

City of Excelsior
Planning Commission Work Session
MINUTES
Thursday, April 28, 2011
Council Chamber, City Hall, 339 Third Street
6:00 P.M.

1. CALL TO ORDER

Chair Gaylord called the meeting to order at 6:00 p.m.

2. ROLL CALL

Commissioners Present: Wright, Busch, Wallace, Craig, Duyvejonck, and Chair Gaylord

Commissioners Absent: Jensen

Also Present: City Planner Richards and City Planner Fuchs

3. APPROVAL OF AGENDA

It was moved by Commissioner Wallace, and seconded by Commissioner Craig, to approve the Agenda as presented. Motion carried 6/0.

4. ARTICLE 15, NON-CONFORMING BUILDING, STRUCTURES, AND USES AMENDMENTS

Richards briefed the Planning Commission on the recent discussions occurring at the Minnesota Senate and House. He informed them that the language being considered will loosen up certain aspects of current law regulating variances. It was stressed that once any language is finalized and signed into law it should allow the City to move forward in addressing variance requests.

Richards explained that in Excelsior there are small lots less than 6,000 square feet that require a variance application anytime building improvements are placed on the property and there are structures that were constructed before the implementation of zoning codes that do not meet setback and/or impervious surface hardcover requirements. He elaborated that the shoreland standards required by the State and implemented by the City provide a limiting level of impervious surface coverage, especially for single family lots. He asked the Planning Commission to consider language to make it easier to apply for a variance though still have a rigorous process.

Richards explained that City Staff has reviewed the existing language of Article 15. Non-Conforming Buildings, Structures, and Uses and highlighted comments related to Article 15. He asked that the Planning Commission review this Article and staff comments regarding minimum lot size and width, building height, setbacks, and, impervious surface coverage. He drew several scenarios on the whiteboard. He stressed the reason to focus primarily on Section 15-4.(d), the Expansion of Nonconforming Buildings or Structures as this is the provision that most often comes into play when proposals come forward for expansion of single family structures.

Gaylord asked what the current process is for reviewing development proposals. Staff reviewed the current review process.

4. ARTICLE 15, NON-CONFORMING BUILDING, STRUCTURES, AND USES AMENDMENTS – (Continued)

The Planning Commission and staff discussed the minimum lot size and how improvements are considered.

Richards explained that any changes to the City Code should have criteria by which to review any changes to non-conforming improvements or lots.

Gaylord asked if the process could be processed through a Conditional Use Permit (CUP).

Wallace inquired on the current variance review process. Busch questioned the amendment process. Staff elaborated on variance procedures and text amendment processes.

Duyvejonck stated that she is receptive to developing a very carefully worded process for non-conforming improvements.

Wallace asked for clarification of language changes. Richards responded that each community has the authority to make changes their City Code and how they regulate non-conforming improvements.

Wallace questioned the Conditional Use Permit review process.

Busch stated that she agrees with Commissioner Duyvejonck in the need to craft language to guide for improvements that are currently non-conforming.

Gaylord expressed that more concrete language should be written though he would need additional background on CUP and Variance guidelines.

Craig stated that she would like more emphasis on the ability for administrative decisions with certain improvements requiring a CUP.

Duyvejonck expressed that it would be nice not to be at the mercy of other jurisdictions or decision-making bodies.

5. ADJOURNMENT

Commissioner Busch moved, Commissioner Craig seconded, to adjourn the meeting at 7:08 p.m. Motion passed 6/0.

Respectfully submitted,

Ronald G. Fuchs
City Planner