



## Legislation Details (With Text)

**File #:** APC 19-1     **Version:** 1  
**Type:** Appeal-Planning Comm     **Status:** Archived  
**In control:** City Council  
**Final action:** 6/5/2019

**Title:** Public hearing to consider the appeal of Kevin Anderson (on behalf of Friends of Warrendale - Save Historic Saint Andrews LLC) to a procedure of the Planning Commission approving a site plan through an improper vote on January 25, 2019, and to the decision of the Planning Commission on February 8, 2019 not to reopen the vote from January 25, 2019, on a site plan for a 3-story building addition at 1031 Como Avenue.

**Sponsors:** Amy Brendmoen

**Indexes:**

**Code sections:** Sec. 61.402. - Site plan review (all districts).

**Attachments:** 1. CC Site Plan Appeal by Kevin Anderson - 1031 Como Ave - 02152019, 2. SPR Status Update - TCGIS - 1031 Como Ave - 01302019, 3. PC Action Minutes\_020819, 4. PC Action Minutes\_012519, 5. Draft - PC Denial Resolution - TCGIS Site Plan - 02082019, 6. Draft - PC Approval Resolution - TCGIS Site Plan - 02082019, 7. Site Plan 15.99 extension - TCGIS Addition - 12202018, 8. ZC Staff Memo - TCGIS Updated Site Plan - 01172019, 9. TCGIS - Site Plan updated 1-16-19, 10. TCGIS - Traffic Impact Study - 2019\_01\_15, 11. TCGIS - Traffic Impact Study - Appendices, 12. TCGIS Transportation Information, 13. PC ZC minutes 01-17-19, 14. PC ZC minutes 12-20-18, 15. PC Packet - File 18-117-556 - TCGIS Site Plan, 16. PC PH - TCGIS Submitted Supporting Documents, 17. TCGIS Zoning Committee Slides - 12202018, 18. PC PH Support Letters - TCGIS group 1, 19. PC PH Support Letters - TCGIS group 2, 20. PC PH Opposition Letters - TCGIS group 1, 21. PC PH Opposition Letters - TCGIS group 2, 22. Comment rec'd by Council re TCGIS expansion, 23. Anderson email 5-31-19, 24. SPR Status Update - TC German Immersion School Addition - 05292019, 25. TCGIS Addition Civil Plan Set\_05-21-19, 26. TCGIS Addition Architectural Plans\_05-21-19, 27. Response Memo\_SPR Status Update\_05-21-19, 28. TCGIS Traffic Impact Study Progress\_05-21-19, 29. Comment 2 recd by Council re TCGIS Expansion, 30. CC SPR Staff Report - TCGIS Site Plan - 1031 Como Ave - 06052019, 31. Comment 3 rec'd by Council re TCGIS Expansion

Date	Ver.	Action By	Action	Result
6/5/2019	1	City Council	Denied	Pass

Public hearing to consider the appeal of Kevin Anderson (on behalf of Friends of Warrendale - Save Historic Saint Andrews LLC) to a procedure of the Planning Commission approving a site plan through an improper vote on January 25, 2019, and to the decision of the Planning Commission on February 8, 2019 not to reopen the vote from January 25, 2019, on a site plan for a 3-story building addition at 1031 Como Avenue.

See attached Draft PC Resolutions to Deny and Approve, and background information included in the staff report.

**Zoning File #:** 19-012-615

**Appellant:** Kevin Anderson (on behalf of Friends of Warredale - Save Historic Saint Andrews LLC)

**Address:** 1031 Como Ave., between Argyle and Churchill Streets

**Applicant:** Twin Cities German Immersion School (filed by Rehder and Associates on behalf of the property owner)

**Purpose:** Appeal of the Planning Commission procedure approving a site plan through an improper vote on Jan 25, 2019, and decision of the Planning Commission on Feb 8, 2019, not to reopen the vote from Jan 25, 2019, on a site plan for a 3-story building addition at 1031 Como Avenue. (Zoning File # 18-117-556)

On December 20, 2018, the Zoning Committee held a public hearing where all parties were afforded an opportunity to be heard. The decision was laid over to the January 17, 2019, Zoning Committee meeting where staff presented an updated Traffic Impact Study and Site Plan.

Staff Recommendation: Approval with conditions  
District Council: Recommended Lay Over  
Zoning Committee: Recommended Denial , vote: 5 -1  
Support: 23 people spoke, 104 letters received  
Opposition: 16 people spoke, 22 letters received  
Planning Commission: On January 25, 2019, voted approval with conditions, vote: 7 - 5 (Later the City Attorney opined that this was not a proper vote). On February 8, 2019, motion failed 2 - 9, to re-open the vote on the site plan.

**Deadline for Action: March 6, 2019 (extended from Dec. 22, 2018)**

Does this issue fall within the 60 day rule? Yes

If yes, when does the 60 days expire? Dec 22, 2018

Has an extension been granted? Yes

If so, to what date? March 6, 2019

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