



**Request for City Council Committee Action
From the Department of Community Planning & Economic Development**

Date: March 25, 2004

To: Council Member Gary Schiff, Zoning and Planning Committee

Prepared by: Carrie Flack, Senior City Planner
Presenter in Committee: Carrie Flack, Senior City Planner

Approved by Neil Anderson, Supervisor, CPED Planning-Development Services

Subject: Board of Adjustment appointment recommendations referred from the
February 23, 2004 City Planning Commission Meeting

RECOMMENDATION: See report from the City Planning Commission

Previous Directives: N/A

Financial Impact (Check those that apply)
 No financial impact - or - Action is within current department budget.

Community Impact
Other: See attached.

Background/Supporting Information

The Board of Adjustment currently has three vacancies. The City Planning Commission recommended re-appointment of Paul Gates and appointment of Daniel Flo to the Board of Adjustment to serve three year terms each. The Commission also recommended that the process be re-opened to fill the third vacancy.

The attached report summarizes the actions taken at the City Planning Commission meeting held on February 23, 2004. The findings and recommendations are respectfully submitted for the consideration of your Committee. In addition, the Board of Adjustment candidate applications are also attached for your review.

Minneapolis Planning Department

350 South Fifth Street, Room 210

Minneapolis, MN 55415-1385

(612) 673-2597 Phone

(612) 673-2728 Fax

(612) 673-2157 TDD

MEMORANDUM

DATE: March 25, 2004

TO: Blake Graham, Planning Department
Phil Schliesman, Licenses

FROM: Neil Anderson, Planning Supervisor, Development Services

CC: Barbara Sporlein, Planning Director

SUBJECT: Planning Commission decisions of February 23, 2004

The following action was taken by the Planning Commission on February 23, 2004. As you know, the Planning Commission's decisions on items other than rezonings, text amendments, vacations, 40 Acre studies and comprehensive plan amendments are final subject to a ten calendar day appeal period before permits can be issued:

TESTIMONY:

Neil Anderson: The final item before you is an item that is in your packet. There was a Committee of three that looked at and interviewed candidates for the Board of Adjustment. There are two (2) vacancies and three (3) candidates. I don't know if Commissioner LaShomb or Commissioner Hohmann want to speak to this but, there is a recommendation here to approve two (2) of the three (3) and send forth to City Council.

Commissioner LaShomb: Actually, I would like to make two (2) motions. First of all, that Paul Gates and Daniel Flo be submitted to the City Council for appointment to the Board of Adjustment. The second motion I would like to make so people are aware of this, is that the City Council be requested to reopen the application process to fill the third (3rd) vacancy on the Board of Adjustment. I can further explain that but maybe we should do the first motion first and then do the second one.

Commissioner (?): There are three (3) openings not two (2)?

Commissioner LaShomb: There are three (3) openings on the Board of Adjustment right now and we are suggesting two candidates.

President Martin: Let's deal with that. The motion from the sub group that served on our behalf is to appoint Mr. Gates and Mr. Flo and recommend those two to the City Council. All those in favor say Aye.

Commissioner LaShomb: The reason for my second motion is that, we did interview three (3) candidates and two (2) of the three were incumbent candidates. It was our feeling in reviewing the attendance record of Board of Adjustment members, that one of the incumbent candidates attendance record was not sufficiently positive to justify reappointment to a three (3) year term. This is disappointing to me personally because this is an individual who achieved a couple of objectives we discussed when we did the interviews last May, 2003. The first objective was that we thought there should be more women on the Board of Adjustment. I believe that was one of the issues at the time and so we kind of went out of our way and Michael can recall because he was also involved in the process, about trying to eliminate another incumbent so we could put this incumbent on. And the other was that the Board of Adjustment in terms of geographical balance in the city of Minneapolis is badly unbalanced. Basically it is a southern part of the city phenomenon and we felt way back last May that we should try to balance that out over time by starting to look for candidates from the Northern part of the city and to get those individuals appointed. I still believe that but I have a very difficult time supporting incumbents who don't go to meetings when the prominent work of the Board is at the meetings. John Finlayson who is the chairman of the Board of Adjustment did participate in the interview process and we had a long discussion about attendance issues on the Board of Adjustment. It was John's feeling and our shared feeling that attendance has been a significant issue for the Board of Adjustment. One of the reasons why one of the previous incumbents was not a candidate last May was because that individual's attendance record was really week as well. So, it is very difficult to take an incumbent off something, especially when you have gone out of the way to say it is an individual that represents part of the city that is under-represented, which brings a greater balance to the Board of Adjustment. But, if the individual is not going to be there then it doesn't matter. That is the reason why we are requesting that the process be reopened. The incumbent we are not recommending could reapply, but the city needs to make a real effort to find an individual who really gives more balance to the Board of Adjustment and an expanded effort at recruiting.

