

City of Falcon Heights Planning Commission

City Hall
2077 W. Larpenteur Avenue

Tuesday, March 24, 2009
7:00 p.m.

A G E N D A

- A. CALL TO ORDER: 7:00 p.m.
- B. ROLL CALL: Gosline____ Gustafson____ Hasegawa____
Noble____ Rodich____ Salzberg____
Watkins____ Council Liaison Kuettel____
City Administrator Miller____ Staff Liaison Jones____
City Attorney____
- C. APPROVAL OF MINUTES: February 24, 2009
- D. PUBLIC HEARING: Proposed code amendment regarding garages in R-4
- E. AGENDA
 - 1. Garages in R-4: Discussion and recommendation to City Council
- F. PRESENTATION by Brady Rutman, University of Minnesota student, on his University Golf Course project.
- G. INFORMATION AND ANNOUNCEMENTS
- H. ADJOURN

If you have a disability and need accommodation in order to attend this meeting, please notify City Hall 48 hours in advance between the hours of 8:00 a.m. and 4:30 p.m. at 651-792-7600. We will be happy to help.

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CITY OF
FALCON HEIGHTS

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Phone - (651) 792-7600
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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 March 24, 2009
Date: March 20, 2009

The Planning Commission will meet at 7:00 p.m. on Tuesday, March 24. The Commission will hold a public hearing on a proposed amendment to the zoning code arising from last month's workshop concerning R-4 multifamily properties with alleys. Because the Commission needs to vote on a recommendation to the City Council on this matter, it is important that a quorum of commissioners be present. Please inform staff as soon as possible if you are unable to attend.

Although mailed notice is not required for a general code amendment, we sent a letter to the property owners concerned and to neighbors across the alley to let them know this hearing is on the agenda. We do expect people to attend. Please make sure the focus of the hearing is kept on the zoning code and the change(s) you want to send to the Council. People who attend are likely to want to address the Commission about individual properties. This is permitted, but it is important to keep your discussion as a Commission to the district as a whole and not individual properties.

Following the hearing and action on the proposed ordinance, there will be a presentation from Brady Rutman, a graduate student at the University of Minnesota. Mr. Rutman has completed a semester project in landscape architecture, using the University golf course as his subject. He has accepted a staff invitation to present his work to the Planning Commission as an opportunity for commissioners to learn what issues might be faced by the city if the University decided to make changes to the golf course. We hope you will find it enjoyable and educational!

HOME OF THE MINNESOTA STATE FAIR AND THE U OF M INSTITUTE OF AGRICULTURE



PRINTED ON RECYCLED PAPER

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**City of Falcon Heights
Planning Commission Minutes
February 24, 2009**

PRESENT: Commissioners Gosline, Gustafson, Hasegawa, Noble, Rodich and Watkins, City Council Liaison Kuettel. Also present was Staff Liaison Deb Jones.

ABSENT: Commissioners Salzberg, with notice

A quorum being present, the meeting was called to order by the Chair at 7:03 p.m.

The new commissioners, Keith Gosline and Randall Gustafson, introduced themselves and were welcomed to the Planning Commission. Commissioners reelected Eric Watkins to serve as chair and elected Richard Rodich as vice chair.

The policies and standing rules were reviewed. Commissioner Rodich commented that a discrepancy in numbering the rules of order was not corrected from last year. Staff took note and will make the correction.

The Planning Commission minutes for November 25, 2008 were approved.

Garages for Multi-family properties in R-4 with alleys

Staff liaison Jones provided an introduction. Several owners of smaller multi-family properties on Larpenteur have approached the city with ideas for removing or replacing old garages. With one exception, these buildings were constructed before 1950. All of them have small lots on alleys, and none of them have the space to provide the parking that is required in the present code. Between the setback requirements and parking requirements in the city code, these owners are in the position of having to apply for variances to make almost any change short of replacing existing garages on the same footprint. A chart of lot sizes and available parking was provided to commissioners, as well as maps and aerial photographs.

Staff requested the commission to consider whether the situation might be simplified and better options provided by making some modification of zoning requirements for apartment garages for apartment buildings adjacent to alleys. If the Commission came up with specific suggestions for amending the code, the City Attorney would be asked to draft an ordinance for action at a future meeting.

The Chair suggested that the commissioners might prefer to adjourn to a workshop to work through issue. Commissioner Rodich said he would like to air initial reactions before going to a workshop format.

Councilmember Kuettel asked for some clarification: Is staff specifically recommending a change to the setback requirements for these apartments? Jones said that reducing the side setbacks presently required (10 feet to 30 feet) for R-4 to the 5 feet required for neighboring single family properties was one possible approach that could be considered. In that case, however, there is a concern that there might be a net loss of available parking in an area where parking, both off street and on street, is at a premium. There are competing issues to weigh here, including neighborhood character, and changing the setback is only one possible option.

