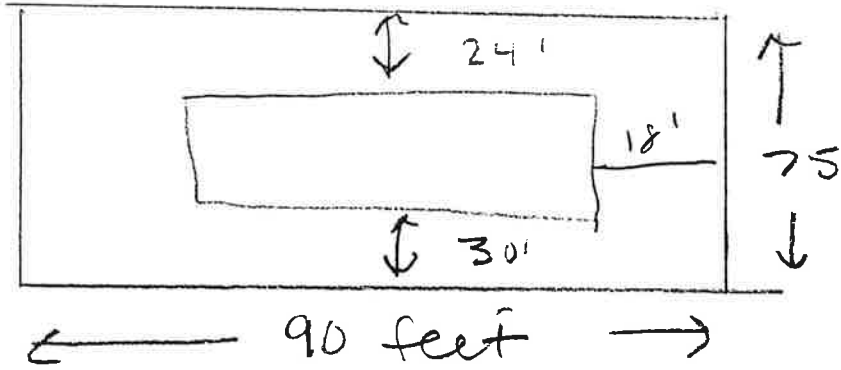
95' FRONT

Asbury St.

1/4" = 20'

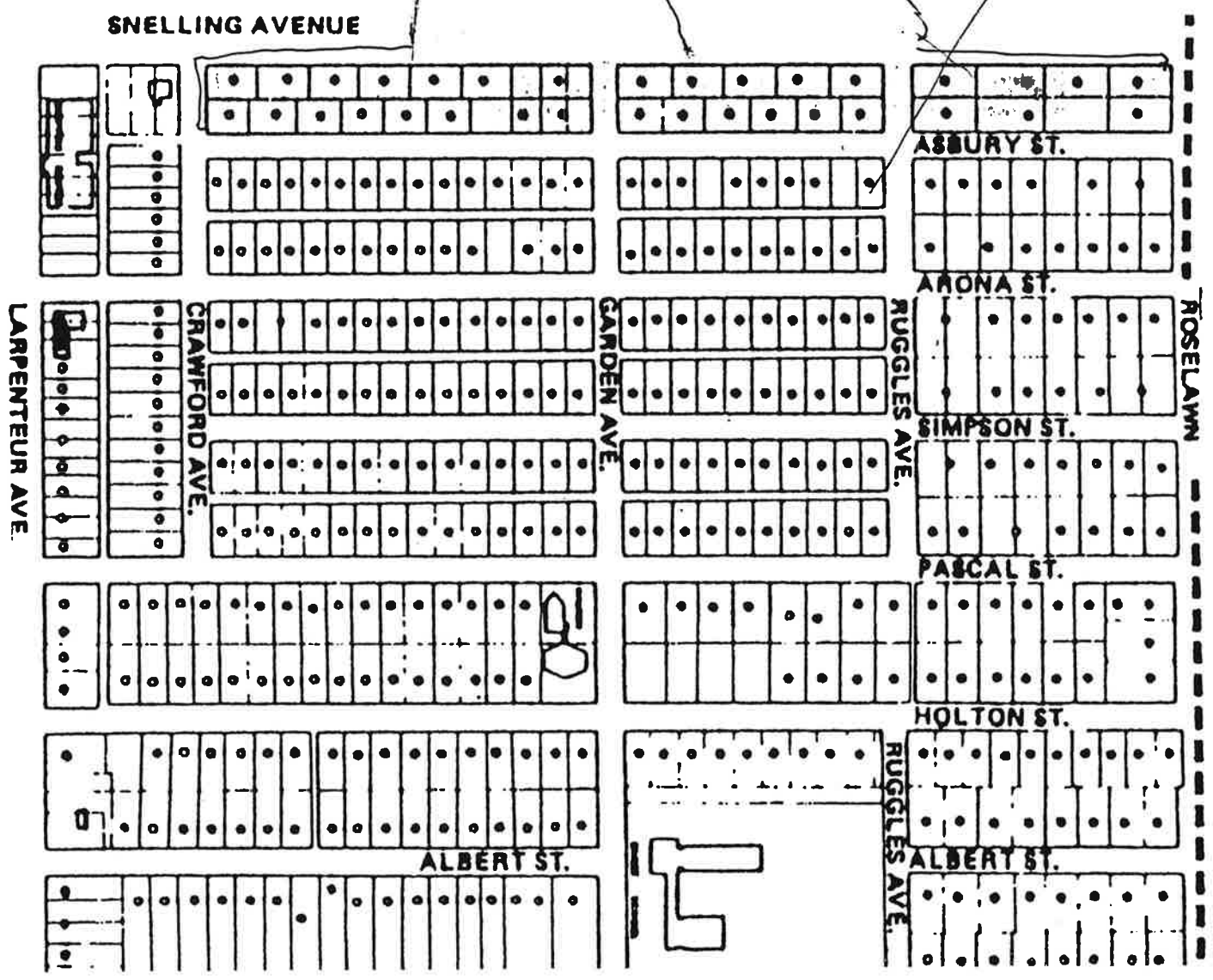
NOT TO SCALE

EXAMPLES ONLY



3 Blocks with narrow lots
Varies (75' deep)
90' wide

Standard lot
(60' x 123')



