City of Falcon Heights Planning Commission

City Hall 2077 Larpenteur Avenue West

AGENDA

Tuesday, June 27, 2023 7:00 p.m.

A.	CALL TO ORDER:	7:00 p.m.			
В.	ROLL CALL:	Scott Wilson Joel Gerich Jim Mogen Jake Anderson Council Liaison - Mayor Gustafson	Laura Paynter Jacob Brooks VACANT		
		Staff Liaison - Hannah Lynch			
C.	APPROVAL OF AGENDA				
D.	APPROVAL OF MINUTES 1. Regular Meeting – May 23, 2023				
E.	PUBLIC HEARING - None				
F.	NEW BUSINESS 1. Informal Review – 1407 Larpenteur Avenue W, Townhome Proposal				
G.	INFORMATION AND ANNOUNCEMENTS 1. Staff Liaison Report 2. Council Liaison Report				
Н.	ADJOURN				

Next regular meeting date: July 25, 2023

CITY OF FALCON HEIGHTS

Workshop of the City Planning Commission
City Hall
2077 West Larpenteur Avenue
MINUTES
May 23rd, 2023 at 7:00 P.M.

A. CALL TO ORDER: 7:00 P.M.

B. ROLL CALL:

Scott Wilson _X_	Jim Mogen
Laura Paynter _X_	Jacob Brooks _X_
Joel Gerich _X_	VACANT
Jake Anderson	
Council Liaison Gustafso	n _X_
Staff Liaison Lynch _X_	

C. APPROVAL OF AGENDA:

Paynter motion, approved 4-0

D. APPROVAL OF MINUTES:

- 1. Regular Meeting March 28, 2023
- 2. Workshop April 25, 2023

Gerich motion, approved 4-0

E. PUBLIC HEARING

N/A

F. NEW BUSINESS

1. Presentation on THC Legislation – Jack S. Brooksbank, Campbell Knutson, P.A.

Staff Liaison Lynch reminded the Commission that a draft ordinance had previously been sent to City Council and back to the Commission. However, with new legislation moving through State government and likely to be signed by the governor, an overview of that legislation was the purpose for Mr. Brooksbank to address the Commission.

Mr. Brooksbank proceeded to walk through the presentation outlining the general plan of the legislation, including legalization of the individual purchase, possession, use, and growing of cannabis, and the creation of the Office of Cannabis Management (OCM). Mr. Brooksbank emphasized that there will be no change to federal laws and that much of the detailed legislation has yet to be written, so the guidance is subject to change.

Key points relative to the Commission:

- Cannabis business are still subject to general business regulations such as zoning. Cannabis cultivators are still an agricultural business.
- Cultivation is still licensed by the State. OCM to establish rules.
- Will create separate business for retail sales. City may operate a municipal store, but not exclusive.
- Retail sales will be subject to State licensing and regulation. State will issue licenses based on demonstrated compliance. City may not license business, ban use, or ban possession.
- City may adopt ordinances with reasonable restrictions on the time, place, and manner of the operation of a cannabis business.
- City will be involved in state licensing process by certifying if proposed businesses comply with zoning, fire code, and building codes.
- Businesses making retail sales must register with the city. City must issue registration of applicant has valid state license, has paid registration fees, has passed compliance checks and is current on local taxes and assessments. City may limit number of full-strength registrations.
- City has preexisting power to enforce local ordinances. OCM will set up a complaint process. City may suspend registration for up to 30 days if it determines that a business is in violation of its state license.
- Municipal regulations are generally preempted. May not ban use, possession, or transportation.
- Cannabis businesses will be subject to City zoning regulations. City may choose to designate businesses as conditional uses to address specific concerns but cannot ban those business outright.
- Local governments may adopt a moratorium on cannabis businesses lasting until January 1, 2025. This would require a public hearing to go into effect.

The recommendations to the City were to start thinking about zoning (where cannabis businesses should be located), review general regulations around permittable use, and relevant business regulations.

Due to the State being responsible for issuing licenses, it was recommended that the earlier draft ordinance that was sent to Council be abandoned, and the City pursue the next steps as outlined in the presentation.