Commissioner Gustafson asked if the goal is to not have to rule on variances for each of the buildings separately, one at a time. Jones said the hope was to anticipate and simplify the process for owners' future improvements, but only two owners have even approached the city so far. In response to questions from the commissioners, Jones said that a change to lot coverage requirements was not recommended, nor expanding structures any closer to the side street than they already are on corner lots. Commissioner Gosline asked what parking would be gained by allowing wider garages. Jones said there was, in fact, likely to be a net loss of one or more parking spaces if a garage was allowed to be built with a five foot setback on each side. Some of these properties have uncovered parking from one side line to the other; they could lose a space at each end.

The commissioners having finished their questions, the Chair deferred the rest of the discussion to workshop.

INFORMATION AND ANNOUNCEMENTS:

Ms. Jones announced training opportunities for planning commissioners through Government Training Service, and asked them to contact her after the meeting if they were interested.

ADJOURNMENT: The meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Deborah Jones, Staff Liaison

Workshop discussion

The following points were brought forward in the workshop discussion on R-4 garages on alleys after the meeting:

- Commissioners were concerned about a possible net loss of on-site parking where garages are built to five-foot setback
- Commissioners did not seem to feel that the value to owners of having more enclosed parking would outweigh this loss because the results would serve fewer tenants and put more cars on the streets.
- Would the garages be used for parking only, or would further tenant parking be lost to owner storage in new garages? Could the city require the owner to use the space for tenant parking only?
- What would be the impact of a “wall of garages” on the residents across the alley on California? It would change the character of the alley and the neighborhood and might be unwelcome.
- Are there fire safety considerations if the alley becomes a “wall of garages”?
 - Staff consulted the fire department after the meeting. Whenever structures are close together there is a danger of fire spreading from one to another. However, access for emergency equipment in the alley would not be a problem as the street is the primary access.
- Is a change to the code really necessary if only a small number of owners have expressed an interest in making a change?

A consensus began to emerge from the discussion: Since the potential number of properties involved is small, a code amendment may be too broad a solution and future changes are best handled on a case by case basis, at the initiative of the property owners. Furthermore, commissioners were not comfortable with reducing side setbacks across the board, even under the limiting condition of having an alley, especially if the result is a net loss of off-street parking.

Commissioner Hasegawa suggested that removing the requirement that half the parking spaces be enclosed would at least allow the removal of existing garages without a variance. (A variance would be required now because reducing the number of enclosed parking spaces increases the amount of nonconformity in every case.) Staff confirmed that in some cases this might even add a parking space or two.

After further discussion, commissioners agreed that removing the enclosed parking requirement for these R-4 properties on alleys is the only code amendment they are prepared to recommend at this time. This would give owners the option of demolishing existing garages and replacing them with surface parking without a variance. However, new garages would still have to meet zoning requirements or property owners would have to apply for variances to be handled on a case by case basis. The commissioners instructed staff to request that the city attorney prepare a draft ordinance for hearing at the next meeting.

ITEM: Garages in R-4 properties with alleys

SUBMITTED BY: Deborah Jones, Zoning and Planning Director

REVIEWED BY: Justin Miller, City Administrator

Background:

In February the Planning Commission studied the issue of parking and garages on those R-4 multifamily properties that have alleys. These 9 buildings are among the oldest multi-family buildings in Falcon Heights. None of them have enough land to provide two parking spaces per unit, as required by the city's present day code. The code also requires at least half the parking to be enclosed. These properties are also subject to a 10 foot side setback, 30 feet on a side abutting a street.

All of the properties under discussion are legally non-conforming and may maintain their status quo. However, when owners seek to demolish or replace existing garages or build new ones, their options are extremely limited. Parking spaces and covered parking spaces cannot be further reduced without variances. New garages cannot be constructed closer to the side lot lines than 10 feet, if not more, without variances. New garages that reduce the total amount of on-site parking cannot be built without variances. In many cases there is no possible change to parking or accessory structures than can be done without variances, leaving rebuilding on existing footprints as the only option. The Commission was asked to consider whether the zoning code might be amended to provide more permitted options to these owners without negative impacts on parking capacity and neighborhood character.

The Commission discussed the issue in workshop and came to the consensus that the only zoning code change they would recommend at this time is to remove the enclosed parking requirement for the apartment buildings with alleys. This provides one additional option to owners, the option of reducing the amount of existing enclosed parking. Commissioners did not favor a reduction in the setback requirements and would prefer that any requests for reduced setback be handled case by case through the variance process.

Commissioners instructed staff to prepare an ordinance amending the code for hearing at the following meeting.

Attachments:

- Proposed ordinance amending Section 113-310(2)(e) of the Falcon Heights City Code to make R-4 multifamily properties exempt from the enclosed parking requirement if they abut an alley.
- Published notice of the public hearing
- Letter sent to owners and neighbors of affected properties.
- Parking data for apartment buildings on alleys
- 2006 aerial photo of the block of Larpenteur between Arona and Pascal

Commissioners may also wish to consult Section 113-176 of the city code as well as the additional maps provided in February.

Actions Requested:

- Hold a public hearing on the proposed code amendment.
- Discuss the proposed amendment.
- Vote on a recommendation to the City Council.