Heather Worthington
Assistant City Administrator/Planner
City of Falcon Heights
2077 W. Carpenter Avenue
Falcon Heights, MN 55113-5594

RE: Variance for 1821 Ashbury

Dear Ms. Worthington,

This letter is to explain why we have requested a variance to construct an addition on our home.

We purchased our home in November of 1991. At the time we had one child, our oldest son Schuyler. Since that time our family has grown with the addition of our second son Dominic (7/15/93) and our third son Janson (7/2/96). We loved our house the moment we saw it but had a concern even at that time that it was too small. With the current size our family the house is definitely too small and seems to get smaller each day as the boys get bigger.

We were faced with a choice: either move to a bigger home or add to our current home. It really was no choice at all. We love our neighborhood, our neighbors are fantastic, our children go to Falcon Hts. Elementary School; so moving is hopefully out of the question!

After much discussion of our builder the current proposal is the only option which makes sense for us. We would build out on 3 levels. The new basement would double the current square footage of our current basement. We would put an extra bedroom in the basement and use the remaining space for much needed storage space.

The first floor would have a family room and a study. The family room was the main reason for the addition. Currently we do not have a space for the boys to stretch out, relax and entertain their friends. The second floor be an extension off Schuyler and Dominic's bedroom. We plan to use this space as a study for the boys. As they get older and their homes would get busier they will need a quiet place of their own.

The original plan for the 26' by 20' addition was to go 2' further toward the back lot line. This would place it 22' from the back which is in line with our kitchen which extends 2' further back than the rest of the house. The city planner did not want us to go back any further than 24' from the lot line so we revised our plans. The size of the addition stayed the same but we would now like to come out 2' further in the front of the house. The front of

The addition would still be 30' from the street and would not be any closer to the street than our current house.

Due to the current housing codes, it is my understanding the our entire house is noncompliant because it is 24' from the back lot line instead of the required 30'. Therefore in order to be in compliance, the addition would have to be 6' from the existing line of the house in the back. But we can not go any further in the front than we are currently planning to do. This would be uneconomical and would not make the addition worth doing. Therefore we are asking that a variance be granted allowing us to put an addition on our house which is even with the current line of the back of our house.

Thank you for your consideration.

Sincerely,
Ray Boggio
& Janet Schultz

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**City of Falcon Heights
Planning Commission Resolution**

Date: 3/28/00

On March 28, 2000 the Falcon Heights planning commission granted a variance of 6 feet in the 30 foot required rear yard setback of 1821 Asbury Street. The variance was granted to permit the construction of an addition to the single family home.

The planning commission determined that the property is unique because it is narrower than most lots in Falcon Heights and, therefore, creates a hardship for the property owner at 1821 Asbury Street.

The planning commission found that:

- a. Granting the variance will not be detrimental to the public welfare.
- b. Granting the variance will not substantially diminish or impair property values or improvement in the areas.
- c. Granting the variance is necessary for the preservation and enjoyment of substantial property rights.
- d. Granting the variance will not impair the orderly use of the public streets.
- e. Granting the variance will not impair an adequate supply of light and air to adjacent property.
- f. Granting the variance will not increase the danger of fire or endanger the public safety.
- g. A particular hardship, as distinguished from mere inconvenience to the owner, would result if the strict letter of the chapter was carried out.
- h. The variance is not sought principally to increase financial gain of the property owner and that a substantial hardship to the owner would result from a denial the variance.

Item: 2

Date: 3/28/00

ITEM: Consideration of an amendent to the zoning code adopting Minnesota Rule: 1306, Special Fire Protection Systems.

SUBMITTED BY: Susan Hoyt, City Administrator

REVIEWED BY: Greg Schmit, Building Inspector
Heather Worthington, Assistant to the City Administrator

EXPLANATION/DESCRIPTION:

Summary and action requested:

The Commission is being asked to schedule a public hearing on an amendment to the zoning code which would include Minnesota Rule 1306 of the Uniform Building Code. This rule requires fire suppression systems be installed in commercial and multi-family units with 2,000 or more square feet, when a structure is remodeled or newly constructed. The city has historically enforced the fire code. This is a new rule and requires adopting to formally enforce. It is recommended by the State Fire Marshal's office. Many other metropolitan municipalities use are adopting this rule too. This is coming before the planning commission because the reference to the building code and rule 1306 is part of the zoning code and, therefore, requires a public hearing and action by the planning commission.

