

City of Falcon Heights
Planning Commission
City Hall
2077 W. Larpenteur Avenue

Tuesday, November 28, 2006
7:00 p.m.

A G E N D A

- A. CALL TO ORDER: 7:00 p.m.
- B. ROLL CALL: DeLeo___ Lukermann___ Lageson___
Mercer-Taylor___ Rodich___ Ryan___
Tracy___ Council Liaison Kuettel___
City Administrator Miller___ Staff Liaison Jones___
City Attorney___
- C. APPROVAL OF MINUTES: August 22, 2006
- D. PUBLIC HEARING: Proposed new ordinance on mobile storage structures.
- E. AGENDA ITEM: Discussion and recommendation to City Council on proposed ordinance
- F. INFORMATION AND ANNOUNCEMENTS
- G. ADJOURN

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CITY OF
FALCON HEIGHTS

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MEMORANDUM

To: Members of the Planning Commission
CC: Justin Miller, City Administrator;
Laura Kuettel, Council Liaison
From: Deb Jones, Staff Liaison 
Subject: Planning Commission Meeting on November 28, 2006
Date: November 22, 2006

As I confirmed by email earlier this month, there will be a Planning Commission meeting on the regularly scheduled date, November 28, next Tuesday. A quorum is required. As always, be sure to notify staff if you cannot attend the meeting on Tuesday evening.

There is only one agenda item, a proposed new ordinance amending the City Code to regulate the use of mobile storage containers, such as those rented out by PODS. Please see the staff report in the packet for details. You will be holding a public hearing on this matter before making a recommendation.

At this time, we do not anticipate any business for the Planning Commission in December. The regular meeting, scheduled for December 26, will probably be canceled. We will confirm this the first week in December.

Many thanks to all of you for your diligence and hard work this past year!

Happy Thanksgiving!



MEMORANDUM

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CC: Justin Miller, City Administrator;
Laura Kuettel, Council Liaison
From: Deb Jones, Staff Liaison
Subject: **Planning Commission Meeting on November 28, 2006**
Date: November 22, 2006

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**City of Falcon Heights
Planning Commission Minutes
September 26, 2006**

PRESENT: Commissioners Lageson, Lukermann, Mercer-Taylor, Rodich, and Ryan. Also present were City Administrator Justin Miller and Staff Liaison Deb Jones.

ABSENT: De Leo, Tracy, City Council Liaison Kuettel

The meeting was called to order by Patrick Ryan, Commission Chair, at 7:03 p.m. The minutes of the August 22, 2006 meeting were approved by consensus.

Modification to the Development Program for Development District #1:

City Administrator Miller gave a presentation on the background of this agenda item, beginning with an overview of tax increment financing as a tool used by cities to facilitate development. This means cities can use the increased tax revenue generated by development to finance projects throughout a defined development district.

Development District #1 was created to facilitate the construction of 1666 Coffman, but the taxes produced can be also used for very specific kinds of infrastructure projects that fall within the development district, under the laws that were in effect at the time the district was created. However, much of the City is outside the district. The present district goes from Hoyt to just north of Larpenteur, plus the area between Cleveland and Fairview up to Roselawn.

The proposal under discussion is to expand the boundaries of the development district (not the TIF district) to encompass the whole City of Falcon Heights. This would not remove any properties from the tax rolls, change any property taxes or remove the requirement to decertify the district by 2013. However, it would allow the City to use available funds to pay for projects such as the Roselawn Avenue reconstruction, now nearing completion, which was not in the original district. Falcon Heights tax dollars would remain in the City to help fund projects such as sidewalk replacement and street repair.

The public hearing on the question will be held by the Council, but the Planning Commission is required to determine whether the proposed amendment conforms to the City's comprehensive plan and make a recommendation to the Council. Since no new projects or changes in zoning or land use are being proposed, staff believes that the proposal does conform to the comprehensive plan and recommends Planning Commission approval.

Commissioner Lageson asked how much excess revenue has been generated. Mr. Miller said the current balance is about \$800,000. The City would only be able to retain about 20% of that amount if the district were to be decertified at this time. The City is not proposing to use all \$800,000, and the excess will be returned at the end.

Mr. Lageson asked if other projects such as Bullseye Plaza (now Falcon Crossing) are included. Mr. Miller said, no, only 1666 Coffman. The other projects are in different TIF districts but the development district is the same.

Commissioner Rodich said he understood these districts are tied to a specific project and asked for some clarification. Mr. Miller explained that this development district can extend beyond the boundaries of the original project (1666 Coffman) and the infrastructure related to that project. This would not be true if the City were to create a new TIF district today; the rules are much more stringent now. For example the development district for the Falcon Heights Town Square project (the "Southeast Corner") can only be used for that project and surrounding infrastructure. District #1 has already been modified several time.

Commissioner Mercer-Taylor said that there must be language in the original documents setting up the district that allows for this kind of modification. Mr. Miller confirmed that is the case. Responding to a question from Commissioner Rodich, Mr. Miller said that this district is, in essence, "grandfathered in" under the old rules.

Commissioner Lukermann asked if the City anticipates significant infrastructure expenses associated with the Bell Museum. Mr. Miller replied that there would be infrastructure expenses but they would be incurred by the museum, not the City.

In response to a question from Mr. Lageson, Mr. Miller said that if the City does not use the excess tax revenue for anything beyond paying the debt on the original project, a substantial amount will be returned to the county and school district in 2013. He said that the financial side will be addressed in the Council meeting; the Planning Commission's role is to look at the land use side.

