City of Excelsior

Planning Commission Meeting

Minutes

Tuesday, July 2, 2013

1. CALL TO ORDER

Chair Craig called the meeting to order at 7:02 pm.

2. ROLL CALL

Commissioners Present: Busch, Craig, Duyvejonck, Hannah, Wallace, and Wilson

Commissioners Absent: Wright

Others Present: Braaten, Richards and Staunton

HPC Members Present: Brabec, Bipes, Bolles, Jensen, and Advisor Caron

3. APPROVAL OF MINUTES

(a) Planning Commission Meeting of June 4, 2013

Commissioner Wallace moved, Hannah seconded, to approve the Planning Commission Minutes of June 4, 2013 with the revision discussed. Motion carried 5/0.

4. PENDING ISSUES/PROJECTS

(a) Appoint Liaison to City Council (July 15, 2013) – optional

Nicki Craig volunteered to be the City Council liaison for the July 15, 2013 meeting.

5. PUBLIC HEARINGS – (Continued)

None

6. PUBLIC HEARINGS

(a) Proposed Ordinance to Amend Article 17, General Yard, Lot Area and Building Regulations of Appendix E of the Excelsior City Code of Ordinances Related to Residential Design Standards

Richards introduced the topic. Richards reminded the Planning Commission that the language had been developed in 2012 and has been put on hold until now. The Planning Commission recommended the ordinance language in 2012, but decided not to address the mass and scale issue with this proposed ordinance amendment.

Beth Duyvejonck arrived at 7:06 pm.

This topic was discussed and recommended to the City Council and the Council asked that the proposed language be sent back to the Planning Commission for a public hearing. The proposed ordinance amendment addresses garage forward designed homes, exterior building finishes, vinyl/aluminum siding, and exterior improvements for multiple family dwellings.

Chair Craig opened the public hearing at 7:10 PM.

Discussion followed regarding exterior building finishes.

6. PUBLIC HEARINGS

(a) Proposed Ordinance to Amend Article 17, General Yard, Lot Area and Building Regulations of Appendix E of the Excelsior City Code of Ordinances Related to Residential Design Standards – (continued)

Richards explained that there are currently no design standards for residential structures. The proposed ordinance amendment is the first step in regulation of residential design standards. Staff anticipates that the Commission will look at the mass and scale of residential structures in the future, but that issue is not discussed in the ordinance language being considered.

Busch asked why mass and scale was addressed for multiple family buildings containing six or more units, but the Commission was not addressing single family home massing and scale. Richards, in reference to Busch's question and Sec. 17-5. B(3)a. Mass and Scale, explained that the title of the section could be revised to Building Massing and Proportion to more clearly define the topic. Discussion followed.

Wallace stated that the massing and scale issue could be addressed in multiple ways. A couple of ways discussed was by not allowing more than a 30% increase in a building or by only allowing a neighboring property to build 5 feet taller than the adjacent homes. Busch commented that the mass and scale issue in the single family residential should be addressed because some of the new houses in the community are looking out of place in their neighborhoods.

Hearing no comments from the public Chair Craig closed the public hearing at 7:20 pm.

Commissioner Busch moved, Wallace seconded, to recommend approval of the Residential Design Standards Ordinance Amendment with a revision to Sec. 17-5.B(3)a. changing the language from Mass and Scale to Building Massing and Proportion. Motion carried 6/0.

Duyvejonck moved, Wilson seconded, to move agenda items 8(a) and 8(b) up on the agenda in order to begin the joint meeting discussion with the Heritage Preservation Commissioners. Motion carried 6/0.

7. UNFINISHED BUSINESS

(a) Goals and Objectives for 2013

Braaten introduced the topic. Busch requested a formatting revision. Wallace requested formula businesses be added to the new goals and objectives as number one on the priority list. With the amount of development happening in the community the Planning Commission felt it was important to get the issue resovled as quickly as possible.

Commissioner Wallace moved, Busch seconded, to approve the 2013 Goals and Objectives as presented and revised. Motion carried 6/0.

The Commission requested that the final revised 2013 Goals and Objectives

7. UNFINISHED BUSINESS

(a) Goals and Objectives for 2013 – (continued)

list be provided at their next regular meeting.

(b) Formula Business Regulations (Franchises)

Richards introduced the topic. Richards explained that the ordinance language provided was intended to start the discussion on formula business regulation. Richards also provided an updated list of potential formula business establishments within the community. Richards stated that the Commission needed to determine if they intended to regulate the appearance of formula businesses or regulate the type of business.

Discussion followed regarding the draft language provided and exemptions to the language. After much discussion the commission determined that there should be no exceptions to the formula business regulations if adopted.

Discussion followed regarding the proposed language and the existing conditions in the community.

Wallace asked the City Attorney about the legality of franchise restriction and regulation. Staunton commented that the Commission would be well within their rights to regulate formula businesses to maintain the character of the community if based on objective criteria. Discussion followed regarding defining a formula business.

Discussion followed regarding the existing formula businesses and how the new language would affect future formula businesses.

Duyvejonck questioned how the new language would affect the proposed grocery store site, which would almost certainly be a chain grocer. Richards stated that the Commission may want to further consider some exceptions in the development of the formula business ordinance language.