Goal 1: To protect the public health and safety.

ACTION REQUESTED:

Brief review by city administrator.

Discussion

Recommend motion to schedule a public hearing for amending the zoning code on April 25, 2000.

Item: 3
Date: 3/28/00

ITEM: Consideration of an ordinance amending the zoning code to clarify that one garage is permitted on a single family property

SUBMITTED BY: Susan Hoyt, City Administrator

EXPLANATION/DESCRIPTION:

Summary and action requested. The planning commission is being asked to consider an ordinance amending the zoning code to clarify that there is only one garage permitted on a single family property. This is a clarification of the zoning code which doesn't specifically state that only one garage is permitted but infers it through a number of regulations on accessory structures and driveway area that limit off street parking on a lot, but these can be muddy. The staff's concern is that an house with an attached garage might build a second detached garage of 1,000 square feet or less. This would not preclude a property owner from having an attached garage or a detached accessory structure and a detached accessory structure for storage or outdoor use that is not a garage (the code already controls to prohibit 'pole barns'). A property cannot have two driveways nor two driveway entrances which also controls for the number of garages. As of this writing, there have been no requests for two garages on a single family residential lot.

Background.

A property is permitted a maximum of 1,000 square feet of detached accessory structures. The number varies depending upon the width of the lot since accessory structures can cover no more than 40% of the required rear yard.

Proposed language.

Chapter 9 Section 4.01 Single Family Residential

Subdivision 3 Permitted Accessory Structures

c. **One** private garage or carport and parking space as regulated in 9-2.04.

9-2.04 contains the provisions related to accessory structures of all types for all properties and does not need amending.

Recommendation. Although there have been no requests for a second garage, it is easier to clarify that only one is permitted than rely on all the other sections of the code put together. However, it is much easier for residents planning to construct a new garage or an additional storage area to see the rule clearly stated in the zoning code.

ACTION REQUESTED:

Report from City Administrator

Discussion

Recommend scheduling a public hearing on this ordinance for the April 25 planning commission meeting.

Item: 4
Date: 3/28/00

ITEM: Information on a proposed ordinance amending the zoning code to change commercial business uses from referring to Standard Industrial Classifications (SIC) Codes to self explanatory terms.

SUBMITTED BY: Susan Hoyt, City Administrator

REVIEWED BY: Heather Worthington, Assistant to the City Administrator

EXPLANATION/DESCRIPTION:

Summary and action requested. The planning commission is being provided information on the proposed change in the zoning code commercial use references from SIC codes, which are in an outside book, and including uses and their definitions. The SIC codes require referencng a specific book with specific dates and limit the understanding of the code when reading it. It also creates some long term problems.

The city attorney's staff drafted the ordinance amending the commercial zones and the city staff is now reviewing them to make sure that uses reflect the intent of the commercial code, which was substantially revised in 1995.

The staff is proposing that tanning salons be included in the list of permitted uses. It was prior to the code revision and was an oversight in the reworking of the ordinance several years ago. There is an existing tanning salon and a business that would like to add one to its beautician business. A tanning salon is consistent with the types and scale of services being offered in the city's commercial district.

Staff recommends proceeding with this process by scheduling a public hearing. The commission will get a final report on the definitions at the next meeting where changes can be made. The intent of this activity is to make the code more understandable but maintain the identical code that is in place.

ATTACHMENT:

- 1 Sample from current code in B-3 community business district uses
- 2 Rough draft of proposed ordinance – will be reviewed and reported in final form next meeting

ACTION REQUESTED:

Report from city administrator

Discussion

Schedule a public hearing on the proposed ordinance for April 28, if desired.

PLANNING & DEVELOPMENT 9-10.01

PART 10. "B-3" SNELLING AND LARPENTEUR COMMUNITY BUSINESS DISTRICT

9-10.01 "B-3", Snelling and Larpenteur COMMUNITY Business DistrictSubdivision 1. Purpose and Intent.

The district applies only to the four quadrants of the Larpenteur and Snelling intersection. The district is designed to provide retail sales and services that only serve the surrounding neighborhoods' and community's needs. Retail sales and services that serve a larger geographic area are available in larger, nearby business districts in adjacent cities. By limited and controlling the uses that are permitted, the district is designed to be accessible to retail customers from the nearby neighborhoods and the community, to be compatible with the character of the neighborhoods and overall community, and to minimize the blighting influence on the surrounding residential neighborhoods.

