

City of Excelsior  
Planning Commission Meeting  
MINUTES  
Tuesday, January 5, 2010  
Council Chamber, City Hall, 339 Third Street

1. CALL TO ORDER

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

2. ROLL CALL

Commissioners Present: Busch, Putnam, Gaylord, Wallace, Craig, and Chair Gephart

Commissioners Absent: Macaluso

Also Present: City Planner Richards, City Attorney Staunton, and City Planner Fuchs

3. APPROVAL OF MINUTES

(a) Planning Commission Meeting of November 4, 2009

Gephart asked if anyone had any additions or corrections to the Minutes.

Two typographical changes were submitted. It was moved by Commissioner Putnam, and seconded by Commissioner Craig, to approve the Minutes of the Planning Commission Meeting of November 4, 2009 as amended. Motion carried 6/0.

(b) Planning Commission Work Session Meeting of November 19, 2009

Gephart asked if anyone had any additions or corrections to the Minutes.

One typographical change was submitted. It was moved by Commissioner Putnam, and seconded by Commissioner Busch, to approve the Minutes of the Planning Commission Meeting of November 19, 2009 as presented. Motion carried 6/0.

4. PENDING ISSUES/PROJECTS

(a) Appoint Liaison to City Council

Commissioner Putnam will serve as the Planning Commission liaison to the January 19, 2010 Council meeting.

5. PUBLIC HEARINGS - (Con't)

(a) None

6. PUBLIC HEARINGS

(a) None

It was moved by Putnam, and seconded by Commissioner Craig, to move Item 8(a) ahead of Item 7, Unfinished Business. Motion carried 6/0.

8. NEW BUSINESS

(a) Sketch Plan Review - 200 Bell Street

Fuchs stated that Dan Vogel, 200 Bell Street, the applicant, has applied for a sketch plan review of possible variances to accommodate an attached garage and home addition.

Fuchs provided an overview of the plan. He noted that the original plan reviewed by the Planning Commission on September 9, 2009, sought variances from the minimum lot area, maximum impervious surface coverage, side yard setback adjacent to street, and rear yard setback requirements to allow for the removal of an existing detached garage and to build an attached garage with a second floor living area onto the existing structure.

Fuchs informed the Planning Commission that at the October 5, 2009 City Council meeting, the applicant verbally withdrew their application in order to address questions and concerns about their proposal. He stated that a written withdraw was provided to the City following the City Council meeting. By withdrawing the application, the applicant was not required to wait 6-months before submitting a new application.

Fuchs stated that the revised plan submitted on December 28, 2009 includes variances to the minimum lot size, rear-yard setback, and impervious surface coverage requirements.

Dan Vogel, 200 Bell Street, the applicant, elaborated on the size of the proposed structure. He explained he has made changes to the setbacks in response to the comments he received at the previous Planning Commission and City Council meetings. He noted that the structure has been pushed back from Courtland and now complies with the 15-foot required setback from the street.

Vogel explained how the internal workings of the structure were re-worked to accommodate the staircase into the existing structure. He stated that 4 feet of the 26'X22' attached garage addition is to accommodate the staircase. He believes the revisions help soften the impact of the addition.

Putnam asked about the existing garage's setbacks. Vogel explained the setbacks of the existing detached garage.

Putnam asked what the previous variances granted by the City consisted of? Vogel explained the past improvements and the limitations they now pose. He stated that at the time of those improvements they did not have children and didn't realize the impact that a 13% grade gravel driveway would have on the livability.

Gaylord asked about the deck proposed on the front façade and the usability of it. Vogel responded that the deck was purely decorative.

8. NEW BUSINESS

(a) Sketch Plan Review - 200 Bell Street

Craig inquired about the roof. Gephart responded that the roof is a design element.

Gephart asked what the 958.6 reference pertained to on the survey. Staff responded that it is a reference to the elevation point.

Gephart asked what the hardship is, because he does not see anything here to justify the variances. He stated there are three criteria that need to be addressed.