ORDINANCE NO. ____

CITY OF FALCON HEIGHTS
RAMSEY COUNTY, MINNESOTA

AN AMENDMENT TO CHAPTER 113, THE ZONING ORDINANCE,
OF THE FALCON HEIGHTS CITY CODE
CONCERNING GARAGES IN THE R-4 DISTRICT

THE CITY COUNCIL OF THE CITY OF FALCON HEIGHTS ORDAINS:

SECTION 1. Section 113-310(2)(e) of the Falcon Heights City Code is amended to read as follows:

Off-street parking spaces required (one space equals 350 square feet) shall be as follows for: Multiple-family dwellings. At least two parking spaces per dwelling unit except that 2 1/2 parking spaces per dwelling unit are required for multiple units of ten or less that abut no parking (on street curb) zones. At least one-half of the required spaces shall be enclosed unless the property abuts an alley. (Garage requirements may be waived for apartment projects designed and intended for occupancy by low-income families.)

SECTION 2. EFFECTIVE DATE: This ordinance shall take effect from and after its passage.

ADOPTED this ____ day of _____, 2009, by the City Council of Falcon Heights, Minnesota.

CITY OF FALCON HEIGHTS

BY: _____
Peter Lindstrom, Mayor

ATTEST:

Justin Miller, City Administrator/Clerk

Aerial Photo Unselected - R-4 with alleys

Falcon Heights



DISCLAIMER: This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only.

SOURCES: Ramsey County (February 2, 2009). The Lawrence Group (February 2, 2009 for County parcel and property records data; February 2009 for commercial and residential data; April 2006 for color aerial imagery).

Falcon Heights Planning Commission
February 24, 2009

Apartments with Alleys: Larpenteur Avenue from Pascal to Arona
Lot coverage allowed in R-4: 75%

Address	Year Built	Units	Lot size/ Lot width	Corner	Required Parking		Existing Parking		Nearby On-street
					Total	Covered	Total	Covered	
1466 Larpenteur	1964	8	12196.8 100'	Yes	16	8	14	6	Larpenteur, Pascal, California
1472 Larpenteur	1948	10	12196.8 100'	No	20	10	10	0	Larpenteur, Pascal, California
1486 Larpenteur	1948	10	12196.8 100'	No	20	10	10	0	Larpenteur
1490 Larpenteur	1946	5	5662.8 50'	No	10	5	5	2*	Larpenteur
1496 Larpenteur	1946	8	5662.8 50'	No	16	8	5	2*	Larpenteur
1504 Larpenteur	1946	10	12196.8 100'	No	20	10	10	1*	Larpenteur, Arona, California
1510 Larpenteur	1946	10	12196.8 100'	Yes	20	10	9	9	Larpenteur, Arona, California
1688 Arona	1949	10	7405.2 58.9'	Yes	20	10	14	0	Larpenteur, Arona, Crawford
1511 Larpenteur	1949	10	9583.2 76.4'	No	20	10			Larpenteur, Arona, Crawford (no street parking adjacent to building)

* This represents the size of an existing garage and is included in the total. It has not been determined if this garage space is available to tenants for parking.

CITY OF FALCON HEIGHTS, MINNESOTA

PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN, that the Falcon Heights Planning Commission will meet on March 24, 2009, at approximately 7:00 p.m. at the Falcon Heights City Hall Council Chambers, 2077 Larpenteur Avenue West, Falcon Heights, Minnesota 55113, to consider proposed changes to the Zoning Chapter of the Falcon Heights City Code regarding garage requirements in Residential Districts. 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.

This matter will be scheduled for the next appropriate City Council meeting following the Planning Commission meeting.

Dated: March 5, 2009.



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



CITY OF
FALCON HEIGHTS

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Falcon Heights, MN 55113-5594

email: mail@ci.falcon-heights.mn.us
website: www.ci.falcon-heights.mn.us

Phone - (651) 792-7600
Fax - (651) 792-7610

March 17, 2009

Dear Property Owner:

On Tuesday, March 24, at 7:00 p.m., the City Planning Commission will hold a public hearing on a new ordinance amending the city code regarding parking requirements for some apartment buildings. A written notice is not required in this case, but because your property is one of those affected or is across the alley from an affected property, we want to make sure you know about the hearing.

The city code presently requires R-4 apartment buildings to have at least 2 parking spaces per unit, of which half must be covered (carport or garage). The code amendment will remove the covered parking requirement for R-4 apartment buildings that are adjacent to alleys.

This change will only affect the nine apartment buildings on Larpenteur Avenue between Arona and Pascal Streets. All of these buildings were constructed before the present zoning code was written, and none of them have room to meet the parking requirements. All of these properties are considered legally non-conforming.

The Planning Commission has proposed this change in order to give apartment owners the option of removing existing garages that are in poor condition and replacing them with surface parking instead of new garages, without a variance. In some cases this would increase the net amount of off-street parking available to tenants on blocks where street parking is scarce. New apartment garages would still have to abide by the zoning code; any variances requested would continue to be handled on case by case basis.

If you have any questions, or if you are unable to attend the hearing and wish to comment, please contact me at deb.jones@falconheights.org or at 651-792-7613.

Sincerely,

Deborah Jones
Director of Zoning and Planning