Commissioner Johnson: Can we suggest people?

President Martin: Sure.

Commissioner Johnson: I am going to put together some names of some people from my community who I feel would be very good.

Commissioner LaShomb: There were 14 candidates for my seat on the Planning Commission and only three candidates for this. One of the candidates that we are approving today was one of the candidates who wanted to serve on the Planning Commission.

President Martin: Commissioner Johnson that would be helpful if you would do what you said. All in favor say Aye - All. Oppose? None

From City Planning Commission Actions:

Appointments to the Board of Adjustments

The City Planning Commission **approved** forwarding the names of Paul Gates and Daniel Flo to the City Council for appointment.

The City Planning Commission **approved** asking the Council to reopen the application process to fill a third vacancy due to poor meeting attendance of the other candidate.

2/23/04 CPC

Neil Combs business

(650)

3-27 next mtg

3-4 Exec com meeting

By unanimous ballot Pres Martin & VP Hohmann were reelected.

LaShon Paul Gates ; Danilla Piv moved that vacan be moved to City Council. allayt

LaShon moved that the 3rd vacancy be moved to

last recommendation strive to find candidates that best gender balance and North mpls location experience allayt

2004

Minneapolis City Planning Commission
(220 CH)
MEETING ARRIVAL AND DEPARTURE TIMES

MEETING DATE February 23, 2004

START TIME 4:35

TIME ADJOURNED 7:00

Name	Arrive	Depart
Bradley		
Hohmann	<u>4:25</u>	<u>7:00</u>
A. Johnson	<u>-</u>	<u>-</u>
G. Johnson	<u>4:25</u>	<u>7:00</u>
Krause	<u>4:25</u>	<u>7:00</u>
Krueger	<u>-</u>	<u>-</u>
Kummer	<u>4:49</u>	<u>7:00</u>
LaShomb	<u>4:25</u>	<u>7:00</u>
Martin	<u>4:30</u>	<u>7:00</u>
MacKenzie	<u>4:47</u>	<u>6:40</u>
Schiff	<u>4:40</u> ^{out 6:15}	<u>6:15</u>

Anderson, Neil 4:25 7:00

Sporlein, Barbara 4:25 7:00

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CPC

2-23-04

Commission

Business

MEMORANDUM

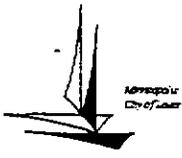
DATE: February 23, 2004

TO: City Planning Commission

FROM: Carrie Flack, City Planner *CF*

SUBJECT: Appointments to the Board of Adjustment

The Board of Adjustment currently has three vacancies. On February 10, 2004, the committee assigned to interview prospective Board of Adjustment members (Robert LaShomb, Michael Hohmann and Monique McKenzie) interviewed three candidates and now suggests that the full City Planning Commission forward Paul Gates and Daniel Flo for consideration by the City Council. The committee did not recommend forwarding Natonia Johnson for consideration by the City Council. Their resumes are attached. The prospective candidates would each serve three-year terms.



RE-APPLICATION FOR APPOINTMENT TO A CITY OF MINNEAPOLIS BOARD, COMMISSION, COMMITTEE OR TASK FORCE

NAME: Paul R. Gates		DATE: 10-28-03	
ADDRESS: 4917 Garfield Avenue South		ZIP +4: 55409-2403	WARD: 11th
HOME TELEPHONE NUMBER: [REDACTED]	WORK TELEPHONE NUMBER: [REDACTED]	WORK FAX NUMBER: [REDACTED]	
EMPLOYER ADDRESS: [REDACTED]			
EMPLOYER: [REDACTED]		EMPLOYER ADDRESS: [REDACTED]	

APPLICATION FOR APPOINTMENT TO (ENTER TITLE OF BOARD, COMMISSION, COMMITTEE OR TASK FORCE):
Zoning Board of Adjustment

Reason(s) for seeking re-appointment:

I seek a second appointment to the Zoning Board of Adjustment to continue to participate in the preservation and improvement of the Minneapolis urban environment. Zoning remains one of the principle means by which our city government can regulate the built environment, and the process of implementing, and adjusting, the zoning ordinance is of vital importance to the health of our city.

