

City of Falcon Heights Planning Commission

City Hall
2077 Larpenteur Avenue West

Tuesday, April 23, 2019
7:00 p.m.

A G E N D A

A. CALL TO ORDER: 7:00 p.m.

B. ROLL CALL: John Larkin ____ Tom Williams ____
 Colin Stemper ____ Matthew Kotelnicki ____
 Hawa Samatar ____ Scott Wilson ____
 Joel Gerich ____
 Council Liaison Harris ____ Staff Liaison Markon ____

C. APPROVAL OF MINUTES - March 26, 2019

D. AGENDA

1. Hold a Public Hearing to consider changes to the zoning code regarding building height

E. INFORMATION AND ANNOUNCEMENTS

F. ADJOURN

G. WORKSHOP

1. Discuss property in Labalestra Park (Tatum Street)

Next meeting: May 28, 2019

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.

**City of Falcon Heights
City Hall
2077 Larpenteur Avenue West**

**Minutes
Planning Commission Meeting
Tuesday, March 26, 2019
7:00 PM**

A. CALL TO ORDER: The meeting was called to order by John Larkin at 7:00 PM.

B. ROLL CALL:

Present: Larkin, Williams, Stemper, Gerich, Wilson

Absent: Samatar, Kotelnicki

Staff and Council Liaisons: Markon, Harris

C. APPROVAL OF MINUTES: February 26, 2019

The minutes were approved as presented by unanimous consent.

D. AGENDA

1. The Met Council recommended Planning Commission Action to consider changes to the 2040 Comprehensive Plan regarding Mixed-Use Designation Percentages

Community Development Coordinator Justin Markon described the changes to the 2040 Comprehensive Plan, requested by the Met Council. The Met Council requested additional information about plans for Mixed-Use redevelopment, including percentage of share of uses and overall density of the land use category.

The current wording of Mixed-Use in the plan stipulates a density of a minimum of 12 residential units per acre (a minimum of 15 within one half mile on either side of Snelling Avenue (Fairview to Hamline Avenues)), and a maximum of 46 units per acre with an anticipated minimum of 75% comprised of housing.

Larkin asked if any developments had met those density requirements. Markon noted the Met Council requires 15 units per acre within one half mile of Snelling because of the Bus Rapid Transit (BRT) improvements. Harris mentioned that no density changes on Snelling had been disclosed by the Met Council previous to the BRT improvements, otherwise Falcon Heights may have questioned the density during the BRT improvements agreement process. Larkin said the density rule applies to tear-down and rebuild (redevelopment) since no vacant land in the City exists for new build. Harris recommends staying with the current percentages of 75% / 25% (for buildings), to represent the percentage across an entire mixed-use zoning acreage. On discussion of proposed changes by Staff; Larkin, Wilson and Gerich say that they like the ranges of mixed-use land designation percentages used by Arden Hills. Harris mentioned also that

Roseville's mixed-use designation percentages have little in common with Falcon Heights. Gerich said that the housing mix, proposed by Staff, should be 50% or more. Larkin thought that the housing mix should be lowered to 40% (**see mixed-use percentage share and density proposed by Staff on page three, second paragraph of the Request For Planning Commission Action dated March 26, 2019**).

The Met Council recommended Planning Commission Action to consider changes to the 2040 Comprehensive Plan regarding Future Land Use / Zoning. Justin Markon recommended that density values be considered now, but zoning changes to be taken up later. Questions and discussion by the Planning Committee members were included. Harris mentioned that the High-Density zoning designation, adopted previously by Falcon Heights, was recommended by the Met Council.

A discussion of the TIES/Sourcewell building sale took place between Commission members.

The changes to the 2040 Comprehensive Plan, recommended by Staff, referring to mixed-use percentage share and density, was approved by unanimous consent. Land Use and Zoning to be taken up at a later time.

E. INFORMATION AND ANNOUNCEMENTS

No new information or announcements were provided.

F. ADJOURN

Adjourned at 7:45 PM.

G. WORKSHOP

1. Community Development Coordinator Justin Markon described Building Height Comparisons, including definitions, in a Workshop format. A discussion of building height regulations took place between Planning Commission members.



The City That Soars!

REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date	April 23, 2019
Agenda Item	D1
Attachment	Public Hearing Notice
Submitted By	Justin Markon, Community Development Coordinator

Item	Public Hearing to Consider Changes to City Code Regarding Building Height
Description	<p>One of the goals for 2019 is to begin cleaning up old or outdated sections of City Code, which began with the fence regulations at the February meeting. Another section of code that may require clarification is building height as it is defined and regulated in the zoning code.</p> <p>Current City Code: Falcon Heights Section 113-3 - Definitions (Zoning): <i>Building height</i> means the vertical distance between the lowest grade level at the building line and the uppermost point on the roof.</p> <p>At the March 26, 2019 Planning Commission workshop, Commissioners expressed support for changing the definition of building height to be more in line with regulations by nearby cities. This definition would provide a greater height allowance for pitched roofs, as height would be measured from the midpoint of the highest gable.</p> <p>At the March 26 Workshop, Commissioners were satisfied with the height regulations currently in place for the various zoning districts.</p> <p>Staff feel that the change to the definition will be helpful to residents and their contractors as they plan home renovations and any potential new homes. By only changing the definition of building height, projects can be taller while preserving the character of neighborhood residential homes. Furthermore, this definition is already used in many other cities near Falcon Heights.</p> <p style="text-align: center;">Building Height Comparisons</p> <p>MN State Building Code</p> <p>HEIGHT, BUILDING. The vertical distance from <i>grade plane</i> to the average height of the highest roof surface.</p> <div style="text-align: right;"> <p>HEIGHT OF BUILDING IS THE VERTICAL DISTANCE ABOVE GRADE PLANE MEASURED TO:</p> <p>⊕ AVERAGE OF HIGHEST GABLE</p> <p>⊕ GRADE PLANE</p> </div>

Roseville City Code - Chapter 10 - Zoning Code

1001.10 - DEFINITIONS

BUILDING HEIGHT: The vertical dimension measured from the average elevation of the approved grade at the front of the building to the highest point of the roof in the case of a flat roof, to the deck line of a mansard roof, and to the midpoint of the ridge of a gable, hip, or gambrel roof. (For purposes of this definition, the average height shall be calculated by using the highest ridge and its attendant eave. The eave point used shall be where the roof line crosses the side wall.) In the case of alterations, additions or replacement of existing buildings, height shall be measured from the natural grade prior to construction.

Little Canada City Code - Chapter 9 - Zoning Code

902 - DEFINITIONS

9. Building Height. A distance to be measured from the mean ground level to the top of a flat roof, to the mean distance of the highest gable on a pitched or hip roof, to the deck line of a mansard roof, to the uppermost point on all other roof types.

Lauderdale City Code - Title 10 - Zoning Code

Chapter 2 - DEFINITIONS

HEIGHT OF BUILDING OR STRUCTURE: The vertical distance from the average level of the highest and lowest point of that portion of a lot covered by a building, to the highest point for flat roofs; to the deck line of mansard roofs; and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

St. Paul City Code - Title VIII - Zoning Code

Chapter 60, Article II - 60.200 - GENERAL DEFINITIONS

Building height. The vertical distance measured from the established grade to the highest point of the roof surface for flat and shed roofs; to the break line of mansard roofs; and to the average height between eaves and ridge for gable, gambrel, and hip roofs. Where a building is located on sloping terrain, the height may be measured from the average ground level of the grade at the building wall. The existing grade of the property shall not be raised around a new building or foundation in order to comply with the height requirements of this code. When there is a dormer built into the roof, the height is measured to the midpoint of the dormer roof if the dormer(s) roof width exceeds fifty (50) percent or more of the building roof width on the side where the dormer(s) is located.

St. Anthony City Code – Chapter 152 – Zoning Code

Section 152.008 – DEFINITIONS

BUILDING HEIGHT. The vertical distance measured from the elevation of the lot grade at the building setback line, to the top of the cornice of a flat roof, to the top of a mansard roof, to a point on the roof directly above the highest wall of a shed roof, to the uppermost point on a round or other arch type roof, to the average distance of the highest gable on a pitched or hip roof.

