

City of Excelsior
Planning Commission Meeting
MINUTES
Tuesday, May 7, 2013

1. CALL TO ORDER

Chair Craig called the meeting to order at 7:18 pm.

2. ROLL CALL

Commissioners present: Busch, Craig, Wallace, and Wilson

Commissioners absent: Duyvejonck, Hannah, and Wright

Others present: Braaten and Richards

3. APPROVAL OF MINUTES

(a) Planning Commission Meeting of April 2, 2013

Commissioner Wallace moved, Busch seconded, to approve the Planning Commission Minutes of April 2, 2013 with the revision discussed. Motion carried 4/0.

4. PENDING ISSUES/PROJECTS

(a) Appoint Liaison to City Council (May 20, 2013)

Busch volunteered to be the City Council liaison for the May 20, 2013 meeting.

5. PUBLIC HEARINGS – (Continued)

None

6. PUBLIC HEARINGS

None

7. UNFINISHED BUSINESS

(a) Formula Business Regulations (Franchises)

Richards introduced the topic. At the previous Planning Commission meeting Commissioner Hannah had provided the formula business regulations taken from the City Ordinances of Concord, New Hampshire, Port Townsend, Washington, and Sanibel, Florida. This information was provided for review and discussion purposes via dropbox. Richards briefly discussed each City's unique ordinance language response to the regulation of formula businesses. In conclusion, Richards asked for direction from the Commission as to how to proceed with the possible regulation of formula businesses.

Wilson asked staff about the timeline for the possible regulation of businesses. Richards responded that there was no definitive timeline, but based on the previous conversations of the Planning Commission and the amount of development that is currently happening in the Community, if formula business regulation is important to the Commission then this issue should be moved forward as soon as possible.

Busch commented that the first step would be to craft a definition for formula businesses within the City of Excelsior. Craig agreed, commenting that any future formula business should fit in with the surrounding

7. UNFINISHED BUSINESS

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

community in order to maintain the city's uniqueness and diversity. Richards replied that it may be a good idea to start on the purpose and intent along with the development of the definition.

It was discussed that staff would use the Port Townsend Ordinance as a starting point in the development of specific language for the City of Excelsior.

Wallace questioned why the community was considering regulation of formula businesses. He asked if it was due to the possible loss of mom and pop shops or that the formula business designs wouldn't fit the community? Richards replied that, based on previous conversations, both issues were concerns. Wallace had some concerns about regulating formula businesses right after the approval of a building at the old Masson Motors site that would be conducive to the location of formula businesses.

Wilson commented that having some ordinance or design standard language relating to formula businesses in place prior to future development was a good plan. Discussion followed regarding formula businesses in the community.

Discussion followed regarding the Patricia E. Salkin article "Municipal Regulation of Formula Businesses: Creating and Protecting Communities." This article was provided by Hannah and staff via dropbox.

Wallace commented that he was leaning toward the regulation of formula businesses through the use of design standards. He stated that the city's parking and size issues already help to regulate some of the possible tenants in the downtown business area.

Discussion followed using the Mason Motors site as a case study.

Further discussion followed regarding a definition, regulation, and the possible permitting of formula businesses similar to the City of Concord.

Wallace asked the Commission if the regulation was necessary because of the particular business or due to what the business looks like from the outside of the building. The Commission confirmed that the concern was not with the business itself, but the appearance of the building from the exterior.

Richards stated that staff will take the conversation into consideration and draft some initial language as a starting point for the Commission to discuss.

Commissioner Busch moved, Wallace seconded, to direct staff to draft a formula business definition along with a purpose and intent for the Commission to review at their June 4, 2013 regular meeting. Motion carried 4/0.

(b) Parking Update – Implementation

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

Richards re-introduced the topic explaining the existing parking setback conflict between the ordinance and the design standards. Richards reminded the Commission that at a previous meeting the Commission had recommended George Street as the dividing line where the 50 foot parking setback requirement would end. He also went into some discussion regarding cottage commercial.

Busch commented that the cottage commercial should be considered and protected in the possible language change. Wilson opined that there may need to be a separate class, which deals only with the cottage commercial. Discussion followed regarding cottage commercial properties throughout the community.

Discussion followed regarding the structure setback requirements in the B1 zoning district and the future development and redevelopment of Water Street.