At the end of the discussion, it was emphasized that the details of much of the new regulations still have to be worked out, and that the City will need to keep up to date as more details become finalized.

G. INFORMATION AND ANNOUNCEMENTS

1. Staff Liaison Report

Staff Liaison Lynch reported that the Caribou Coffee application was denied by City Council. Also, the June meeting will have an unofficial review of the plan for the property that contains the former dry-cleaning business on Larpenteur and Albert St. Finally, Gibbs Farm is close to finalizing their expansion plans, which will likely take the form of a PUD.

2. Council Liaison Report

Mayor Gustafson thanked everyone for coming out to the Spring Together event, where about 278 ice creams were served. Also, the Council is working on the new policing contract.

H. ADJOURN 8:15 PM



ITEM FOR DISCUSSION

Meeting Date	June 27, 2023
Agenda Item	Agenda F-1
Attachment	See below.
Submitted By	Hannah Lynch, Community
	Development Coordinator

Item	Informal sketch review of proposed townhomes at 1407 Larpenteur Ave W.	
Description	History: 1407 Larpenteur Avenue is located between Holton Street and Albert Street on the north side of Larpenteur Avenue. The current zoning is B-1 Neighborhood Convenience District. This parcel as been used as a laundry/drycleaner since 1969. The parcel was used as Falcon Heights Shell Oil from at least 1961.	
	In April 2022, an informal sketch review was held by the Planning Commission of the same project. At the time, 12 townhomes were proposed with a smaller setback area on the south and east sides.	
	On June 8, 2023, a community meeting was held at City Hall to allow citizens time to review the proposal and ask questions of City Staff. Many citizens attended and provided feedback. Concerns were raised around the following: • The number of proposed units on the ½ acre lot • Potentially adding more students to the school district • Compromising the neighborhood charm • Increasing traffic • Pedestrian safety • Height of the townhomes, and the potential for these to block sunlight • Small setbacks • Stormwater • Lack of greenspace • Parking / winter parking • Snow removal • Environmental concerns about the site / remediation of the site	
	Conditions/Proposal: Currently, the property is unoccupied. The owner of the property is proposing to build two, five units per building, townhome residential structures. The owner has requested a sketch review, which is common under a subdivision	
	proposal/Preliminary Plat, Article II Section 109-25. The City of Falcon Heights recommends potential applicants of a rezoning/PUD follow this standard.	

This sketch review is for informational use only. This is NOT an approval.

The proposed buildings would be parallel to Albert Street. A private drive access would be installed to serve the individual driveways of each unit of both buildings, with entrances on Larpenteur and Albert.

Setbacks are proposed at 12' on the north side, the majority of which would be a drive, 10' on the west side, approximately 20' on the east side adjacent to Albert, and 30' on the south side adjacent to Larpenteur.

The current zoning of this property is B-1. B-1 does not allow for residential uses. The zoning that would best accommodate this development would be R-4 high density multiple-family residential. The surrounding zoning is R-2 to the north and west, and R-1 across Albert and Larpenteur to the east and south. The parcels to the west and northwest, while zoned R-2, are currently single-family dwellings.

R-4 zoning would allow for 28 dwelling units per acre.

The Comprehensive Plan for the City of Falcon Heights guides this property as Limited Business for potential future land use:

"These areas are primarily intended to accommodate a limited array of service establishments including governmental, professional and general office and studio uses and banks and financial institutions. The expected employment-bearing land use intensity within this category is up to 0.8 F.A.R. It is the City's intention to consider mixed use including housing and neighborhood convenience retail businesses (as in B-1), in addition to the present uses, should these areas become available for redevelopment, in which case these properties will be eligible for reclassification."

Housing would be an option in this district but a potentially better use may be found by amending the Comprehensive Plan to a land use of Medium Density Residential within the R-3 or R-4 zoning.

From the Comprehensive Plan:

These long-established multi-family buildings are generally located along Larpenteur and Snelling Avenues in close proximity to areas of higher activity such as the Snelling and Larpenteur Commercial Core and to the two main bus transit routes that cross the City. Densities range from 12 to 46 units per acre. Off-street parking is limited. The City's policy for the last 20 years has been to limit new medium density residential development to 12 units per acre.