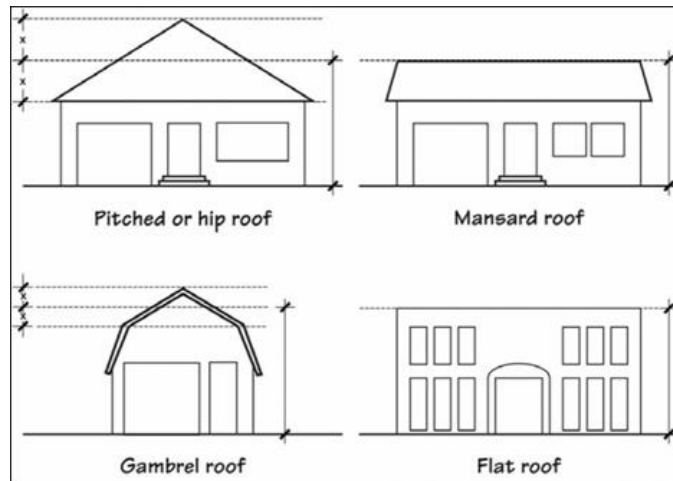
Proposed City Code Changes

Section 1

Section 113-3 Definitions

Building height means the vertical distance between the lowest average grade level at the building line and the uppermost point on the a flat roof, to the mean distance of the highest gable on a pitched, hip, or gambrel roof, to the deck line of a mansard roof, and to the uppermost point on all other roof types.

Roof height image:



Section 2

Sec. 113-174. - One-family R-1 residential district.

(e) Lot area, height, lot width and yard requirements.

(1) No structure or building shall exceed two stories or 25 feet in height aboveground level, whichever is lesser in height, except as provided in section 113-243.

	<p><u>Section 3</u></p> <p>Current Code stipulates that detached garage height is measured from grade to peak based on pitch of roof. Staff believe this definition should be changed to be in line with the new definition. Little Canada, Roseville, and St. Anthony.</p> <p><i>Sec. 113-240. - Accessory buildings and structures.</i></p> <p>(f) Height limitations. No accessory building in a residential district shall exceed the height of the principal building. No detached garage in a residential district shall exceed <u>15 feet in height</u>.:</p> <p>(1) A maximum of 18 feet in height from grade to peak if the roof has a pitch that is four feet (horizontal) to one foot (vertical) or greater.</p> <p>(2) A maximum of 12 feet in height from grade to peak if the roof has a pitch that is less than four feet (horizontal) to one foot (vertical).</p> <p>Utility structures (garden sheds or similar) are limited to 12 feet in height, which Staff believe is appropriate.</p>
Budget Impact	No impact
Attachment(s)	<ul style="list-style-type: none"> • Copy of Public Hearing Notice
Action(s) Requested	Staff recommends approving changes to the City Code related to building height.

CITY OF FALCON HEIGHTS, MINNESOTA

PUBLIC HEARING NOTICE

Notice is hereby given that the Falcon Heights Planning Commission, at its regular meeting on April 23, 2019 at 7:00 p.m. in the City Hall Council Chambers, 2077 Larpenteur Avenue West, will hold a public hearing to consider a text amendment to the City's Zoning Ordinance. The amendment, if approved, would change the definition of building height as regulated in the zoning code (Chapter 113). Information regarding the proposed amendment will be available at City Hall and online at www.falconheights.org.

Signed:



City Administrator

Date:

4-02-19

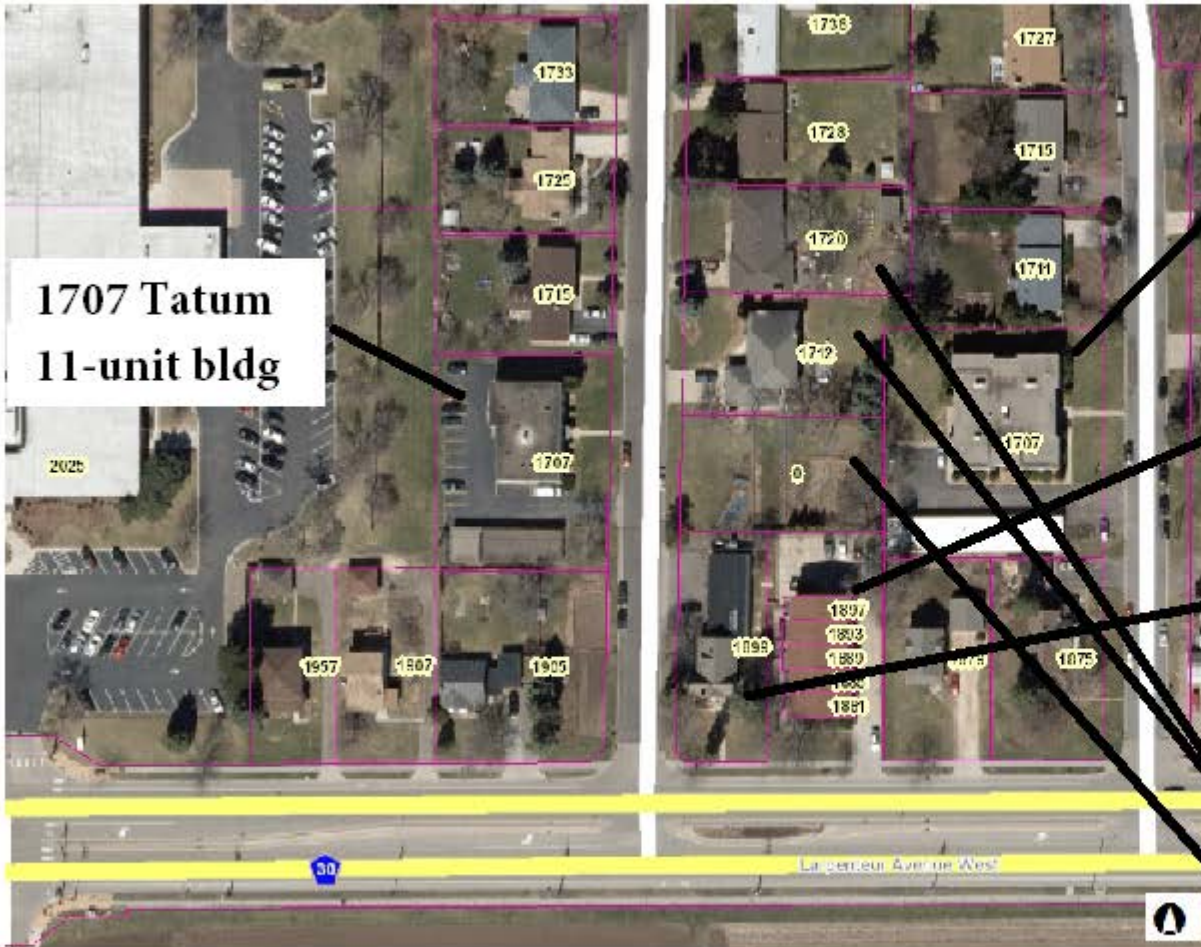


The City That Soars!

REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date	April 23, 2019
Agenda Item	G1
Attachment(s)	Area diagram, R-3 and PUD regulations
Submitted By	Justin Markon, Community Development Coordinator

Item	Discuss property in Labalestra Park (Tatum Street)
Description	<p>Mr. John Labalestra has requested a Workshop with the Planning Commission to discuss his ideas for development of a vacant lot he owns on Tatum Street. He also wishes to change the lot lines of the two properties to the north, which he also owns, as they are currently incongruent with the houses on the lots. A diagram of the area is included in the following pages.</p> <p>Mr. Labalestra met with Staff in late January to discuss his proposal for the vacant lot, during which he shared that he believes pursuing a PUD is the best option for the property. He believes that a 4-unit attached townhome project is a good use of the space because it promotes density, is near other multi-family properties, and would be consistent with other nearby building heights. It is also located near Larpenteur Ave and the University of Minnesota.</p> <p>Following the change to the lot lines, the property would have ~10,575 square feet, with lot dimensions of 75x141 feet. The minimum requirements for an R-3 lot, of which townhouses is a conditional use, is a lot area of 12,500 sq. ft and a lot width of 90 feet.</p> <p>At the Workshop, Mr. Labalestra would like to share his plans and solicit feedback from the Commission on the proposal. He has also indicated that he is open to the Commission's thoughts on the use that best fits the area. He would plan to build starting next summer.</p>
Budget Impact	No impact
Attachment(s)	<ul style="list-style-type: none"> • Tatum Street area • R-3 and PUD regulations
Action(s) Requested	None at this time



**1707 Tatum
11-unit bldg**

**1707 Lindig
12-unit apartment bldg**

**1881-1897 Larpenteur
5-unit attached townhomes**

**1899 Larpenteur
home and dance studio**

**1712 & 1720 Tatum owned by
Mr. Labalestra
currently vacant lot**

200.0 0 100.00 200.0 Feet

Sec. 113-176. - R-3 medium density multiple-family residential district-apartment buildings.