I believe that my performance on the Board has been marked by a thoughtful consideration of all items before me. I have a high regard for the work of staff, and weigh staff recommendation very heavily as I consider an issue; typically I vote against staff recommendation only after a thorough review and hearing of an issue and in light of what I consider to be significant evidence in support of an alternative position. As an architect I believe I have brought a level of technical expertise that has informed and raised the level of Board discussion. I have great respect for both the Zoning Ordinance and the rule of law that regulates our authority as a Board of Adjustment;

If more space is needed, check box and continue on back of application:

[REDACTED SIGNATURE]

SIGNATURE: [REDACTED] DATE: [REDACTED]

*Do not submit resumes, letters of recommendation or additional sheets.
Applications will be accepted until 4:30 PM on the date stated in the Volunteer Opportunity Notice. Any questions, please call 673-3358.*

PLEASE RETURN COMPLETED APPLICATIONS TO: CITY CLERK-OPEN APPOINTMENTS
ROOM 304
350 SOUTH FIFTH STREET
MINNEAPOLIS, MN 55415-1382

FAX: 612/673-3812
E-mail address: cityclk@cityofminneapolis.mn.us

DEPARTMENT
CITY CLERK
APPOINTMENT
FILED
MINNEAPOLIS, MN
OCT 30 2003

Paul Gates

Application for Re-Appointment to Zoning Board of Adjustment

10-28-03

despite my personal opinion as to the validity of a particular application, I attempt to vote in such a way as to not exceed the limits of the Board's powers. In the course of deliberating an issue, I attempt to educate applicants and the general audience about zoning issues or requirements which affect my decisions, so that the zoning adjustment process is, and appears to be, both transparent and fair.

In general I believe that my participation has been an asset to the Zoning Board of Adjustment, and I wish to continue serving for 3 more years. Thanks for your consideration.

A large rectangular area containing horizontal lines, likely a placeholder for a signature or additional text.

**Application for Appointment to a City of Minneapolis
Board, Commission, Committee or Task Force**

Print application and fill out by printing or typing all information.

Name: Daniel S. Flo Date: 10/21/03

Address: 4432 29th Ave. South Zip+4: 55406-3709 Ward 12

Home Phone: [REDACTED] Cell Phone: [REDACTED]

E-mail Address: [REDACTED]

Occupation: [REDACTED] Employer: [REDACTED]

Employer Address: [REDACTED]

Application for Appointment to (Enter Title of Board, Commission, Committee or Task Force)
Zoning Board of Adjustment

Describe your background related to any required or desirable qualification listed in the Volunteer Opportunity Notice. Include any applicable experience with civic, professional or volunteer organizations and other city boards or commissions. List any awards or special recognition.

I have a law degree from Lewis & Clark in Portland, Oregon, where I focused in environmental law, federal Indian law, cultural resource protection, and land use. My current position with the Department of Commerce involves insuring regulatory compliance, consultation with private companies and public organizations, and collaboration with applicants and state agencies. As a law student and law clerk I gained experience with public speaking and advocacy. I was a legal research volunteer with Water Watch of Oregon and the Combined Animal Feedlot Operation group with the Natural Resources Defense Council.

List the reasons you want to serve on this body:
[REDACTED]

What issues do you feel the committee should be addressing?
[REDACTED]



**RE-APPLICATION FOR APPOINTMENT
TO A CITY OF MINNEAPOLIS
BOARD, COMMISSION, COMMITTEE OR TASK FORCE**

NAME: Natonica Johnson		DATE: 10.17.03	
ADDRESS: 2635 Upton Ave. NW.		ZIP -4: 55411	WARD: 5
HOME TELEPHONE NUMBER: [REDACTED]	WORK TELEPHONE NUMBER: [REDACTED]	WORK FAX NUMBER:	
OCCUPATION: [REDACTED]		EMPLOYER: [REDACTED]	
EMPLOYER ADDRESS: [REDACTED]			

APPLICATION FOR APPOINTMENT TO (ENTER TITLE OF BOARD, COMMISSION, COMMITTEE OR TASK FORCE):
Board of Adjustments

Reason(s) for seeking re-appointment:

I feel that as a resident of Minneapolis, I bring diversity and knowledge to the Board. I am a homeowner, and I'm very familiar with variances, city ordinances and the like.

If more space is needed, check box and continue on back of application:

[REDACTED]

[REDACTED]

[REDACTED]

*Do not submit resumes, letters of recommendation or additional sheets.
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FAX: 612/673-3812
E-mail address: cityclk@ci.minneapolis.mn.us

**BOARD OF ADJUSTMENT
2003 BOARD MEMBER ATTENDANCE**

	Bloom	Fields	Finlayson	Gates	Johnson	Lasky	Morgan	Rand	Von Bargaen	White
January 29					NA					Absent
February 26					NA					Absent
March 26					NA				Absent	Absent
April 9	Absent			Absent	NA					Absent
April 23					NA		Absent			Absent
May 7	Absent						Absent			NA
May 28										NA
June 11					Absent					NA
June 25					Absent		Absent			NA
July 9									Absent	NA
July 23										NA
August 6			Absent		Absent	Absent				NA
August 27				Absent			Absent			NA
September 10										NA
September 24							Absent			NA
October 8	Absent				Absent	Absent				NA
October 29							Absent		Absent	NA
November 19					Absent					NA
December 10					Absent	Absent	Absent			NA