

City of Excelsior

Planning Commission Meeting

Minutes

Tuesday, February 5, 2013

1. CALL TO ORDER

Vice Chair Craig called the meeting to order at 7:06 p.m.

2. ROLL CALL

Commissioners Present: Busch, Craig, Duyvejonck, Jensen, and Wright

Commissioners Absent: Wallace

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

3. APPROVAL OF MINUTES

(a) Planning Commission Meeting of January 8, 2013

Commissioner Busch moved, Commissioner Jensen seconded, to approve the Planning Commission Minutes of January 8, 2013 as presented. Motion carried 5/0.

4. PENDING ISSUES/PROJECTS

(a) Appoint Liaison to City Council (February 19, 2013)

Staunton explained that the City Council had scheduled a special meeting for February 11, 2013 to discuss the comments provided by the Heritage Preservation Commission (HPC) and Planning Commission regarding the proposed design changes to the hotel project at 10 Water Street. Staunton commented that the Commission should appoint liaisons for both the February 19th Regular City Council meeting and the February 11th Special City Council meeting.

Commissioners Craig and Busch will be the Planning Commission Liaisons to the February 11th City Council meeting.

Commissioner Duyvejonck will be the Planning Commission Liaison to the February 19th City Council meeting.

Commissioner Jensen moved, Commissioner Busch seconded, to revise the meeting agenda. Item 8(a) Exterior Design Element Review for 10 Water Street was moved up on the agenda to be discussed prior to item 5(a). Motion carried 5/0.

8. NEW BUSINESS

(a) Exterior Design Element Review for 10 Water Street as requested by the Excelsior City Council

8. NEW BUSINESS

- (a) Exterior Design Element Review for 10 Water Street as requested by the Excelsior City Council – (Continued)

City Attorney Staunton introduced the agenda item. He reminded the Commission that at the December 10th, 2012 Planning Commission Special meeting the Commission had recommended approval of the PUD General and Final Plan, the Site Plan, and the Design Standards review for the hotel project at 10 Water Street. Upon review of the proposed applications, the City Council had a few concerns with the exterior design of the building. The Council requested a design charrette in late December to examine the design elements and possible modifications to the hotel design. At the January 22nd City Council meeting the Council requested comments from the HPC and the Planning Commission regarding the proposed design changes resulting from the design charrette. Staunton informed the Commission that this is not a formal review; instead the Council has requested that the Commission comment on each of the 8 categories shown in Exhibit A in the packet. The HPC reviewed and commented on the proposed design revisions on January 29th. Staunton informed the Commission that Nick Ruehl (former Mayor), Neil Weber (project architect) and Mark Macpherson (HPC), who were part of the design charrette, were in attendance to answer any questions the Commission may have.

Richards noted that Neil Weber had provided an alternate design to the Water Street elevation for the meeting. Richards explained the stepback changes on Water Street, which included the removal of the pergola and extension of the third floor façade to be flush with Water Street. This design element change would enclose the 3rd floor balconies instead of the use of a pergola. The changes to the 4th floor include a reduction in the number of openings, the patina'd copper to remain, and the color of the window cladding to be changed to a darker color to match the patina of the copper and blend in. The alterations made regarding bay widths included further definition to separate the left and center bays on Water Street by increasing the offset to create a more prominent shadow line.

Richards explained the extension of piers through the third floor railing to break up the horizontal, the cornice lines to break up the façade, and the squaring of the columns. The turret design had been revised raising it 3 ft., which helps to elongate the design element and make it look slimmer. Transom windows were also added to the turret. Richards explained that much of the ornamentation had been removed from the turret.

Richards informed the Commission that an alternative design which

8. NEW BUSINESS

- (a) Exterior Design Element Review for 10 Water Street as requested by the Excelsior City Council – (Continued)

eliminated the center panel third floor stepback on water street had been submitted and included in the packet. The alternate design shows the Water Street center panel with inset balconies instead of the stepback. The 2nd floor center panel balconies have also been enlarged to 5 ft. instead of 2.5 ft. to make them more useable.

Ruehl commented that he was surprised at the HPC meeting on January 29th, when three of five HPC Commissioners preferred the middle panel 3rd floor Water Street stepback over the alternate design.