Staunton noted that that City has in the past granted variances for various reasons for garage improvements. Although, a one stall garage exists on the site and one could be persuaded to not grant the variance.

Busch stated with this climate a two-stall garage is justifiable. Gephart stated that he is hard pressed to approve a variance unless the three criteria are met.

Vogel stated that he has provided the Planning Commission with two new plans to review. One plan has a one-stall attached garage and the second plan has a detached 22'X22' garage. He stated that the attached one stall garage would require a variance to the 10' rear yard setback requirement.

Gephart asked the applicant which plan he preferred. Vogel stated that he would prefer the single stall attached garage.

Gephart stated there are issues and constraints with both plans. He stated that the lot is small and he believes there is too much proposed for the lot.

Putnam stated that this is a sketch plan and the applicant has requested input.

Craig asked about the height of the structure. Putnam explained the roof pitch and roof lines.

Gephart expressed his concerns with the hardcover. He stated that an attached structure will require the need for a variance while the detached structure would not require a setback variance. He noted that the existing house has a staircase. Vogel explained that with a split level house addition, a staircase is hard to design.

Putnam stated that the detached structure would not need a setback variance, but the applicant's objectives would not be met.

Vogel stated that the space above the garage is not the driving force of their design.

8. NEW BUSINESS

(a) Sketch Plan Review - 200 Bell Street

Gaylord stated that he likes the first plan with some changes, and he could compromise with either of the two new plans.

Gephart noted that he is receptive to the plan the new plan with the single car attached garage, plan B, though it would need to be reduced in size. He has a difficulty with the original plan when there are other alternatives.

Vogel stated that in order to come to a resolution with an attached single stall garage, the garage would need to be 13 feet wide to accommodate a staircase and have a minimum depth of 20-feet. Gephart suggested that the applicant to sit down with their architect to devise a plan.

Vogel noted that an attached garage would still require variance to the rear yard requirement. Gephart stated that a single stall garage is more plausible if it is reduced in size and scope.

Wallace stated the existing house is not a split level at this time and the applicant's proposed addition makes it such.

7. UNFINISHED BUSINESS

(a) Parking Action Plan Final Report and URS Studies – Parking Plan Action Task Force

Richards provided a brief overview of the Parking Action Plan Final Report and URS Studies and explained that the Planning Commission met on November 19, 2009 to prioritize the Summary of Conclusions and Recommendation of Parking Action Task Force Report.

Commissioner Putnam moved, Commissioner Craig seconded, to prioritize the Summary of Conclusions and Recommendation contained in the Parking Action Task Force Report as follows as outlined by staff and forward to the City Council to provide direction on how to proceed. Motion carried 6/0.

8. The City should manage demand and optimize currently available parking by installing:
  - a. uniform signage to assist drivers in locating available permanent and temporary parking, enacting an ordinance allowing enforceable off-peak shared parking opportunities as part of the formal City development approval process; and,

7. UNFINISHED BUSINESS

- (a) Parking Action Plan Final Report and URS Studies – Parking Plan Action Task Force
- b. exploring options for contracting with experienced vendors for parking management of current municipal spaces and enforcement of parking regulations.
3. The City should pursue a change from 9' wide stalls to 8'6" stalls where sensible to maximize the number of parking spaces in the municipal lots.
  4. The City should minimally apply its design standards for parking lots to municipal lot expansions to optimize the amount of available surface parking.
  6. The City should revise its current parking ordinance to ensure that parking requirements for redevelopment within the CBD reflect similar compact communities with shared parking and limited opportunities for parking expansion (e.g., Bozeman, MT), and that parking requirements for new development outside the CBD come more into line with national averages. Parking requirements for new development should reflect the parking demands created by each proposed use.
  7. The City should, on an expedited basis, establish parking standards for:
    - changes of use in currently occupied space in the CBD (allowing limited flexibility for smaller retail spaces to change use in the CBD);
    - expansions into existing unoccupied space in the CBD (creating a specific ordinance provision to address associated increased parking on an equitable basis for similarly situated properties in the CBD);
    - ensuring larger scale redevelopment within the CBD supplies parking adequate to meet its own parking needs onsite for proposed uses; and
    - ensuring that development outside the CBD supplies parking adequate to meet parking standards greater than those in the CBD and more in line with national averages).
  9. City staff should consistently apply and actively enforce the specific actual language of City parking regulations. (ongoing)