If medium or lower density redevelopment were to be proposed for these zones and other transitional areas, the City will require that rebuilding not reduce the amount of available housing in the City overall. To provide for attached townhome development and other medium density housing, the City will reinstitute the R-3 zoning district discontinued since the last comprehensive plan.

R-4 Zoning Restrictions:

- 30-foot front and rear yard
- 30-foot max height
- Single Family resident on side yard; 20-foot side yard required.
- Side yard abutting a road; 30-foot side yard required.

Larpenteur Avenue in Context:

Larpenteur Avenue is a busy County Road. The zoning found on Larpenteur includes R-1, R-2, R-3/4, B-1, B-2, B-3, R5-M, P-1, P1-R1, and PUD. The proposal and sketch are not dissimilar to other properties on Larpenteur/Snelling Avenue which include 1511 Larpenteur, 1561 Snelling Service, 1634 Snelling Service, 1667 Snelling, and 1687 Fry Street. 1688 Arona sits on 7500 square feet and more than 10 units. This is nearly 59 units per acre. (.17 acre/10 units = 1 acre/x units = 1 acre/x units = 1 acre/x units on 3.78 acres. This is approximately 34 DU/A.

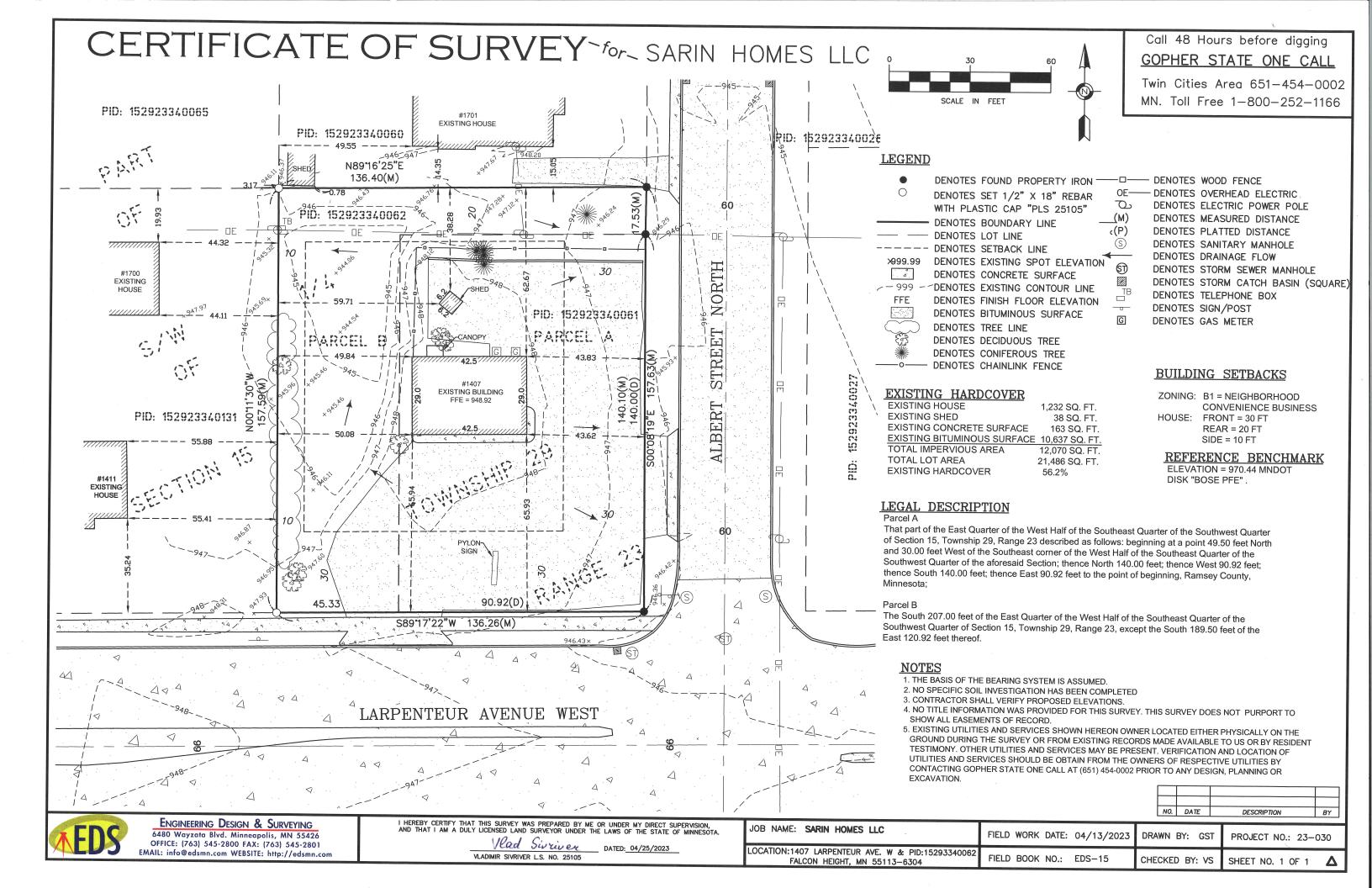
Larpenteur Avenue is also a street that is home to more than 44 single family homes, a major University, two large museums, a golf course, many retail businesses, senior housing, affordable housing, gas stations, and a large mix of other office and commercial.