Macpherson informed the Commission that the HPC did not vote on any of the design changes. They only discussed and commented on each item of the 8 items listed in the packet.

Jensen asked if the application process had been completed at the HPC level. Staunton stated that the HPC voted in November to deny the Site Alteration Permit and the applicant has appealed that decision to the City Council. The HPC Appeal is still pending.

Jensen asked why the Commission was asked to comment. Staunton replied that the Council has yet to decide on some of the design changes and they felt it was important to get commentary from both the Planning Commission and the HPC prior to making a final decision.

Weber stated that both he and Charlie James (owner of the property) agree with all of the proposed design changes resulting from the design charrette. Busch replied that she thought that they didn't agree with one of the proposed changes. Weber stated that they did not agree with eliminating the stepback on the 3rd floor middle panel on Water Street. The stepback helps to reduce the mass of the building. The middle panel, with the stepback, would be seen as more of a two story element which is more consistent with Water Street. Weber felt strongly that the stepback is important to break up the wall along Water Street.

Weber gave a brief explanation of the revised design provided to the Commission at the meeting. The subtle design change used pier extensions on the 3rd floor center panel of Water Street to break up the horizontal railing and to be consistent with the rest of the building.

Discussion followed regarding balconies, windows, the turret design changes, and stepbacks.

Richards explained that the City's Design Standards references the use of stepbacks, but the HPC standards are silent on the subject.

The Commissioners took turns commenting on the items provided in

8. NEW BUSINESS

- (a) Exterior Design Element Review for 10 Water Street as requested by the Excelsior City Council – (Continued)

Exhibit A, Exterior Design Element Change Summary.

1. Stepbacks

Wright likes the changes that have been made to the Water Street façade. He prefers the middle bay stepback on the Water Street facade. He likes the removal of the pergola and extending the 3rd floor façade to be flush with Water Street on the right bay.

Busch prefers the design which included the pergola. She thinks the stepbacks overall help manage the mass and enclosing the balconies on the 3rd floor of the right bay would be increasing the mass of the structure. Busch supports the use of stepbacks on the Lake Street facade.

Craig prefers the elimination of the pergola on the Water Street façade. She is more concerned about the use of stepbacks on Water Street elevation than the Lake Street elevation, but is okay with the stepback on the middle bay of the Water Street façade.

Macpherson reminded the Commission that they should comment on all of the stepbacks not just to the change to the right bay of the Water Street facade.

Duyvejonck thought the pergola was acceptable on the Water Street facade. She commented that it would have been fine if the pergola remained, but she is also okay with the way the facade has been pulled out on Water Street with the inset balconies. She was accepting of the stepbacks on Lake street façade.

Jensen liked the stepbacks because they helped to mitigate the height and mass of the building. He thinks that, by eliminating the pergola, it is adding some mass and scale to Water Street that didn't exist in the previous design. Jensen had concerns about the precedent of permitting 35 feet of building height right up to the street (recognizing that the code permits such a height but observing that it is rare to see it elsewhere on Water Street). Overall he had no problem with the redesign, but the pergola would have been fine also.

Weber stated that they had simplified the design in part due to comments and concerns raised by the Planning Commission, in particular Commissioner Craig. Weber also added that the design charrette had lasted 6 hours, but had been very positive.

Ruehl commented that they had wrestled with the pergola issue during the charrette. The reason they finally requested a change was more of a practical reason than the look of the design. The use of the 4th floor

8. NEW BUSINESS

- (a) Exterior Design Element Review for 10 Water Street as requested by the Excelsior City Council – (Continued)

balcony would look down directly over the area which was proposed to have the pergola. The proposed open nature of the pergola with a deck above could cause an intrusion from overhead such as dropping things over the edge and privacy; it just makes sense for the balconies to be inset and enclosed.

Jensen asked approximately how much rooftop square footage would be gained with the enclosure of the area formerly housing the pergola? Weber approximated that 300 plus square feet of roof area would be added. Weber stated that if this design was approved they would probably make the green roof larger rather than allowing more rooftop deck space. Discussion followed regarding this issue.

