



Legislation Details (With Text)

File #: APC 19-2 **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 the variances through an improper vote on January 25, 2019, and the decision of the Planning Commission not to reopen the vote on February 8, 2019, for requested variances of maximum lot coverage, maximum height, and minimum off-street parking for a 3-story building addition at 1031 Como Avenue.

Sponsors: Amy Brendmoen

Indexes:

Code sections:

Attachments: 1. CC Variance Appeal by Kevin Anderson - 1031 Como Ave - 02152019, 2. Draft - PC Resolution Approval - TCGIS Variances 020819, 3. Draft - PC Resolution Denial - TCGIS Variances 020819, 4. PC Action Minutes_012519, 5. PC Action Minutes_020819, 6. PC PH - TCGIS Submitted Supporting Documents, 7. PC PH Opposition Letters - TCGIS group 1, 8. PC PH Opposition Letters - TCGIS group 2, 9. PC PH Support Letters - TCGIS group 1, 10. PC PH Support Letters - TCGIS group 2, 11. PC ZC minutes 01-17-19, 12. PC ZC minutes 12-20-18, 13. TCGIS - Site Plan updated 1-16-19, 14. TCGIS - Traffic Impact Study - 2019_01_15, 15. TCGIS - Traffic Impact Study - Appendices, 16. TCGIS Transportation Information, 17. TCGIS Zoning Committee Slides - 12202018, 18. ZC Staff Report Packet - File 18-126865 - TCGIS Variances, 19. ZC Updated Staff Report - TCGIS Variances 01172019, 20. Comment rec'd by Council re TCGIS expansion, 21. Anderson email 5-31-19, 22. SPR Status Update - TC German Immersion School Addition - 05292019, 23. TCGIS Addition Civil Plan Set_05-21-19, 24. TCGIS Addition Architectural Plans_05-21-19, 25. Response Memo_SPR Status Update_05-21-19, 26. TCGIS Traffic Impact Study Progress_05-21-19, 27. Comment 2 rec'd by Council re TCGIS Expansion, 28. Comment 3 rec'd by Council re TCGIS Expansion, 29. CC Staff Report - TCGIS Variances - 06052019

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 the variances through an improper vote on January 25, 2019, and the decision of the Planning Commission not to reopen the vote on February 8, 2019, for requested variances of maximum lot coverage, maximum height, and minimum off-street parking 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 #: 19-012-422

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 variances through an improper vote on Jan 25, 2019, and decision of the Planning Commission not to reopen the vote on Feb 8, 2019, for variances of maximum lot coverage, maximum building height, and minimum off-street parking for a 3-story building addition at 1031 Como Avenue. (Zoning File # 18-126-865)

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 Approval with Conditions
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, Approval, vote: 7 - 6 (PC Chair voted twice to break initial 6-6 tie; The City Attorney later opined that this was not a proper vote). On February 8, 2019, motion failed 2 - 9, to re-open the vote on the variances.

Deadline for Action: March 26, 2019 (*extended from Jan. 25, 2019*)

Does this issue fall within the 60 day rule? Yes

If yes, when does the 60 days expire? Jan 25, 2019

Has an extension been granted? Yes

If so, to what date? March 26, 2019

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