Furthermore, the district provides for and encourages compact centers for retail sales and services by grouping businesses into patterns of workable relationships that complement each other. The district is designed to be easily accessible to users. It excludes highway oriented and other high traffic volume businesses that would tend to disrupt the cohesiveness of the shopping center or its circulation patterns and shared parking arrangements.

Subdivision 2. Permitted Uses. No structure or land shall be used except for the following uses (SIC = Standard Industrial Classifications from the Office of Management and Budget, SIC Manual, 1987):

- a. Auto parts and accessory stores.
- b. Apparel and accessory stores (SIC 56).
- c. Beauty and barbershops (SIC 723 & 724).
- d. Bowling alley
- e. Coin and philatelic (stamp) store.
- f. Computer programming and data processing services (SIC 737).

- g. Eating establishments (SIC 5812).
- h. Financial institutions and insurance establishments with hours open to the public no earlier than 8 a.m. and no later than 6 p.m. An automatic teller machine may operate 24 hours a day.
- i. Food stores (SIC 54) excluding the outdoor sales of produce, meat and seafood.
- j. Hardware stores (SIC 5251).
- k. Home furnishing, appliance and equipment stores (SIC 57).
- l. Laundry, laundromat and dry cleaning establishments (SIC 7212, 7215 and 7219).
- m. Mailing, reproduction, commercial art, photography and stenographic services (SIC 733).
- n. Medical and dental offices and clinics (SIC 801-804).
- o. Miscellaneous retail establishments (SIC 59~~4~~) including antique stores but excluding fuel dealers (SIC 598) and gun shops.
- p. Motion picture theaters (SIC 7832).
- q. Offices, business and professional.
- r. Office supply and art supply stores, retail.
- s. Paint and wallpaper stores, retail (SIC 523).
- t. Personal service establishments as follows: tax return preparation services, diet centers, costume and dress suit rental stores, photography services.
- u. Physical fitness facilities.
- v. Precious metal dealer with a precious metal dealer license.
- w. Printing and duplicating shops provided not more than six employees are employed on the premises at one time (SIC 7334).
- x. Public and essential service uses.
- y. Schools and studios for art, photography (SIC 722),

dance (SIC 791), music and interior design.

z. Therapeutic massage enterprise (see 5-3.08 for license).

z1. Video rental stores (SIC 784).

Subdivision 3. Conditional Uses. The following uses are permitted subject to the issuance of a C.U.P.

a. Animal grooming and pet stores provided there shall be no boarding of animals on the site.

b. Bank drive-in facilities as an accessory use to a financial institution with hours open to the public as identified in the conditional use permit.

c. Basement storage of goods not sold on the premises provided that the space is completely finished and ready for use, is sprinklered, has elevator access, provides two pedestrian accesses, has an existing loading dock or area that does not conflict with adjacent residential areas or entry to businesses and is approved by the city fire marshal.

d. Car washes which are accessory to the principal use and meet the requirements for service stations, Section 9-14.01, Subdivision 17.

e. Child care and nursery school facilities subject to licensing by the State of Minnesota.

f. Charitable gambling establishments as a principal use in accordance with the city's licensing requirements, Chapter 5, Section 3 of the city code.

g. Custom manufacturing of handmade goods that are sold on the premises provided the manufacturing operation is incidental to a retail operation.

h. Drinking establishments, bars and taverns (SIC 5813) subject to the city's licensing requirements, Chapter 5, Section 3 of the city code.

i. Gun shops are a conditional use on the northwest corner of Snelling and Larpenteur as long as the following conditions exist:

- 1) A minimum of 1,000 from any residential zone except for a minimum of 150 feet from any residential zone when the residential zone is buffered by a separate commercial facility.

DRAFT
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CITY OF FALCON HEIGHTS
RAMSEY COUNTY, MINNESOTA

ORDINANCE NO. _

AN ORDINANCE AMENDING CHAPTER 9 OF THE
FALCON HEIGHTS CITY CODE DEFINING PERMITTED AND
CONDITIONAL USES IN THE BUSINESS DISTRICTS.

THE CITY COUNCIL OF THE CITY OF FALCON HEIGHTS ORDAINS:

SECTION 1. Section 9-1.02 of the Falcon Heights City Code is amended to include the following definitions:

Apparel and Accessory Stores. Retail stores primarily engaged in selling new clothing, shoes, hats, underwear, and related articles for personal wear and adornment. Uniform stores, furriers, and custom tailors carrying stocks of materials are included.

Automobile Repair Establishments. Establishments primarily engaged in general automotive repair, including the installation, repair, or sale and installation of automotive exhaust systems and automotive transmissions.