7. UNFINISHED BUSINESS

(b) Guidelines for Residential Areas

Richards provided a brief overview of the changes that the Planning Commission suggested to the subcommittee. He elaborated on the residential light plane scenario. He also informed the Commission that the metal standards were replaced to the original language.

Gephart asked what is considered high quality. Wallace explained that it predominately refers to gauge finish and a lot also depends on the profile.

Richards explained the garage door requirements. Craig asked about garage placement. Richards stated that the emphasis is that garages be pushed back behind the front façade of the dwelling and that garage doors will be limited to eight feet in height. He noted that doors that are nine feet in height or higher will require a variance.

Putnam stated that she wants to maintain freedom to design. She feels the language is too subjective. Richards stated that the proposed language is the first attempt of language to assist in guiding residential development.

Gaylord stated the proposed language promotes discussion.

Wallace stated that in private developments restrictive covenants provide direction and guidance for residential structures.

Busch asked for clarification of compatibility.

Putnam stated that she does not see the need for residential standards.

The Planning Commission reviewed A.1 of the language as it defines compatibility.

Staunton asked the Planning Commission to really work on language clarity.

Richards stated that language could be included to refer such plans to the Planning Commission if there is a question with compatibility.

Craig expressed her concern with language that allows the City to dictate design. Gaylord stated that the standards could be looked at in more detail.

Craig noted that it was her understanding that the subcommittee would make sure that the language is not vague.

Craig asked why the Planning Commission was looking at these issues. Richards stated that the subcommittee is looking at all design options.

Craig stated that she is interested in discussing this in more detail and would enjoy being more actively involved with the discussions.

7. UNFINISHED BUSINESS

a. Update of Comprehensive Plan

Richards reported that the Metropolitan Council sent a November 23, 2009 letter to the City of Excelsior requesting clarification on some details on the capital improvement program. He stated that a response was forwarded on December 9, 2009 from the Metropolitan Council deeming the Comprehensive Plan was complete and that it was scheduled to be on their January agenda.

Richards informed the Planning Commission that the Council has asked the Planning Commission to discuss issues associated with the properties located at 712 and 734 Galpin Lake Road. The Planning Commission and staff briefly discussed the condition of the properties and their historical context. The Planning Commission asked staff to place this item on a future Planning Commission agenda.

8. NEW BUSINESS

(a) Schedule Dates for Additional Work Session(s)

The Planning Commission decided to hold off on scheduling any additional Work Sessions beyond the subcommittee meetings.

(b) Review of Planning Commission Role

Craig expressed her opinion that the dissenting voice is not fully noted in the minutes as it appears that the texture of the discussion may be lost.

Fuchs answered that the minutes do reflect the general discussion of an item and clarified that the minutes are not nor were they meant to be transcript of the agenda item. He stated that the minutes do include the vote on each item and the names of those Commission members who voted against a particular item. He highlighted that in the recent past the City has brought in a person to assist with minutes when agenda items require additional documentation.

Staunton provided a brief overview of the Planning Commission Role. He noted that due to the time to adequately review this item, it should be placed on a future Planning Commission agenda. He informed the Planning Commission that the discussion will include insight on a recent City of Minneapolis court decision, and the roles of the Planning Commission and City Council members in decision making processes.

9. COMMUNICATIONS & REPORTS

(a) None

10. MISCELLANEOUS

(a) Recent City Council Actions

Staunton updated the Planning Commission on recent City Council actions.

11. ADJOURNMENT

Commissioner Gaylord moved, and Commissioner Putnam seconded, to adjourn the meeting at 9:35 p.m. Motion passed 6/0.

Respectfully submitted,

Ronald G. Fuchs  
City Planner