

City of Excelsior
Planning Commission Meeting
MINUTES
Tuesday, February 8, 2011
Council Chamber, City Hall, 339 Third Street
7:00 P.M.

1. CALL TO ORDER

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

2. ROLL CALL

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

Commissioners Absent: Jensen and Gephart

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

3. APPROVAL OF MINUTES

(a) Planning Commission Meeting of January 4, 2010

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

It was moved by Commissioner Putnam, and seconded by Commissioner Busch, to approve the Minutes of the Planning Commission Meeting of January 4, 2011 as presented. Motion carried 5/0.

4. PENDING ISSUES/PROJECTS

(a) Appoint Liaison to City Council (February 22, 2011)

Putnam will serve as the Planning Commission liaison to the February 22, 2011 Council meeting.

5. PUBLIC HEARINGS - (Continued)

(a) None

6. PUBLIC HEARINGS

(a) None

7. UNFINISHED BUSINESS

(a) Planned Unit Development – Discuss Requirements, Section 65-2. Eligible Parcels

Richards briefed the Planning Commission that at their January 4th meeting the Commission discussed the eligibility requirements of Article 65, Planned Unit Development (PUD) and examples of PUD Ordinances from other cities zoning regulations. He explained that the Commission agreed that the issue should be discussed further. The Commission asked staff to provide the City of Northfield PUD Ordinance and requested that staff ask Tim Caron, who was on the City Council at the time that the PUD regulations were adopted, the reason for the eligibility requirements that are currently found in Section 65-2 of that Article. He stated that he had received a response from Tim Caron. He read those comments to the Planning Commission.

7. UNFINISHED BUSINESS

(a) Planned Unit Development – Discuss Requirements, Section 65-2. Eligible Parcels

Busch asked for further clarification on the reason for the requirements. Richards responded that the language came out of the discussion with the Galpin Lake properties. He further clarified that a PUD allows the City Council to be flexible and in doing so should receive something in return.

Busch asked how many communities were researched. Richards responded that staff had researched ordinances from five communities.

Putnam asked if the City has other PUD's?

Busch stated she still doesn't understand the reasoning behind the current regulations.

Putnam stated she likes Northfield's standards. She asked where and if there are instances where all ordinances have been avoided or varied. Richards responded that PUD standards have been used for 30 years and they allow for some flexibility.

Putnam read the current PUD language on page two of the report. Richards responded that the current language is odd.

Gaylord noted that the current language doesn't hurt as it is completely subjective.

Richards read the proposed language.

Craig commented on how the PUD language may relate to building height.

Richards responded that with the current language there are a number of criteria that need to be met. He reviewed each of the criteria.

Craig asked how the language would deal with the height issue, specifically with the hotel. Gaylord responded that the current language constrains the use of the property to certain uses and the Comprehensive Plan guides what can be placed there.

Putnam and Busch stated that they still don't understand the logic behind the current PUD language. Richards responded that the current language asks for two uses to be proposed. With any PUD, the City has the ability to deny.

Staunton explained there are standards in the PUD language that require multiple uses be proposed and that there are also locational requirements that have to be met. He read the PUD standards and elaborated on area, frontage, and height. He further clarified that height can be varied for such reasons as the property having an 18 percent slope and or if underground parking is proposed in conjunction with the development. He explained that a PUD allows a municipality to change the zoning code and create an overlay district. He elaborated on quasi-judicial and legislative decisions and that with legislative decisions the City has much more discretion.

Putnam asked if a PUD changes the zone classification. Staunton responded the current PUD ordinance has guidance provisions that must be met in order to approve a PUD.

7. UNFINISHED BUSINESS

(a) Planned Unit Development – Discuss Requirements, Section 65-2. Eligible Parcels

Gaylord elaborated that he would take the language as proposed but would remove the struck out language.

