

City of Excelsior
Hennepin County, Minnesota

Minutes
Planning Commission

Monday, September 28, 2020

1. CALL TO ORDER

Chair Wallace called the meeting to order at 7:00 p.m.

2. ROLL CALL

Commissioners Present: Wallace, Hersman, Holste, Harrison, DiLorenzo, Craig

Commissioners Absent: Noll

Also Present: City Planner Becker and City Attorney Staunton

3. APPROVAL OF MINUTES

a) Planning Commission Meeting of August 28, 2020

Motion by Hersman, seconded by Harrison to approve the August 28, 2020 Planning Commission meeting as amended. Motion carried 6-0.

4. PUBLIC HEARINGS

a) 630 Glencoe Road Variance (PC No. 20-9)

Becker presented the report. Harrison asked if the survey was reviewed and approved by the City Engineer prior to issuance of the building permit. Becker confirmed that it was. Monson explained that they later realized when beginning to construct the raingarden that it would result in the removal of a significant amount of trees, and they didn't want to further alter the site and take away more usable space within the backyard. He also pointed out that the raingarden would be required to be a larger site than most new houses within the City provided it was a vacant lot, which is not common. Motion by Craig, seconded by DiLorenzo. Motion carried 6-0.

b) Accessory Buildings and Structures Ordinances (PC No. 20-11)

Craig asked if anyone remembered why there was an ordinance amendment adopted in 2017 that did not allow for accessory structures to have plumbing for kitchen and bathroom facilities or to be used as dwellings. No one remembered. Hersman liked that the proposed ordinance allowed increased living space without altering the principal structure. Wallace asked if the Council thought about the possibility of such accessory structures being rented out. Becker thought this may not be a significant issue considering there was such few properties that were landmark properties. Harrison was concerned about the potential of these structures being rented, felt that this doesn't provide sufficient financial incentive, and was concerned about allowing accessory structures to be lived in with their reduced setbacks. Wallace felt that this could lead to people attaching their garage and placing an accessory living structure in the rear yard to be used as another dwelling or rental unit. Harrison was also concerned about an increased need for parking. Motion by Harrison to not recommend the draft ordinance, seconded by Hersman. Motion carried 6-0. DiLorenzo liked the creativity of the proposed ordinance but feels that there are other incentives that should be explored. Craig suggested exploring the possibility of this ordinance being applied to the entire city.

5. DISCUSSION ITEMS

a) 685 Excelsior Boulevard Sketch Plan Review for Expansion of Parking Lot (PC No. 20-10)

Becker presented the report. Harrison wanted to know if the City was willing to allow Maynard's to continue to be non-conforming. Becker clarified that by adding additional parking that they were becoming less non-conforming. Hersman wanted to clarify the proposed setback of the expansion from the lake and was concerned that the proposed expansion is 20 feet into the required setback. DiLorenzo asked if the applicant would be willing to reduce the number of spaces in order to help preserve the buffer. Jack Stevens, applicant, spoke regarding the application and clarified that this will be an expensive project, and so they would like to get as much additional parking as possible. Harrison was concerned about the removal of trees and would prefer that the trees be planted elsewhere in the City if they cannot fit on the site. She also pointed out that additional handicap parking would be needed.

b) 810 Excelsior Boulevard Sketch Plan Review to Allow a Daycare Facility (PC No. 20-12)

Becker presented the report. DiLorenzo asked about traffic, and it was stated that a traffic study would likely be required for the proposal. Wallace was concerned about the amount of use and believes that the parking requirements should be followed. DiLorenzo wanted to ensure that the layout of the parking lot would work with any new restrictions that were put into place. Holste felt that the design was a little too institutional and didn't fit in with Excelsior.

c) Process Discussion

City Attorney Staunton presented a PowerPoint on quasi-judicial decision making.

d) Commercial Districts Ordinance Discussion

Harrison wanted to know what the difference was between the Downtown Commercial District and Mixed-Use District. She pointed out that the Mixed Use did not allow Financial Institutions on the street level but allowed drive-ins. She was concerned about hotels bordering a residential area. She was concerned about allowing zero side yard setbacks on commercial properties, especially bordering residential areas. She was concerned about allowing adult uses and suggested eliminating it entirely, and Staunton said that there was a statutory requirement that did not allow these uses to be prohibited entirely. She pointed out that there were inconsistencies with the lighting requirements. Holste had a question about the requirement for residential within the Mixed-Use district and how that was regulated, if it was by development or throughout the whole district. She also thought that there should be a minimum requirement for commercial space on the street level within a mixed-use building.

6. ADJOURNMENT

Motion by Hersman, seconded by Holste, to adjourn at 9:00 pm. Motion carried 6-0.

Respectfully submitted,

Emily Becker

Planning Director