Richards commented that as recommended the section of Water Street between George Street and Oak Street/County Road 19 would allow parking to be developed within 50 ft. of Water Street. Wallace stated that he was comfortable with the recommendation since the Commission had approved the redevelopment of the Mason Motors site in a consistent manner. Busch explained that the majority of the parcels between George Street and Oak Street already have parking within 50 ft. of Water Street and this is one reason that the variance necessary for the redevelopment of the Mason Motors site was approved. It was consistent with the neighborhood.

Discussion followed regarding the B1, B2, and B4 zoning districts and regulating the parking via the design standards rather than a change to zoning district language. Richards stated that he would look into the possibility of the B4 zoning district as a possible solution.

Richards re-introduced the topic of the Burdick property at 287/289 Water Street. Richards asked what allowances the Commission would be comfortable making to allow redevelopment of the existing parking lot on the site. This topic was given to the Commission for discussion by the City Council and they are looking for a recommendation. Richards explained that we are looking for options on the Burdick property and a recommendation on how other similar properties can be redeveloped in the future. Some examples of parking in close proximity to Water Street that could be redeveloped in the future include, but are not limited to, Haskell's, Dunn Bros, 287 Water, Gary's First Class Car Care, and the Water Street Pump. Richards asked what options, if any, are you comfortable with and where would the allowances end?

Discussion followed regarding existing conditions in the

7. UNFINISHED BUSINESS

(b) Parking Update – Implementation – (Continued)

community. Wallace commented that the parking issue is only an issue because of the money involved with the parking impact fee. Richards replied that maybe the parking impact fee should be lower or reduced for retail to encourage more retail development in downtown. Discussion followed regarding the options provided by staff for the possible redevelopment of the Burdick property.

Discussion followed regarding grandfathered parking spaces, parking deficits, and similar properties.

Richards stated that based on the comments provided by the Commission he had direction and would bring back some proposed language changes and solutions for the Commission to consider.

ii. Parking Map

This agenda is being worked on by the Planning Intern, Lisa Elliot.

iii. Parking Management

Richards re-introduced the parking meter topic. Richards explained the graphic/map provided by staff which indicated the existing parking meters, possible future parking metered spaces, and the amount of possible parking meter stations necessary to service said spaces. Richards stated that he had been working with the City Finance Officer, Heidi Tumberg, to explain the possible revenue and pay off time frame for the parking meter stations. A spreadsheet indicating the possible numbers was provided to the Commission in the packet for the meeting. Richards stated he would like to talk with a parking meter representative in order to verify the assumptions made by staff.

Wallace asked what the cost difference was between the station systems vs. individual meters at each spot. Richards explained that this calculation had not been done. The parking meter station was the preferred option and direction given to staff. The preferred parking meter stations would require no space identification. The citizen or customer would just print the ticket and place it on the dash of the vehicle. This system would eliminate the clutter of the individual pole system.

Discussion followed regarding existing parking meter conditions in the community.

Wallace stated that the parking meter system was worth pursuing. Richards replied that upon a recommendation to the Council from the Planning Commission the next step would be to start the conversation with the business community.

Discussion followed regarding existing parking costs, adjustable parking meter pricing, and parking meter apps.

Bob Bolles, 229 George Street, stated that eliminating the clutter

7. UNFINISHED BUSINESS

(b) Parking Update – Implementation

iii. Parking Management – (Continued)

and snow removal are good reasons to go with the parking meter station option. Mr. Bolles commented that electrical wiring could also be an issue with the installation of individual meters.

Wilson stated that if parking in the downtown area became metered it may have an effect on the nearby residential neighborhoods. People wishing to avoid paid parking could move a block or two over into residential neighborhoods possibly causing some unintended consequences. A study may be necessary to determine the impact of this situation.

Busch stated that it seems logical to implement paid parking in phases. Craig commented that the area near Maynard's should be the first phase of the project due to the nature of the business and uses in the area.

Richards stated that staff would continue to work on this agenda item and further verify the installation and maintenance costs involved.

8. NEW BUSINESS

(a) Dates for Additional Work Session(s)

Staff reminded the Commission of the upcoming May 20th joint work session with the City Council to discuss 2013 Planning Commission goals.

9. COMMUNICATIONS & REPORTS

(a) Next Planning Commission Meeting – Tuesday, June 4, 2013

10. MISCELLANEOUS

(a) Recent City Council Actions

Staff informed the Commission of recent City Council actions.

11. ADJOURNMENT

Commissioner Wallace moved, Busch seconded, to adjourn the meeting at 9:05 p.m. Motion carried 4/0.

Respectfully submitted,

Lane L. Braaten
City Planner