2. 4th Floor Materials (copper) and window/door openings

Wright, Busch and Craig like the fewer window openings on the 4th floor and the proposed change in window cladding to reduce the contrast on the 4th floor.

Duyvejonck didn't have an issue with the quantity of openings on the 4th floor originally. Duyvejonck was okay with the original submittal or the proposed reduction in openings. She very much likes the change in cladding color.

Jensen agreed that the proposed changes to the 4th floor were an improvement in the design, especially the change in window cladding to reduce the contrast.

3. Bay Widths

Wright stated that he was good with the proposed changes.

Busch agreed with Commissioner Wright's comments.

Craig appreciates the verticality. She prefers the look of the straight railing to the third floor pilasters. She was concerned that by extending the brick extension to break up the third floor horizontal railings the building begins to take on a castle look. Busch agreed that she preferred the straight railing to the brick pilaster design based on the comments made by Commissioner Craig.

Duyvejonck appreciates the fact that the verticality and bay separation have been added without making it falsely look like separate buildings. She thinks this more subtly creates the verticality. She stated that she was also persuaded by Commissioner Craig's comment about the third floor pilasters and that the straight railing may be the best option.

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- (a) Exterior Design Element Review for 10 Water Street as requested by the Excelsior City Council – (Continued)

Jensen thinks the third floor pilasters add to the verticality but thinks they don't relate to the openings and design of the 4th floor and negatively affect the symmetry. Weber commented that the affect won't be as dramatic on the fourth floor windows because they are set back from the Lake Street façade. Jensen worries that it makes the building look taller, but doesn't have a problem with it.

4. Pergola

Wright likes that the pergola was removed and sees the practical impact of eliminating the intrusion from the fourth floor.

Busch was okay with the pergola in the original submittal and is accepting of the change to extend the façade of the 3rd floor and enclose the patios on the right bay.

Craig did not like the pergola and she was glad it was eliminated from the design.

Duyvejonck stated that she had nothing additional to add. She had commented on her pergola opinions earlier in the discussion.

Jensen was okay without the pergola.

5. Balcony Elements on Water Street

Wright and Busch were agreeable to all of the proposed changes in this category.

Craig likes that the columns have been changed to a square column. She likes that the balconies protrude and are usable on the second floor center bay on Water Street. Craig is concerned about whether the second floor balconies will extend further than the right bay facade on Water Street making them visible looking up Water Street from Lake Street.

Duyvejonck agrees that it might be good to make sure the second floor middle panel Water Street balconies not protrude further out than the façade of the right bay on Water Street. Other than that comment, Duyvejonck supports the changes.

Jensen supports the proposed changes. He was not concerned at all about the middle bay second story balconies protruding out further than the right bay façade on Water Street. Jensen thinks it will serve to break things up more.

6. Horizontal orientation

Many of the exterior design element changes were overlapping and the

8. NEW BUSINESS

- (a) Exterior Design Element Review for 10 Water Street as requested by the Excelsior City Council – (Continued)

Commission stated that they had addressed the horizontal orientation item in previous comments when discussing the stepbacks, bay widths, and balcony elements.

7. Turret

Weber commented that the added height with transom windows makes the design element look slimmer.

Wright likes the new look of the turret. He is supportive of the revised turret design.

Busch is also supportive of the new turret design. She liked the transom windows that were added. She stated that the design looked good with the turret extending above the 4th floor roof line.

Craig likes the addition of the transom windows. The new design of the turret makes it taller but she agrees that it is already a grand building and she thinks it is good to have it above the 3rd floor roof line.

Duyvejonck thinks the turret looks much more slender and is surprised this is accomplished with only 3 feet of additional height. She also liked the elimination of the cornice detailing on the turret.

Jensen likes that the detailing has been simplified. Jensen also liked the slimmer look that the extra 3 feet of height allowed.

8. Stepback Alternate

Weber provided a second alternate design which illustrated the inclusion of brick pilasters to break up the railing on the third floor of the middle bay on the Water Street façade. Weber stated that this design alternative was in response to the HPC comments on January 29th, 2013.