Barber Shops. Establishments primarily engaged in furnishing barber and men's hair styling services, ~~including barber colleges.~~

Beauty Shops. Establishments primarily engaged in furnishing beauty or hairdressing services. Beauty and cosmetology schools are included in this industry. Beauty shops include beauty and barber shops (combined), beauty culture schools, beauty shops or salons, cosmetology shops or salons, facial salons, hairdressers, manicure and pedicure salons, and unisex hairdressers.

Cable and Other Pay Television Services. Establishments primarily engaged in the dissemination of visual and textual television programs, on a subscription or fee basis. Establishments which are primarily engaged in cablecasting and which also produce taped program materials are included.

Commercial Art Services. Establishments primarily engaged in providing commercial art or graphic design services for advertising agencies, publishers, and other business and industrial users.

Commercial Photography Services. Establishment primarily engaged in providing commercial photography services for advertising agencies, publishers, and other business and industrial users.

Computer Programming, and Data Processing Services. Establishments primarily engaged in providing computer programming and data preparation and processing services. Establishments of this industry perform a variety of additional services, such as computer software design and analysis; modifications of custom software; and training in the use of custom software. Also included are application software programming, computer code authors, computer programs or systems software development (custom), computer software writers (free-lance), software programming, calculating service, computer time-sharing, data entry, data processing, data verification, keypunch, leasing of computer time, optical scanning, rental of computer time, service bureaus (computer), and tabulating.

Convenience Store. A retail establishment which generally sells a limited range of food products, nonprescription drugs, candy and other perishable goods. This includes soda and similar beverage dispensing and food products, which can be heated and/or prepared on-site.

Dance Studios, Schools and Halls. Establishments primarily engaged in operating dance studios, schools, and public halls or ballrooms.

Drinking Establishments, Bars and Taverns. Establishments primarily engaged in the retail sale of alcoholic drinks, such as beer, ale, wine, and liquor, for consumption on the premises.

Drug Stores/Pharmacies. Establishments engaged in the retail sale of prescription drugs, proprietary drugs, and nonprescription medicines, and which may also carry a number of related lines, such as cosmetics, toiletries, tobacco, and novelty merchandise. These stores are included on the basis of their usual trade designation rather than on the stricter interpretation of commodities handled. This industry includes drug stores which also operate a soda fountain or lunch counter.

Eating Establishments. Establishments primarily engaged in the retail sale of prepared food and drinks for on-premise or immediate consumption. Caterers and industrial and institutional food service establishments are also included in this industry.

Florists. Establishments primarily engaged in the retail sale of cut flowers and growing plants. This excludes retail nurseries and lawn and garden supply stores.

Food Stores. Retail stores primarily engaged in selling food for home preparation and consumption. Included are grocery and convenience food stores, meat and fish markets, fruit and vegetable markets, candy, nut, and confectionery stores, dairy products stores, retail bakeries, retail coffee stores, spice and herb stores, retail water and mineral water stores, are vitamin food stores.

Fuel Dealers. Establishments primarily engaged in the retail sale of fuel oil, liquefied petroleum gas (bottled gas), and coal and wood dealers.

Garment Pressing, and Agents for Laundries and Drycleaners. Establishments primarily engaged in providing laundry and drycleaning services but which have the laundry and drycleaning work done by others. Establishments in this industry may do their own pressing, finishing work, alterations and incidental repairs.

Hardware Stores. Establishments primarily engaged in the retail sale of a number of basic hardware lines, such as tools, builders' hardware, paint and glass, housewares and household appliances, and cutlery.

Health Care, Offices and Clinics. Establishments of health practitioners engaged in furnishing medical, surgical and other health services to persons, but does not include in-patient health care services. Included are individual practitioners, group clinics in which a group of practitioners are associated for the purpose of carrying on their profession, and clinic which provide the same services through practitioners that are employees. Practitioners may or may not be licensed or certified, depending on state law.

Home Furnishing, Appliance and Equipment Stores. Retail stores selling goods used for furnishing the home such as furniture, floor coverings, draperies, glass and chinaware, domestic stoves, refrigerators, other household electrical and gas appliances, radios, televisions, computers and software, consumer electronics, prerecorded audio and video tapes and disks, music, and musical instruments. Establishments selling electrical and gas appliances are included in this group only if the major part of their sales consists of articles for home use.

Hotels and Motels. Commercial establishments, known to the public as hotels, motor hotels, motels, or tourist courts, primarily engaged in providing lodging, or lodging and meals, for the general public. Hotels which are operated by membership organizations and open to the general public are included in this industry. Also included are auto courts, bed and breakfast inns, cabins and cottages, casino hotels, hostels, hotels (except residential), Inns (furnishing food and lodging), motels,

recreational hotels, resort hotels, seasonal hotels, ski lodges and resorts, tourist cabins, and tourist courts.