- (a) *Scope.* The provisions of this section apply to the R-3 medium density multiple-family residential district.
- (b) *Permitted uses.* All permitted uses in the R-2 district.
- (c) *Conditional uses.* No structure or land shall be used for the following uses except by conditional use permit, except that multifamily dwellings shall not exceed 12 per acre.
 - (1) Any conditional use permitted in the R-1 and R-2 districts.
 - (2) Conversion or enlargement of existing homes to accommodate one-, two-, three- or four-dwelling units.
 - (3) Large group homes as defined in this chapter.
 - (4) Townhouses. See performance standards as permitted in article VI, division 3 of this chapter.
 - (5) Buildings containing two or more dwelling units not exceeding 12 dwelling units per acre.
- (d) *Permitted accessory uses.* The following uses shall be permitted accessory uses:
 - (1) All accessory uses as permitted in the R-1, R-2 districts.
 - (2) Conversion or enlargement as required by terms of a conditional use permit.
- (e) *Lot area, height, lot width and yard requirements.*
 - (1) See performance standards as permitted in article VI, division 3 of this chapter (or as required by conditional use permit).
 - (2) No structure or building shall exceed three stories, or 30 feet, whichever is lesser in height, except as provided in section 113-243.
 - (3) A side yard abutting on a street shall not be less than 30 feet in width, and when a side yard of a multifamily structure abuts a single-family residence, the side yard shall not be less than 20 feet.
 - (4) The following minimum requirements shall be observed subject to additional requirements except as a modification set forth in this section and section 113-241.

Lot Area	Lot Width	Front Yard	Side Yard	Rear Yard
12,500 sq. ft.	90 feet	30 feet	10 feet or ½ the height of the building, whichever is greater	30 feet

*Lot area for single-family residence may be reduced to 10,000 square feet.

(Code 1993, § 9-7.01; Ord. No. 0-93-07, § 7, 7-28-1993; Ord. No. 10-06, § 3, 9-8-2010)

Editor's note— Ord. No. 10-06, § 3, adopted Sept. 8, 2010, changed the title of § 113-176 from "R-4 medium density multiple-family residential district-apartment buildings" to "R-3 medium density multiple-family residential district-apartment buildings". This historical notation has been preserved for reference purposes.

ARTICLE V. - PLANNED UNIT DEVELOPMENT (PUD)

Sec. 113-199. - Purpose.

The planned unit development district is intended to permit flexibility of site design, the conservation of land and open space through clustering of buildings and activities, and an incentive to developers to plan creatively by providing density bonuses. This flexibility can be achieved by allowing deviations from standards including setbacks, heights and similar regulations. PUDs are characterized by central management, integrated planning and architecture, joint or common use of parking, open space and other facilities, and a harmonious selection and efficient distribution of uses.

(Code 1993, § 9-16.01)

Sec. 113-200. - Required use.

PUD zoning is required for all developments having two or more principal uses or structures on a single parcel of land and may include townhouses, apartment projects involving more than one building, residential subdivisions, multi-use structures such as an apartment building with retail at ground floor level, commercial developments, mixed residential and commercial developments, and similar projects.

(Code 1993, § 9-16.02)

Sec. 113-201. - General requirements and standards.