Putnam and Busch stated they would favor adding the word “may” propose a use that is not allowed. Richards highlighted his understanding of Planned Unit Developments and the inclusion of uses.

Busch stated that additional flexibility is added if another use is injected.

Wallace elaborated on his understanding of uses. The Planning Commission discussed uses and how other PUD’s deal with use.

Gaylord stated that if the language is kept as proposed it forces multiple uses. Wallace responded that the current language would force multiple uses.

It was moved by Commissioner Putnam, and seconded by Commissioner Busch, to schedule a public hearing for the March 8, 2011 Planning Commission meeting.

Gaylord stated that he feels there is no reason to change the current language.

Busch elaborated that she does not understand the reasoning for the current language.

Wallace noted that with the strict nature of the current ordinance he does not see the negatives of changing the current language.

Craig stated the PUD process is not easy.

Motion carried 3/2, with Commissioners Gaylord and Craig voting nay.

Gaylord asked that New Business Item 8(a) be moved up on the agenda for discussion.

8. NEW BUSINESS

(a) Design Standards Review, Fran Lightly, 400 Highway 7

Richards briefed the Planning Commission that Brian Carney, the contractor for Excelsior Vintage Wine and Spirits made application for Design Standards review. He explained that the application is for the front façade to add windows. He elaborated that the structure previously housed Lightly Epicurean and the proposed use is for a liquor and wine off sale. He highlighted that the windows complement the existing structure and should allow for visibility to the parking lot and add additional light into the retail space. He elaborated that the materials and finish along with shutters and planter boxes will be made to match or complement the existing structure. He asked the Planning Commission to comment on the amount of window area. He noted that 30% is proposed and the Design Standards ask for 40% – 70%. He elaborated on the conditions of approval and highlighted that the use will need to comply with the maximum of 25% temporary signage.

The Planning Commission discussed the proposed improvements and the past use of the property.

8. NEW BUSINESS

(a) Design Standards Review, Fran Lightly, 400 Highway 7

It was moved by Commissioner Putnam, and seconded by Commissioner Busch, to forward the recommendation to the City Council that it give approval to the Design Standards Review application and the conditions of approval as drafted by staff for Fran Lightly, 400 Highway 7. Motion carried 5/0.

7. UNFINISHED BUSINESS

(b) Parking Update

Richards provided a brief overview of the staff report. He highlighted that at the January 4, 2011 meeting the Commission discussed the Parking Action Task Force recommendations and indicated that most of the list of conclusions and recommendations had been completed in 2010 with revisions to Appendix E related to parking stall size in the Downtown and the enactment of the parking impact fee ordinance and resolution. He emphasized that Number 8 was the remaining recommendation that had not been completely addressed. He summarized item Number 8.

The Planning Commission discussed Number 8. The Planning Commission noted that parking signage had been updated a few years back with the instillation of the universal blue signs. The Commission spoke of the City website including a description of where visitors can find free parking in the Downtown and felt a map could be developed that would provide additional information.

Richards highlighted that Item 8.a. asked for the need to enact an ordinance related to off-peak shared parking opportunities and with the current enactment of the parking impact fee ordinance, questioned whether this item should be pursued at this time.

Gaylord asked that the City Council provide guidance on what revenue it needs to address parking.

Putnam responded that she had attended the State of the City presentation conducted by Mayor Ruehl. She highlighted that based on the information he provided, the City is in good financial shape.

Richards suggested that staff research other cities that use parking management vendors and explore the use of parking meters and the experiences other small cities have had with parking meters in a downtown. He highlighted that the Albinson Parking Study indicated that the most convenient parking spaces could be metered.

Council Member Caron briefly highlighted current revenues generated by the existing meters.

The Planning Commission, Council Member Caron, and staff discussed reasons why meters may have been removed, the current financial ratings of the City, if current funds exist to build a parking lot, and City Hall needs.

The Planning Commission decided that further discussion of parking needs should involve the full group.