Macpherson commented that the brick piers were a minor change to the design considered by the HPC. HPC member Bob Bolles stated that he would be supportive of the revised design alternative.

asked if the stepback alternative was a divided issue at the design charrette. Macpherson commented that the alternative design they had considered at the charrette was to bring the third story façade out flush and this was something that the applicant did not want to do. The change was made at the request of the City Council. Discussion followed.

Ruehl stated that there were many different opinions at the charrette,

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- (a) Exterior Design Element Review for 10 Water Street as requested by the Excelsior City Council – (Continued)

but he preferred the stepback design. Ruehl felt the two story element relates better to the rest of Water Street. During the discussion there have been pros and cons for each design alternative. Ruehl felt the new design is more consistent with the rest of the building.

Wright likes the stepback on the third floor, middle bay of Water Street with or without the brick pilasters. Wright likes the original design with the full length railing a little better than the second alternate design provided at the meeting.

Busch likes the stepback design on the third floor because it helps to reduce the mass/scale and it helps the new building to relate to the 2-story buildings further down the block on Water Street. She prefers not to have the brick pilasters, but she thinks they would be appropriate to continue if it is determined that they are also used on the Lake Street façade.

Craig stated that she is not a fan of the stepback design, but she doesn't like the alternative design. Craig prefers the stepback for breaking up the horizontal impression of the structure. She indicated that she was somewhat persuaded by the stepback design logic because the varied heights of the building would be representative of the existing varied building heights in downtown. She still has concerns about the 3rd floor brick pilasters.

Duyvejonck thinks the stepback on Water Street is important to keep. It helps relate and tie into existing buildings along Water Street. She did not have a strong opinion about the brick pilasters, but thinks that the design should be consistent throughout the building.

Jensen is in favor of the stepback. He doesn't like the alternative look because it causes the structure to look too heavy. Jensen stated that keeping the stepback is important to help reduce the mass and scale of the building. Jensen prefers the inclusion of the brick pilasters to help break up the railings, but he had no objection to the full railing either.

5. PUBLIC HEARINGS – (Continued)

- (a) Proposed Ordinance to Amend Article 60, Shoreland Management District of Appendix E of the Excelsior City Code of Ordinances Related to Impervious Surface Coverage and Sustainable Building Practices

Richards introduced the changes made to the draft ordinance based on the comments provided at the January 8, 2013 meeting. A minor change was made to the structural hardcover definition, which changed the word "docks" to "decks". The impervious surface and greenspace percentages

5. PUBLIC HEARINGS – (Continued)

- (a) Proposed Ordinance to Amend Article 60, Shoreland Management District of Appendix E of the Excelsior City Code of Ordinances Related to Impervious Surface Coverage and Sustainable Building Practices – (Continued)

shown in the graph on page 5 were changed to reflect the percentages discussed at the previous meeting. The allowance for decorative open jointed walkways and edging for planting areas was reduced from 5% to 3%. The proposed language would classify retaining walls as hardcover.

Craig had concerns with retaining walls being considered as hardcover. Richards stated that retaining walls should be considered hardcover and that they are structural improvements. Craig commented that she was not comfortable without allowing a certain percentage of retaining walls to be considered greenspace, as currently stated in the City Code. Craig agreed that retaining walls are structural. Discussion followed regarding percentage and retaining walls.

Duyvejonck was okay with the proposed language change. She stated that if necessary the applicant/property owner would always have the option to apply for a variance if their project exceeded the impervious surface maximum. Jensen agreed with Commissioner Duyvejonck. Craig was concerned that the new language would be taking away a property owner benefit that currently exists in ordinance and has not been an issue. Busch supported the proposed language changes.

Discussion followed regarding patios, decks, and the possible language changes.

Richards explained that there were multiple sections of the City Ordinance that currently reference the use of gravel driveways. The current ordinance allows gravel to be considered 50% pervious. Based on the recommendation by the City Engineer, the proposed gravel surface language shall be changed to be consistent throughout the ordinance and shall not allow a credit/reduction for gravel driveways. Jensen stated that he did not agree with gravel surfaces as an impervious surface. He cited a few examples to support his viewpoint.