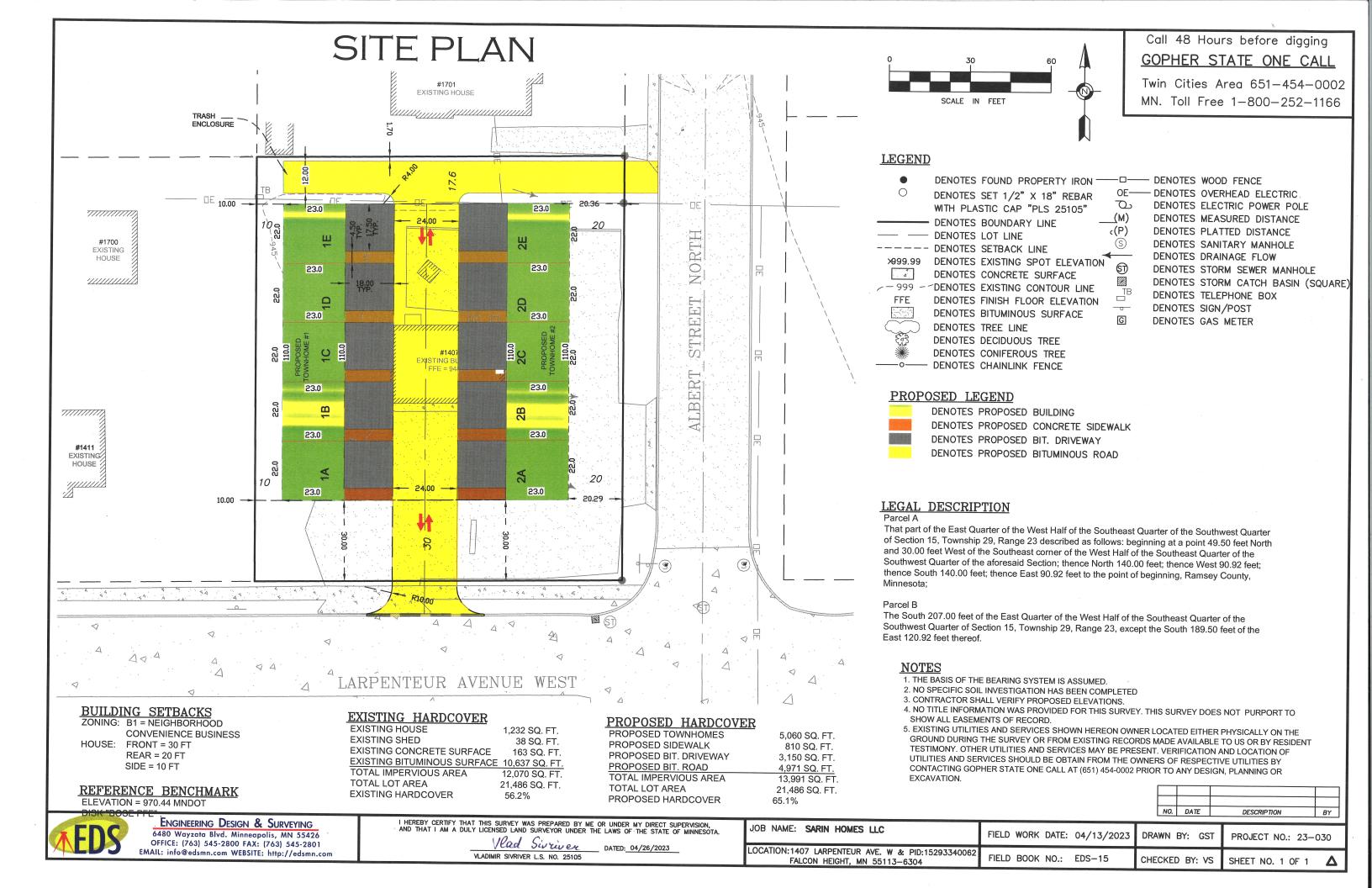
Staff's initial suggestions:

The Planning Commission and Council must consider the sketch plan in context to both the micro and macro conditions of Larpenteur Avenue to determine the appropriate uses of land for this corridor and for this parcel.

- Landscaping plan would be required.
- Environmental assessment would be required, paid by developer, and potentially a traffic impact study completed
- Building heights would need to be addressed
- Stormwater system would need to be reviewed by Capitol Region Watershed
- On-site snow storage is limited.
- Consider landscape buffers between Single Family lots.
- Comprehensive Plan Amendment Required
- Need to have two parking spaces per unit (can be accomplished)
- A Planned Unit Development would be **REQUIRED** to meet the property owner's needs.

	 Fire Marshal has expressed concern over the turnaround radius; would require fire lane signage Ramsey County - Access onto Larpenteur must be removed, consistent with the county policy of having access directed to the adjacent local street whenever possible HOA will need to be established for ownership and maintenance of private infrastructure, include alleyway and private street Code requires street corner radii to be a minimum of 15′, alleyways to be a minimum of 20′ wide and property owner shall avoid use of a dead-end alleyway Additional plans and details required by engineers: Stormwater calculations for pre- and post-construction to ensure post-construction runoff rates are not increased Grading plan required Erosion control plan required Soil report required Utility plan showing water and sanitary sewer connections required Property owner will need to perform Gopher State One Call to determine presence of small utilities on the property Property owner will submit title search and revise survey to determine location of drainage and utility (D&U) easements, if any are present Plan required showing proposed lot lines and easements. Buildings may not be constructed within a D&U easement. 	
Budget Impact	None.	
Attachment(s)	 Survey and proposed site sketch from the property owner Staff's PowerPoint Presentation from 6.8.2023 community meeting 	
Action(s) Requested	Staff recommends reviewing the sketch and providing guidance as to the suitability of the proposal.	







City of Falcon Heights
June 8, 2023

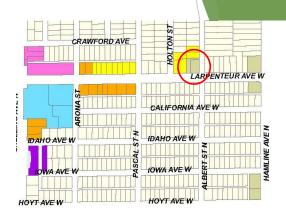


Purpose of this Community Meeting

- ▶ We are here to provide information to the community and listening to feedback from citizens about a potential project.
- ► This is not an official meeting.
- ► This is intended to be an informal meeting between staff and the immediate neighbors of the property others are welcome as well.
- ▶ We are not approving or denying any proposals.
- ▶ We have not received an official application for development at 1407 Larpenteur.
- This is a pre-meeting to an informal review by the Planning Commission on June 27, 2023.

1407 Larpenteur - Current Zoning

- Currently a vacant dry cleaning building
- ▶ In the past, Falcon Heights Shell Oil
- Current zoning designation is B-1,
 Neighborhood Convenience Business
- ► Parcel is surrounded on two sides by R-2, Two Family. Across Larpenteur and across Albert is R-1, Single Family.
- ► Two parcels for a total of .5 acres.