Laundry and Garment Services. Establishments primarily engaged in furnishing laundry and garment services such as the repair, alteration, and storage of clothes for individuals and for the operation of hand laundries. Included are diaper service, dressmaking services.

Laundries-Power. Establishments primarily engaged in operating mechanical laundries with steam or other power. Included are family and commercial power laundries, and laundry collecting and distributing outlets operated by power laundries.

Laundromats-Self Serve. Establishments primarily engaged in the operation of coin-operated or similar self-service laundry and drycleaning equipment for use on the premises, or in apartments, dormitories, and similar locations.

Mailing Services. Establishments primarily engaged in furnishing services for direct mail advertising, such as creating, producing, and mailing of direct mail advertising. This industry also includes establishments primarily engaged in compiling and selling mailing lists.

Miscellaneous Retail Establishments. Retail establishments which fall into the following categories: drug stores, liquor stores, used merchandise stores (including antiques), miscellaneous shopping goods stores (sporting goods and bicycles, books, stationary, jewelry, hobby and toys, camera and photographic supplies, gift and novelty, luggage and leather, and sewing), nonstore retailers (catalog and mail order houses, automatic merchandising machine operators, and direct selling establishments), florists, tobacco stores and stands, news dealers and newsstands, optical goods stores and other miscellaneous retail establishments.

Motion Picture Theaters. Commercially operated theaters primarily engaged in the indoor exhibition of motion pictures.

Paint, Glass, and Wallpaper Stores, Retail. Establishments engaged in selling primarily paint, glass, and wallpaper, or any combination of these lines, to the general public. While these establishments may sell primarily to construction contractors, they are known as retail in the trade. Establishments which do not sell to the general public or who are known in the trade as wholesale are excluded.

Photocopying and Duplicating Services. Establishments primarily engaged in reproducing text, drawings, plans, maps, or other copy, by blueprinting, photocopying, mimeographing, or other methods of duplication other than printing or microfilming.

Photographic Studios, Portrait. Establishments primarily engaged in still or video portrait photography for the general public.

Radio Broadcasting Stations. Establishments primarily engaged in broadcasting aural programs by radio to the public. Included in this industry are commercial religious, educational, and other radio stations. Also included are establishments primarily engaged in radio broadcasting and which produce radio program materials.

Secretarial and Stenographic Services. Establishments primarily engaged furnishing secretarial, typing, word processing, resume writing, and court reporting services. This category also includes the services of editing, letter writing, and proofreading.

Television Broadcasting Stations. Establishments primarily engaged in broadcasting visual programs by television to the public, except cable and other pay televisions services. Included in this industry are commercial, religious, educational, and other television stations. Also included are establishments primarily engaged in television broadcasting and which produce taped television program materials.

Video Rental Stores. Establishments primarily engaged in renting recorded video tapes and disks to the general public for personal or household use.

SECTION 2. Section 9-8.01, Subd. 2 of the Falcon Heights City Code is amended to read as follows:

Subdivision 2. Permitted Uses. No structure or land shall be used except for the following specific uses:

- a. Barber shops, except barber colleges.
- b. Beauty shops, but excluding cosmetology schools.
- c. Convenience stores, excluding motor fuel facilities.
- d. Coin and philatelic (stamp) stores.

- e. Drug stores/pharmacies.
- f. Florists.
- g. Garment pressing, and agents for laundries and drycleaners, with a maximum of six employees.
- h. Health care, offices and clinics.
- i. Laundries - power, with a maximum of six employees.
- j. Laundromats - self serve.
- k. Miscellaneous retail establishments (small) (excluding repair and service establishments and gun shops) having a maximum floor area of 1,000 square feet which sell food, apparel and small specialty shopping goods including antique, sporting goods, book stationary, jewelry, camera, novelty and optical stores and small cafes and restaurants.
- l. Offices, business and professional.

SECTION 3. Section 9-8.01, Subd. 3(a) of the Falcon Heights City Code is amended to read as follows:

- a. Automobile repair establishments subject to the following conditions:
 - 1. The use is existing as of the date of adoption of this amendment.
 - 2. The structure and use shall not be expanded without city council approval, based upon finding that the expansion is a furtherance of the public health and safety and will not negatively impact the surrounding neighborhood.
 - 3. Any change in use shall be to the same or another B-1 permitted or conditional use.
 - 4. No more than five (5) cars shall be parked outdoors overnight at any one time, and cars shall be parked in an orderly fashion in a designated area.
 - 5. There shall be no outdoor storage of supplies, materials or trash.