Vice Chair Craig opened the public hearing 8:47 PM

Leon Boyd, 44 First Street, questioned the elimination of the language "but not limited to" in the pervious pavement definition. Boyd stated that his driveway is pervious, but is not constructed of anything listed in the proposed ordinance amendment. The existing driveway is a corduroy road style driveway made out of 2 x 6 cedar planks separated by a 1/2 inch gap. Boyd felt the language needed to include other surfaces. Discussion followed regarding the proposed language.

Discussion followed regarding gravel surfaces. The discussion resulted in

5. PUBLIC HEARINGS – (Continued)

- (a) Proposed Ordinance to Amend Article 60, Shoreland Management District of Appendix E of the Excelsior City Code of Ordinances Related to Impervious Surface Coverage and Sustainable Building Practices – (Continued)

a change to the language stating “Class V gravel surfaces” in place of “Gravel surfaces.”

Duyvejonck referenced the impervious surface and greenspace chart, stating that it would make sense to treat the R3 and R4 zoning districts the same as the R1 and R2 zoning districts. Discussion followed. Richards stated that he would make a change to the chart to reflect the same impervious surface and greenspace allowances for properties zoned R1, R2, R3, and R4.

Craig questioned the rationale to reduce the greenspace allowance for decorative walkways and decorative water features to 3% of the lot area and to take retaining walls out of the language. Craig agreed that retaining walls should be structural, but felt that an allowance should remain in the ordinance. Discussion followed regarding retaining walls.

Bob Bolles, 229 George Street, stated that it may be an option to differentiate between porous and non-porous retaining walls.

Vice Chair Craig called for a 5 minute break at 9:03 PM

The meeting was reconvened at 9:08 PM

Richards asked the Commission how they would like to handle the language for retaining walls. Duyvejonck asked Braaten his opinion on the language since he would be the individual answering the public’s questions. Braaten explained that the current language does not specifically call out a 5% allowance for retaining walls, rather the language states not more than 5% of the total lot area shall be considered green space for “decorative walkways, retaining walls for planting areas, etc.” Braaten felt that the ordinance had been misapplied to include all retaining walls when really it was intended to be used for raised flower beds and gardens. Braaten was supportive of the proposed language which would include retaining walls in the impervious surface and greenspace calculation. Craig stated, based on the clarification by staff, that removal of retaining walls from the credit was okay with her.

Craig questioned the need to reduce the credit from 5% to 3% if retaining walls were not included. Duyvejonck was comfortable with the language and reminded Craig that the property owners could still go above 35% if any features installed are sustainable.

Commissioner Duyvejonck moved, Commissioner Jensen seconded, to

5. PUBLIC HEARINGS – (Continued)

- (a) Proposed Ordinance to Amend Article 60, Shoreland Management District of Appendix E of the Excelsior City Code of Ordinances Related to Impervious Surface Coverage and Sustainable Building Practices – (Continued)

continue the public hearing to the City Council's March 18, 2013 meeting, and forward the recommendation to the City Council that it approve the proposed impervious surface coverage and sustainable building practices ordinance amendment with the changes discussed, including: 1) changing the word "dock" to "deck" on page 3, 2) allowing the same credit for the R3 and R4 zoning district as the R1 and R2, and 3) revision of the pervious pavement definition to include the language "but not limited to."

Discussion followed regarding impervious surface, nonstructural hardcover, and lot size.

Motion carried 5/0.

6. PUBLIC HEARINGS

- (a) None

Commissioner Jensen left the meeting at 9:37 PM.

7. UNFINISHED BUSINESS

- (a) Formula Business Regulations (Franchises)

Braaten introduced the topic. Braaten reminded the Commission that at the previous Planning Commission meeting they had directed staff to provide formula business definitions for each of the cities stated in former intern Mike Malloy's memo. Braaten provided the definitions as requested and asked for direction from the Planning Commission. Richards asked the Commission how they would define a franchise business.

Duyvejonck stated she was looking for similarities to start the franchise definition conversation and 15 or more establishments could be a good place to start based on the language provided.

Discussion followed regarding the franchise business definitions provided and how many establishments would constitute a franchise.

Duyvejonck stated that she did not like prohibiting franchise businesses, but she did like being able to restrict what they look like. If a franchise business meets all design standards and they blend in with the rest of the City she would not be as concerned.