Zoning Legend:

B1- Neighborhood Convenience Business

B2- Limited Business

B3- Snelling/Larpenteur Business District

P1- Public Land

P1/R1- Public Land, Reverts to Single Family

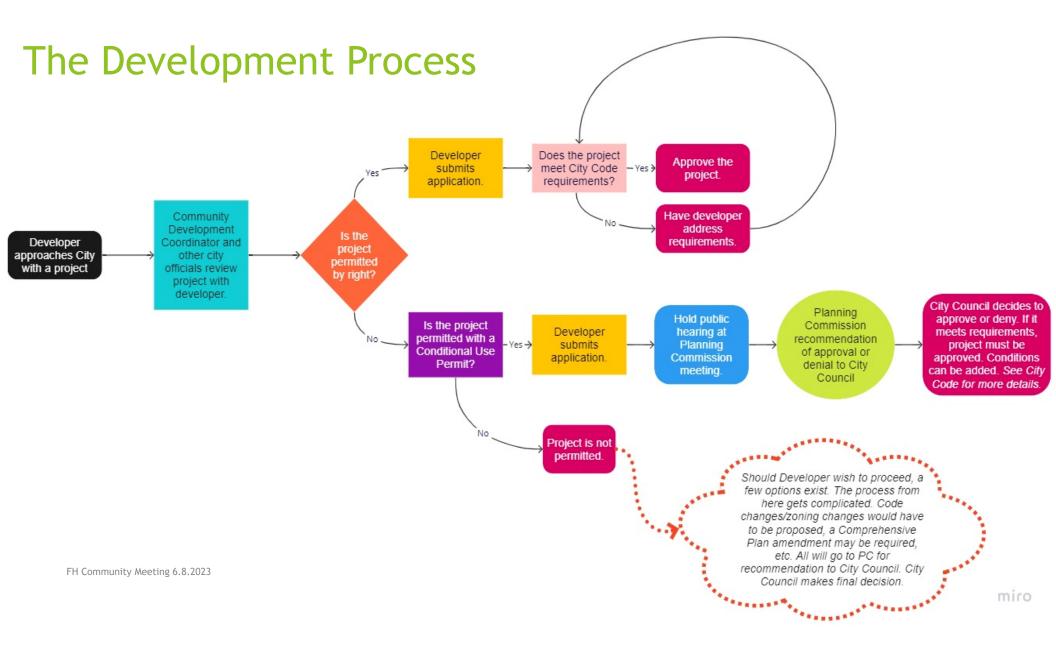
PUD- Planned Unit Development

R1- Single Family

R2- Two Family

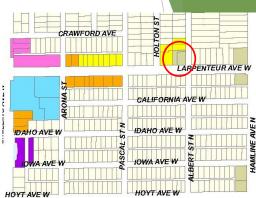
R4- Medium Density Multiple Family and Townhouses

R5M- High Density Residential Mixed Use



B-1 Zoning - Current uses permitted by right include:

- Barbershops, except barber colleges
- Beauty shops, excluding cosmetology schools
- ► Convenience stores, excluding motor fuel facilities
- Coin and stamp stores
- Drugstores / pharmacies
- ► Florists
- Garment pressing, and agents for laundries and dry cleaners, with a maximum of six employees
- Health care, offices and clinics
- Laundries power, with a maximum of six employees
- Laundromats self serve
- Miscellaneous retail establishments (small) (excluding repair and service establishments and gun shops) having a maximum floor area of 1,000 sq. ft. which sell food, apparel and small specialty shopping goods including antiques, sporting goods, books, stationery, jewelry, cameras, novelty and optical stores and small cafes and restaurants
- Offices, business and professional
- Holidavitree sales:

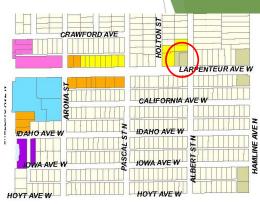


Zoning Legend:

- B1- Neighborhood Convenience Business
- B2- Limited Business
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- P1- Public Land
 - P1/R1- Public Land, Reverts to Single Family
- PUD- Planned Unit Development
- R1- Single Family
- R2- Two Family
- R4- Medium Density Multiple Family and Townhouses
- R5M- High Density Residential Mixed Use

B-1 Zoning - Current uses permitted with Conditional Use Permit:

- Current uses permitted with a Conditional Use Permit include:
 - Automobile repair establishments subject to additional conditions listed in City Code
 - Adult and child care facilities and nursery schools subject to licensing by the state
 - Motor fuel stations as an integral part of a convenience store located at the corner of a minor arterial and collector street as defined by the comprehensive plan
 - Secondhand goods stores as defined in City Code



Zoning Legend:

B1- Neighborhood Convenience Business

B2- Limited Business

B3- Snelling/Larpenteur Business District

P1- Public Land

P1/R1- Public Land, Reverts to Single Family

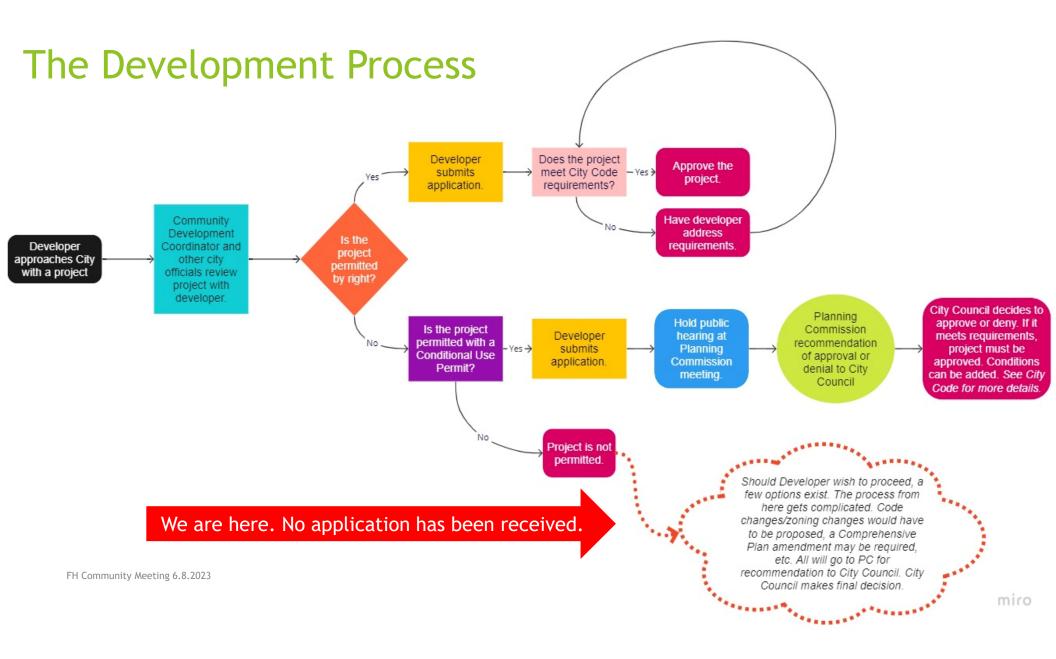
PUD- Planned Unit Development

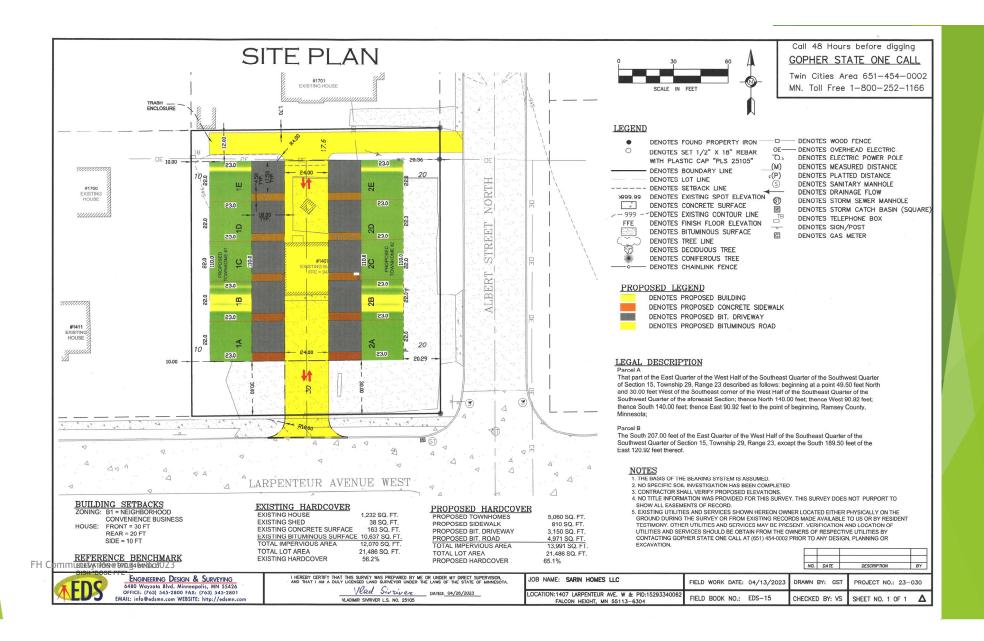
R1- Single Family

R2- Two Family

R4- Medium Density Multiple Family and Townhouses

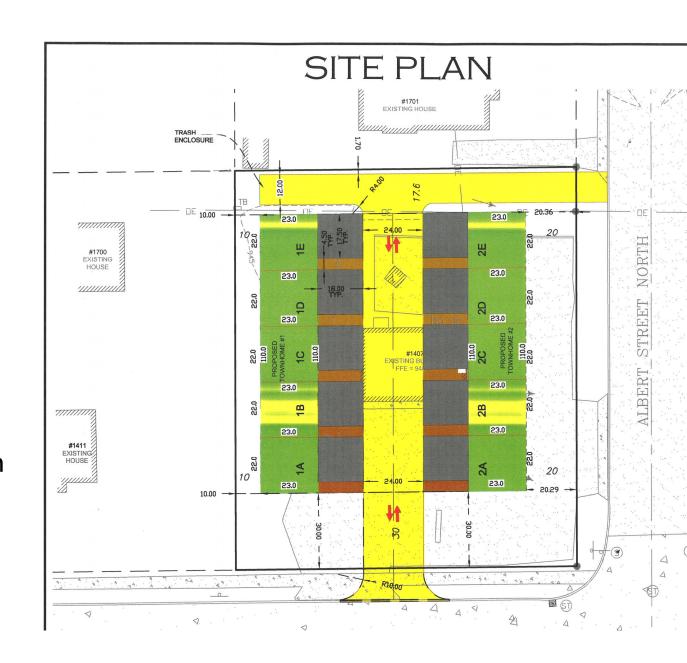
R5M- High Density Residential Mixed Use





- Two residential buildings, each composed of five townhomes
- Market rate
- Including garage and driveway parking
- Driveway to Larpenteur and a driveway to Albert
- Trash enclosure to rear of property
- Setbacks showing as 10' on west side, 12' on north side, around 20' from east side, 30' on south side.

FH Community Meeting 6.8.2023



Concerns and Considerations from Staff

- Does not meet City Code as it is currently zoned
- Planned Unit Development & development contract would be required
- Building heights & setbacks
- ► HOA for common spaces, private drive
- Fire Marshal Radius for turnaround, fire lane signage
- Ramsey County Access onto Larpenteur must be removed
- Engineering Would also need:
 - ▶ Stormwater calculations for pre- and post-construction
 - ► Grading Plan
 - ▶ Erosion Control Plan
 - Soil Report
 - Utility Plan
 - ▶ The location of drainage and utility easements, if any
 - ▶ The location of any small utilities on site
- City would also require environmental assessment, paid by developer, and potentially a traffic impact study completed.

What are the next steps?

- Community Meeting
- ► Informal review with Planning Commission
- Back to developer with information gathered and recommendations
- ► If the developer wishes to continue, rezoning and comprehensive plan amendment required



FH Community Meeting 6.8.2023