6. Trash containers and parking areas shall be screened from view from residential areas to the maximum degree practicable in consultation with city officials and upon approval by the city council after review by the planning commission.

SECTION 4. Section 9-9.01, Subd. 2(b) of the Falcon Heights City Code is amended to read as follows:

b. Health Care, Offices and Clinics.

SECTION 5. Section 9-9.01, Subd. 3 of the Falcon Heights City Code is amended to read as follows:

Subdivision 3. Conditional Uses. The following uses are permitted subject to the issuance of a conditional use permit (C.U.P.):

- a. Bank drive-in facilities as an accessory use to a financial institution, with hours open to the public identified in the conditional use permit.
- b. Churches.
- c. Colleges and academies.
- d. Child care facilities and nursery schools subject to licensing by the State of Minnesota.
- e. Dance studios, schools and halls.
- f. Florist, garden supply and garden wholesale stores.
- g. Funeral homes and mortuaries.
- h. Limited fabricating and processing of a product in conjunction with any permitted use when such products are wholly processed within a building and such use is deemed appropriate and consistent with the character of the district and environs. Where such uses consist of more than one principal building, plans for such development shall be submitted as a planned unit development (P.U.D.).
- i. Historical buildings, museums, art institutes and galleries.

- j. Photographic studios, portrait.
- k. Radio broadcasting stations, television broadcasting stations, and cable and other pay television service stations, excluding external antenna systems.
- l. Research centers and laboratories excluding medical waste processing facilities.
- m. Schools or studios for music, art or interior design.
- n. Veterinary clinics with no animal boarding.

SECTION 6. Section 9-10.01, Subd. 2 of the Falcon Heights City Code is amended to read as follows:

Subdivision 2. Permitted Uses. No structure or land shall be used except for the following uses:

- a. Auto parts and accessory stores.
- b. Apparel and accessory stores.
- c. Beauty and barbershops.
- d. Bowling alley.
- e. Coin and philatelic (stamp) store.
- f. Commercial art services.
- g. Commercial photography services.
- h. Computer programming and data processing services.
- i. Dance studios, schools and halls.
- j. Eating establishments.
- k. Financial institutions and insurance establishments with hours open to the public no earlier than 8 a.m. and no later than 6 p.m. An automatic teller machine may operate 24 hours a day.

- l. Food stores, excluding the outdoor sales of produce, meat and seafood.
- m. Garment pressing, and agents for laundries and drycleaners.
- n. Hardware stores.
- o. Health services, offices and clinics.
- p. Home furnishing, appliance and equipment stores.
- q. Laundry and garment services.
- r. Laundromats - self serve.
- s. Mailing services.
- t. Miscellaneous retail establishments, including antique stores but excluding fuel dealers and gun shops.
- u. Motion picture theaters.
- v. Offices, business and professional.
- w. Office supply and art supply stores, retail.
- x. Paint, glass and wallpaper stores, retail.
- y. Personal service establishments as follows: tax return preparation services, diet centers, costume and dress suit rental stores, photograph services.
- z. Photographic studios, portrait.
- aa. Physical fitness facilities.
- bb. Precious metal dealer with a precious metal dealer license.
- cc. Photocopying and duplicating shops, provided not more than six employees are employed on the premises at one time.
- dd. Public and essential service uses.

- ee. Schools and studios for art, music and interior design.
- ff. Secretarial and stenographic services.
- gg. Therapeutic massage enterprise (see 5-3.08 for license).
- hh. Video rental stores.

SECTION 7. Section 9-10.01, Subd. 3(h) of the Falcon Heights City Code is amended to read as follows:

- h. Drinking establishments, bars and taverns, subject to the city's licensing requirements, Chapter 5, Section 3 of the city code.

SECTION 8. Section 9-10.01, Subd. 3(j) of the Falcon Heights City Code is amended to read as follows:

- j. Hotels and motels by P.U.D.

SECTION 9. Effective Date. This ordinance shall be effective immediately upon its passage and publication.

ADOPTED this _____ day of _____, 1999, by the City Council of the City of Falcon Heights.

CITY OF FALCON HEIGHTS

BY: _____
Sue Gehrz, Mayor

ATTEST:

Susan Hoyt, City Administrator/Clerk

Item: 5
Date: 3/28/00

ITEM: Update on minor amendments to the 1991 comprehensive plan as required by the state statute and Metropolitan Council

SUBMITTED BY: Susan Hoyt, City Administrator

REVIEWED BY (IN PROGRESS): Metropolitan Council Comprehensive Planning staff

EXPLANATION/DESCRIPTION:

Summary and action requested. The planning commission is being updated on status of the city's comprehensive plan update that was due to the Metropolitan Council by December 31, 1999. The council has reviewed a series of minor changes in household growth, population and jobs that reflect the council's projections. The amendments are housekeeping items that reflect no change in city policy or planning principles. The proposed amendments are being done to satisfy a statutory requirement for all cities in the seven county metropolitan area. Since Falcon Heights is fully developed there are some items to update and conform too, but it does not require the rigor of developing and redeveloping communities. The Metropolitan Council staff is very cooperative in moving this review along and wrapping it up. A public hearing will be held on the final series of amendments. All neighboring cities, Ramsey County, the U of M and the Minnesota State Fair received copies of these amendments and the original Plan.