Wright offered up the example of Sedona, Arizona in which their McDonald's actually has a turquoise "M" to fit the character of the

7. UNFINISHED BUSINESS

(a) Formula Business Regulations (Franchises) – (Continued)

location. Discussion followed regarding existing formula businesses and how they have been regulated in different cities to fit the character of the community.

Duyvejonck stated that she leans more toward regulating the appearance of the formula business through the design standards rather than restricting what businesses could be located within the City.

Busch stated that many spaces within the downtown district are such small spaces that many franchise businesses could not locate there. The development of the Mason Motors site has adjustable spaces that will cater to their development as franchise businesses.

Busch, Craig, Duyvejonck, and Wallace stated that they were leaning toward the regulation of franchise businesses through the Design Standard regulations. Richards stated that staff would review the current Design Standards language and come back with some recommendations regarding possible language revisions regarding franchise businesses.

The Commission unanimously agreed to continue to this agenda item to the March 5, 2013 regular meeting.

8. NEW BUSINESS

(a) Exterior Design Element Review for 10 Water Street as requested by the Excelsior City Council

This agenda item was considered earlier in the meeting.

(b) Parking Update – Implementation

1. Parking Counts Summary

Richards stated that the City Council had considered the recommendation of the Planning Commission to reduce the Parking Impact fee, but in the end they set the available parking spaces at 53 and set the Parking Impact feet at \$1200 per space.

2. Parking Options for Water Street/Design Standards for 50-foot Setback Requirement on Water Street

To be discussed at the March meeting.

3. Shared Parking Consequences

Further discussion proposed for the March meeting.

4. Parking Map

8. NEW BUSINESS

(b) Parking Update – Implementation – (Continued)

Lisa Elliot, City Planning Intern, will be working on this item later in the year.

5. Parking Management

Richards introduced the topic. He introduced City Planning Intern Lisa Elliot who has been working on the parking management issue.

Elliot introduced the topic. She informed the Commission that parking systems can include multiple payment forms including cash, coin, card, and pay by phone. She stated that remote payment options could collect data and result in a more efficient parking management plan for the City. One option, the single space option, is to retro-fit them. The multi-space option requires only a few multiple payment boxes placed strategically around the City. There are 3 common parking practices in the multi-space market: pay and display, pay by space, and pay by license. She discussed the advantages and disadvantages of each. Elliot provided rough cost estimates for the single space option and the multi-space option. She informed the Commission that the next step was to decide if retrofitting the current single space parking meters is the best option or if a multiple payment and multiple parking space option would be the best fit.

Richards asked how many parking meters the City currently has. Elliot replied that there are currently 200 parking posts in the concrete and each post only serves one parking space. Discussion followed regarding the existing parking meters in the community.

Busch inquired about the street parking spaces near Maynards? Craig commented that the area in front of Maynards should have parking meters.

Discussion followed regarding meter additions and the options provided by Lisa Elliot.

Duyvejonck asked staff what was requested of the Commission regarding the parking management issue. Richards answered that it was the last element of the parking task force to discuss parking management.

Wright requested a map of the current parking meters to further understand where they are currently located within the City.

Duyvejonck stated that the pay and display option would work

8. NEW BUSINESS

(b) Parking Update – Implementation – (Continued)

better for Excelsior because it would require no additional parking post installation.

Discussion followed regarding the costs involved and the next step in the process.

It was determined that staff should investigate the pay and display parking management option. Staff will provide further information regarding installation/startup costs, maintenance fees, pay off schedule, and possible revenues.

(c) Dates for Additional Work Session(s)

No dates for Work Sessions were scheduled at this time.

9. COMMUNICATIONS & REPORTS

(a) Next Planning Commission Meeting – Tuesday, March 5, 2013

10. MISCELLANEOUS

(a) Recent City Council Actions

Staff updated the Commission on recent City Council actions.

11. ADJOURNMENT

Commissioner Duyvejonck moved, Commissioner Busch seconded, to adjourn the meeting at 10:08 PM. Motion carried 4/0.

Respectfully submitted,

Lane L. Braaten
City Planner