In response to a question from Ms. Lukermann, Mr. Miller confirmed that the "Southeast Corner" is its own TIF district. Although it is included in the proposed (and current) Development District #1, there are no plans to use these funds for projects there.

After some further clarification of the procedure required of the commission and a brief discussion, Lukermann moved, Mercer-Taylor seconded, that the Planning Commission find the modification in conformance with the comprehensive plan. The motion passed unanimously.

INFORMATION AND ANNOUNCEMENTS:

Staff Liaison Jones reported that on September 13 the Council approved the new ordinance regarding drive-through businesses. There were some changes from the version approved by the Commission. The Council restored the restriction to financial institutions but kept other changes recommended by the Commission.

ADJOURNMENT: The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Deborah Jones, Staff Liaison

ITEM: Proposed New Ordinance on Mobile Storage Structures

SUBMITTED BY: Deborah Jones, Zoning and Planning Coordinator

REVIEWED BY: Justin Miller, City Administrator
Roger Knutson, City Attorney

EXPLANATION:

Background:

During the past year, several residents have expressed concern to the staff about the presences of portable storage units in our residential neighborhoods. The structures are commonly rented by homeowners to serve as temporary storage for various reasons, typically during remodeling projects.

Complaints from residents usually focus on the appearance of these structures, location, and the length of time they are present. The worry is that these kinds of units might tend become, in effect, permanent instead of temporary if some kind of regulation is not in place. Also, placing them on public property such as rights-of-way can block sight lines and create a traffic hazard.

In October the City Council discussed this issue in workshop and considered what might be allowed as a reasonable use and placement of mobile storage units. Should they be allowed on the right of way and for how long? What is a reasonable amount of time to allow them on private property? The Council concluded that some regulation of portable storage units is in order. Based on a sample ordinance supplied by the City Attorney, the Council submits the attached proposed ordinance to the Planning Commission for its recommendation.

Analysis:

The proposed ordinance makes the following additions to the City Code

- Creates a definition of mobile storage structure to be inserted into Section 9-1.02, subdivision 2.
- Creates a new section 9-13.09 which regulates the use of mobile storage structures by
 - Limiting the time on a public street to 48 hours
 - Limiting the time on private property to 3 weeks
 - Limiting the number of structures that can be placed on a property at one time to one (1)
 - Limiting the number of times a storage structure can be placed on a property within a 60-day period

- Restricting the location of structures on private property
- Restricting the size of storage structures
- Defining some obligations of the property owner regarding safety and security

This new ordinance, if approved, will be incorporated into the recodified City Code.

Staff Recommendation:

Staff recommends approval of the proposed ordinance.

Attachments:

- Legal notice for the public hearing, published in the Roseville Review
- Proposed ordinance.

Actions Requested:

- Hold a public hearing on the proposed ordinance
- Vote on a recommendation to the City Council

CITY OF FALCON HEIGHTS
RAMSEY COUNTY, MINNESOTA

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE
FALCON HEIGHTS CITY CODE
CONCERNING MOBILE STORAGE STRUCTURES**

THE CITY COUNCIL OF FALCON HEIGHTS ORDAINS:

SECTION 1. Chapter 9, Section 9-1.02 subd. 2 of the Falcon Heights City Code is amended by adding the following definition:

Mobile Storage Structures. Any assembly of materials which is so designed, constructed or reconstructed to make it portable and capable of movement from one site to another, designed to be used without a permanent foundation, designed with the purpose of storing tangible property and not for occupancy by persons, and to have one dimension exceeding 10 feet.

SECTION 2. Chapter 9 of the Falcon Heights City Code is amended by adding section 9-13.09 to read:

Mobile Storage Structures. Mobile storage structures may be located as a temporary structure on property within the City. They are allowed for a period not exceeding 48 hours in duration on a public street and not exceeding three weeks on private property, from time of delivery to time of removal. No more than one mobile storage structure may be located on a specific piece of property within the City at one time. Such temporary structure may not be located on a specific property more than two times in any sixty-calendar-day period. Such temporary structure shall be located no closer than 10 feet to the property unless on a driveway and must be placed on an impervious surface. Such structure may not be placed in a fire lane, or sidewalk. Such structure may not exceed eight feet six inches in height, 10 feet in width or 20 feet in length. It shall be the obligation of the owner or user of such temporary structure to secure it in a manner that does not endanger the safety of persons or property in the vicinity of the temporary structure.

SECTION 3. This ordinance shall be effective immediately upon its passage and publication.

ADOPTED this _____ day of _____, 2006, by the City Council of Falcon Heights,
Minnesota.

CITY OF FALCON HEIGHTS

BY: _____
Susan L. Gehrz, Mayor

ATTEST:

Justin Miller, City Administrator/Clerk


CITY OF FALCON HEIGHTS, MINNESOTA

PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN, that the Falcon Heights Planning Commission will meet on November 28, 2006, at approximately 7:00 p.m. at Falcon Heights City Hall, 2077 Larpenteur Avenue West, Falcon Heights, Minnesota 55113, to consider an amendment to the city's zoning ordinance concerning the regulation of mobile storage structures.

All persons who desire to speak on this issue are encouraged to attend and will be given an opportunity to be heard at this meeting. Additional information can be obtained by contacting the City of Falcon Heights at (651) 792-7600.

Dated: November 6, 2006.



Justin Miller, City Administrator/Clerk
City of Falcon Heights, Minnesota