- (a) *Comprehensive plan/Code consistency.* A PUD must be consistent with the city comprehensive plan and the intent and purpose of the city Code provisions relative to land use, subdivision and development.
- (b) *Operating and maintenance requirements for PUD common open space/facilities.* Whenever joint common open space or service facilities for individual owners or users are provided within the PUD, the PUD plan shall provide reasonable assurance of adequate operation and maintenance of such open space and service facilities.
- (c) *Staging of public and common open space.* When a PUD provides for common or public open space, the total area of common or public open space or security in any stage of development, shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PUD as the stages or units completed or under development bear to the entire PUD.
- (d) *Development stages.* Whenever any PUD is to be developed in stages, no such stage shall, when averaged with all previously completed stages, have a residential density that exceeds 125 percent of the proposed residential density of the entire PUD.
- (e) *Urban development and availability of public services.* All development shall be carefully phased so as to ensure that it will not cause an unreasonable burden upon the city in providing services and utilities or cause a deleterious impact upon the natural environment.

(Code 1993, § 9-16.03)

Sec. 113-202. - Permitted uses and standards.

The permitted uses, standards, and development plan shall be set forth in the ordinance rezoning the property to PUD.

(Code 1993, § 9-16.04)

Sec. 113-203. - Procedure for processing a planned unit development.

- (a) *Approval process.* Planned unit developments may be permitted in the legislative discretion of the city council. The application and hearing process for planned unit developments will be as required for other zoning chapter amendments.
- (b) *Preapplication conference.* Before filing an application for PUD, the applicant of the proposed PUD shall arrange for and attend a conference with the city administrator. The primary purpose of the conference shall be to provide the applicant with an opportunity to gather information and obtain guidance as to the general suitability of his or her proposal for the area for which it is proposed and its conformity to the provisions of this chapter before incurring substantial expense in the preparation of plans, surveys and other data.
- (c) *Application information.* An applicant shall submit a completed application form furnished by the city, together with the following information:
 - (1) Drawings in schematic form containing the following:
 - a. The location, size of site and the proposed uses of the land to be developed.
 - b. The density of land use to be allocated to the several parts of the site to be developed.
 - c. The location and size of all useable open space and the form of organization to own and maintain such space.
 - d. The use, height, bulk and approximate location of buildings and other structures.
 - e. The plans for the distribution of sanitary wastes, stormwater, and the provisions of other utilities.
 - f. The plans for parking of vehicles and the location and width of proposed streets, curbs, gutter and landscaping.
 - g. A schedule showing the proposed times within which application for final approval of all sections of the planned unit development are intended to be filed.
 - (2) A written statement must include the following:
 - a. A narrative explanation of the general character of the planned unit development, its integration with the surrounding land uses and justification of any requested density bonuses.
 - b. A statement identifying the final ownership and describing maintenance of all parts of the development including streets, structures and useable open space.
 - c. The total anticipated population of the planned unit development, with breakdowns as to the estimated number of school age children, adults and families.
 - (3) The following exhibits:
 - a. Abstractor's certified property certificate showing the names and addresses of property owners within 350 feet of the outer boundaries of the property.
 - b. Location map showing property in relation to the city as a whole and to the city's primary

elements such as thoroughfares, schools, parks and shopping areas.

- c. A legal description of the property including approximate total acreage.
- d. Boundary survey prepared by a registered surveyor of the property and 100 feet beyond showing:
 1. Existing property lines and dimensions.
 2. Ownership of all parcels.
 3. Platting and easements.
 4. Street and railroad rights-of-way.
 5. Buildings.
 6. Utility lines and facilities.
- e. A topographic map prepared by a registered civil engineer or registered land surveyor covering the entire tract proposed for development which contains the following information:
 1. Contour lines at no more than foot intervals.
 2. Hydrologic information including drainage patterns, wetlands, and land subject to periodic flooding.
 3. Soil and subsoil conditions.
 4. Vegetation including classification of tree cover by species.
- f. Any other material requested by the city council, planning commission or city staff.

(Code 1993, § 9-16.05)

Sec. 113-204. - Coordination with subdivision approval.

If development of the PUD requires subdivision approval, the PUD and subdivision shall be processed concurrently.

(Code 1993, § 9-16.06)

Sec. 113-205. - Development contract.

The city and the developer shall enter into a development contract setting forth any improvements required to be undertaken by the developer. This contract may be combined with the development contract required for subdivision approval.

(Code 1993, § 9-16.07)

Sec. 113-206. - Rezoning.

If approved by the city council, the property shall be rezoned PUD in accordance with the terms of approval. If a concurrent plat application is being processed, PUD rezoning shall be concurrent with final plat approval.