Related information for 2000 and forward.

The council budgeted for a broader look at the city's comprehensive plan as part of the city's 2000 budget. Once the statutory requirements are met, the city will be at liberty to develop its own process and move along its own timetable in reviewing the plan which was done ten years ago.

ATTACHMENT:

1 Proposed amendment section

ACTION REQUESTED:

Brief overview by city administrator

Discussion

Motion to permit staff to schedule a public hearing on the amendments at the planning commission meeting after the Metropolitan Council approves the amendments submitted to them.

Proposed Common Principles

The following "common principles" have been created by the University Community Land Use Planning Task Force. These guiding principles reflect shared concerns and agreed upon methods for addressing land use issues and solicit "good faith" efforts on behalf of all appropriate parties. These principles outline expected paths for communication and are intended to ensure that earnest efforts be made by all parties concerning future land use issues in and around the St. Paul campus. They are ultimately intended to help maintain, honor, and strengthen the relationships developed through the creation of the UCLUPTF

1. A committee comprised of delegates from all currently represented University and non-University communities in the UCLUPTF will meet on a quarterly basis. [The Office of the VP for Institutional Relations or a St. Paul campus affiliated office/department] will facilitate and convene this committee. In addition to this formal communication mechanism, all parties will update each other informally and periodically if significant changes are to be made to previously discussed land uses or plans.
2. In locating land uses, all parties will take into consideration impact on adjoining communities, neighborhoods, and institutions with respect to such factors as traffic volume, parking needs, noise, lighting, and other environmental factors that may present a concern to neighbors.
3. Communities adjacent to potential land uses will be encouraged to independently review proposed projects, for their impact in light of local planning principles, and to present their results to the party making the land use decision. The party making the land use decision will take the results of such analysis into consideration.
4. Mutually beneficial projects and land use issues will be actively discussed and pursued through the ongoing mechanism outlined in "common principle" one. All involved parties are encouraged to communicate with each other in a timely manner when such projects or issues arise.

26 May 1999
City of Falcon Heights' Position
On Future Changes on the St. Paul Campus

Purpose

To communicate Falcon Heights' position on future changes on the St. Paul campus; and to state Falcon Heights' commitment to open, timely communication and a cooperative spirit in planning for these changes with the University of Minnesota.

Fundamental Expectations

The University of Minnesota will openly communicate and actively involve Falcon Heights in a timely way about possible future changes to the St. Paul campus that may affect the essential character of its surrounding neighborhoods. When the University of Minnesota implements pre-approved plans and projects that do not affect the essential character of the St. Paul campus's surrounding neighborhoods, Falcon Heights will cooperate in expediting the planned project.

In fulfilling its mission, the University of Minnesota will not initiate any physical changes on the St. Paul campus that will adversely affect the neighborhoods that surround it.

The University of Minnesota will locate land uses that generate significant traffic volumes, parking needs, crowds, noise, lights or other associated nuisances within the interior of the campus near the transitway, existing parking and current high activity areas in order to protect the essential character and quality of life in the neighborhoods surrounding the campus.

Falcon Heights will independently review proposed projects for their conformance to the city's objectives including standard planning, zoning, traffic, parking and nuisance principles and will provide the results of this analysis to the university.

Falcon Heights will notify the University of Minnesota of possible changes in land use occurring outside university property that may affect university facilities or operations.

The University of Minnesota will follow through on its commitments to Falcon Heights when it implements plans through individual projects.

Barriers to Trust

Falcon Heights' past experience with the University of Minnesota over siting the soccer stadium after Falcon Heights had participated in good faith in a master planning process for the Twin Cities campus.

The University of Minnesota's lack of a comprehensive, cohesive integrated decision-making process on land use planning and project implementation.

Current activities being undertaken by the University of Minnesota, like the athletic precinct plan, that may compete or conflict with the recommendations coming from the University Community Land Use Planning Task Force.

On-going Communication and Cooperation

Falcon Heights is an integral part of the broader university community and is committed to on-going, meaningful communication and cooperation with the University of Minnesota as it plans for future changes on the St. Paul campus.