7. UNFINISHED BUSINESS

(c) Tree Management

Fuchs stated that the Tree Subcommittee has not met since December 2010. He asked the Subcommittee members to review their schedules and he would forward some times to meet.

(d) Residential Design Guidelines

Richards stated that the Excelsior Residential Design Standards Subcommittee has not met since January 2010. He asked the Subcommittee members to review their schedules and he would forward some times to meet.

8. NEW BUSINESS

(b) Planning Commission By-Laws Pertaining to Recording of Minutes

Fuchs briefed the Planning Commission that on December 6, 2010, the City Council adopted the 2011 General Fund Budget. He explained that the budget included allocating resources for video recording Planning Commission meetings. He highlighted that the proposed language would make the video recording of any open Planning Commission meeting the official record of the meeting, which is similar to what the City Council does. He noted that the proposed changes are based on the currently adopted City Council By-Laws.

The Planning Commission discussed the language and asked if the video would be on-line.

Council Member Caron stated that she is opposed to the proposed changes to the By-Law. She explained that as a Macintosh user, she is not able to view City Council videos. She further elaborated that since there are no longer liaisons, she is fine with the current minutes and doesn't feel the process needs to change.

Craig stated that she wants to read the minutes as she doesn't want to watch a two hour meeting.

Putnam explained that she feels that the proposed By-Laws are important to allow the full attention of all City staff present.

Gaylord asked that a company be hired to transcribe the information.

Caron stated that the proposed format would provide no meaning to City Council. Staff has been providing minutes at no costs, just staff time.

Gaylord responded that it may be cost savings to the City and that staff time could be allocated to other uses.

Wallace asked the benefit if not broadcast.

The Planning Commission discussed web site access, LMCD, accessibility, and staff time allocations.

8. NEW BUSINESS

(b) Planning Commission By-Laws Pertaining to Recording of Minutes

Staunton stated there are two questions, with one being video and the other type written minutes.

The Planning Commission discussed the feasibility of sending the question back to City Council for additional clarification.

Gaylord stated that the video would be the official record of the Planning Commission.

Busch noted that the City Council has the video as its official record.

Gaylord asked if supplemental details could be in writing.

Craig stated that she likes the minutes and feels there is value in having them.

Gaylord inquired if supplemental details could be incorporated.

Putnam asked staff what their involvement is when taking notes.

Fuchs responded that the staff's involvement is diminished due to their multi-tasking role.

Busch stated that the Planning Commission should proceed with the language as proposed.

Wallace stated that he would like to keep it the way it is, as he feels that he may find it hard to go back to watch a video.

Gaylord elaborated that he would like to keep the minutes the way they are.

Staunton offered guidance that the official record could be the video recording and staff could continue to provide summary minutes.

The Planning Commission discussed the proposed changes to the By-Laws and asked that item (5) be added to include a written summary of the discussion.

It was moved by Commissioner Craig, and seconded by Commissioner Wallace, to amend the By-Laws as proposed with the addition of a written summary of each agenda item.

Putnam stated that it is a compelling argument and she is seeking a means for more involvement with staff.

Motion carried 4/1 (Putnam).

(c) Dates for Additional Work Session(s)

Richards briefed the Planning Commission that staff met with Hennepin County representatives and they had asked Staff to consider the feasibility of having a sketch plan review on March 8, 2011 and scheduling a special review meeting on March 24, 2011 due to their tight development timeframes. The Planning Commission discussed and agreed that they could meet on March 24, 2011.

9. COMMUNICATIONS & REPORTS

(a) None

10. MISCELLANEOUS

(a) Recent City Council Actions

Council Member Caron updated the Planning Commission on recent City Council actions.

11. ADJOURNMENT

Commissioner Craig moved, Commissioner Putnam seconded, to adjourn the meeting at 9:00 p.m. Motion passed 5/0.

Respectfully submitted,

Ronald G. Fuchs
City Planner