(Code 1993, § 9-16.08)

Sec. 113-207. - Control of planned unit development following completion.

- (a) *Modification of structures.* After the certificate of occupancy has been issued, the use of the land and the

construction, modification or alteration of any buildings or structures within the planned development shall be governed by the final development plan.

- (b) *Changes in final development plan.* After the certificate of occupancy has been issued, no changes shall be made in the approved final development plan except upon application as provided below:
- (1) Any minor extensions, alterations or modifications of existing buildings or structures may be authorized by the planning commission if they are consistent with the purposes and intent of the final plan. No change authorized by this section may increase the volume of any building or structure by more than ten percent.
 - (2) Any building or structure that is totally or substantially destroyed may be reconstructed only in compliance with the final development plan unless an amendment to the final development plan is approved.
 - (3) Changes in the use of common open space or any other substantial changes in the final development plan may be authorized by an amendment to the final development plan.

(Code 1993, § 9-16.09)

Sec. 113-208. - Amendment of plan.

Any substantial changes in the final development plan, including but not limited to changes in land use, increases in development density or intensity or changes in the provisions for common open spaces shall require a PUD amendment. The amendment process for planned unit developments shall be the same as that for all other amendments to this chapter. (See section 113-35.)

(Code 1993, § 9-16.10)

Sec. 113-209. - Urban farm planned unit development district.

- (a) *Legal description.* The legal description of this PUD is lots 1 and 2, block 1, Urban Farm Project Addition.
- (b) *Purpose.* The purpose of the urban farm PUD district is to provide for the mixed uses of an urban farm and an apartment building.
- (c) *Scope.* The provisions of this section apply to the urban farm planned unit development.
- (d) *Permitted uses.* The following uses are permitted subject to the development plan for the PUD, subsection 113-209(f), and the standards and requirements of the R-5M zoning district, except as modified herein:
 - (1) *On lot 1, block 1 an urban farm.* At least 21 paved parking spaces must be maintained next to the main building adjacent to Larpenteur Avenue, as well as at least 24 overflow parking stalls. The urban farm may have up to:
 - 976 square feet of retail space;
 - 2,201 square feet of office/training/kitchen space;
 - 8,580 square feet of distribution/warehouse space;
 - 849 square feet of greenhouse space; and
 - 576 square feet of yard storage building space.

- (2) On lot 2, block 1, a 68-unit apartment building with at least 68 parking spaces. At least 54 of the required spaces must be below grade and integrated into the apartment building. The site may have up to: 60,537 square feet of residential living space;
- Four stories with underground parking; and
- Private access easement between lot 1 and lot 2 to be recorded into the property record of both parcels.
- (3) On lots 1 and 2, block 1, essential services.
- (e) *Permitted accessory uses.*
- (1) On lots 1 and 2, block 1, the accessory uses in the R-5M zoning district;
- (2) On lot 1, block 1, seasonal hoop houses for growing vegetables.
- (f) *Development plan.* The PUD must be maintained in accordance with the following development plan which is on file with the city and which is incorporated herein by reference:
- (1) Urban farm project addition plat;
- (2) Topographic survey and grading, drainage and utility plan prepared by Jacobson Engineers & Surveyors dated July 28, 2014;
- (3) The following plans prepared by LHB for lot 1, block 1:
- Architectural Site Plan w/Landscape Layout dated August 18, 2014;
- First Floor Plan dated August 18, 2014;
- Yard Storage Building - Color Option 1 dated July 28, 2014 or Yard Storage Building - Color Option 2 dated August 18, 2014;
- Exterior Elevations - Color Option 1 dated August 18, 2014 or Exterior Elevations - Color Option 2 dated July ***.
- (4) The following plans prepared by Kelly Brothers, Ltd. for lot 2, block 1:
- Architectural Site Plan w/Landscape Layout dated — TBD
- Exterior Elevations — TBD
- Complete Floor Plan date — TBD

(Ord. No. 13-02, § 2, 5-22-2013; Ord. No. 14-02, § 1, 9-10-2014; Ord. No. 17-01, § 1, 6-14-2017)

Secs. 113-210—113-239. - Reserved.