Discussion followed regarding restriction of formula businesses within a specific zone or area. Craig commented that the size limitation in the proposed language would eliminate the possibility of formula businesses within most of the downtown area. Craig asked if the language could restrict formula businesses from just the Historic District. Staunton replied that if this was done to maintain the character of the area it was definitely a possibility. Discussion followed regarding where formula businesses should be restricted and where they should be allowed in the community.

Richards informed the Commission that the next step is to address the language pertaining to formula businesses in the Design Standards. Staff will bring back revised language at the next meeting.

(c) Parking Update – Implementation

Richards introduced the parking agenda item. Richards informed the Commission that Braaten has been completing the monthly parking

7. UNFINISHED BUSINESS

(c) Parking Update – Implementation – (continued)

counts and the summaries will be provided at the next meeting.

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

Richards stated that staff is working on this agenda item. No new information was presented at the meeting.

ii. Parking Map

This agenda item will be discussed again at the next meeting.

iii. Parking Management

Richards informed the Commission that he had spoken with two parking vendors, one of which intends to look at Excelsior the next time he is in town. Richards had the other large company look through our cost assumptions. General costs and total possible revenues were provided to the Commission. Discussion followed regarding implementation.

iv. Parking Counts

Braaten informed the Commission that parking count information would be provided at the August meeting.

8. NEW BUSINESS

(a) Planned Unit Development Process – Joint Discussion with Heritage Preservation Commission (HPC)

Richards introduced the topic. Following the hotel process there has been a strong desire to look at the Planned Unit Development (PUD) process, specifically how the HPC is involved. The joint meeting was set up to discuss how and when the HPC would like to be involved in the process and how to develop language to accommodate this. Richards stated that either the Planning Commission could draft the language or a subcommittee could be formed to discuss possible language and then language could be brought to the HPC and Planning Commission for consideration.

Discussion followed regarding increasing the HPC review period timeline from 45 days to 60 days.

Bolles commented that it would be helpful to allow the HPC to comment at the concept plan stage.

Staunton stated that normally the HPC reviews the very final plans and as part of the hotel approval the HPC seemed to have frustration with not

8. NEW BUSINESS

(a) Planned Unit Development Process – Joint Discussion with Heritage Preservation Commission (HPC) – (continued)

being engaged at the end of the process.

HPC Advisor Caron entered the meeting at 7:29 PM

Staunton stated that the PUD Ordinance could also be revised to include a sketch plan review at the same time as concept plan review is taking place with the Planning Commission. This would provide the HPC the opportunity to comment and the applicant the ability to hear the concerns prior to general plan submittal.

Discussion followed regarding how to allow the HPC the opportunity to comment at the concept plan of the PUD process, while also allowing them to make a Site Alteration Permit determination based on the final plans.

Caron commented that the caliber of the drawings is a concern for large submittals, specifically the information provided as part of the hotel project. The information necessary for submittal should be further clarified to rectify this issue for the future. Richards commented that there have been concerns at all levels regarding submittal requirements.

Discussion followed regarding electronic format requirements and possible language to include in the City's submittal requirements.

Jensen commented that the City should specify three dimensional drawings, which would help flesh out any issues with neighbors prior to the building being constructed. Jensen stated that 3D modeling eliminates problems up front. Bipes agreed with Jensen's comments.

Discussion followed regarding requiring 3D modeling, built models, and how possible language should be worded so as not to be too restrictive to the applicant and still provide the necessary information.

Craig commented that the Planning Commission and the HPC reviews should align and work together. Staunton reminded the Commissioners that the processes will not always align perfectly no matter how the language was worded.

Discussion followed regarding process, submittal requirements, and modeling.

Jensen stated that large projects should require 3D digital modeling. Discussion followed regarding surface and solid modeling vs. hand drawn plans and when a project would be considered sophisticated enough to require the surface and solid modeling.

Duyvejonck stated that if some type of electronic format is proposed to be required by the City she may want to run it by a couple of contacts so that it is not too restrictive or specific.

8. NEW BUSINESS

(a) Planned Unit Development Process – Joint Discussion with Heritage Preservation Commission (HPC) – (continued)

Discussion followed.

Jensen commented that any new commercial construction in our downtown district should include electronic formatted plans, specifically 3D modeling. Wilson agreed, stating that with an empty lot you need to see the context of how the new building will fit in. Discussion followed.

Richards stated that there had also been quite a bit of discussion during the hotel process regarding the use of stepbacks. He stated that the Design Standards include an image of stepbacks, but doesn't really address the issue. Caron stated that there is no historical precedent for the use of stepbacks in the downtown historic district and therefore there was some resistance for the hotel to use stepbacks on Water Street. One possible thing to look at would be having a slightly more restrictive standard on Water Street to preserve the character of the turn of the century buildings.

Duyvejonck stated that she was less opposed if the stepback is used for outdoor space. Busch agreed. Discussion followed regarding the hotel project.

Richards stated that the definition of bay width and brick detailing may need to be considered and clarified because the definition is too vague.

Brabec left the meeting at 8:18 pm.

Discussion followed regarding how to define and clarify bay widths.

The Commission directed staff to come up with some language based on the discussion which would include the HPC in the PUD process and to bring it back to the Commission for consideration.

Wallace commented that there seemed to be some language conflicts between Article 62 and Chapter 20 of the City Code. Richards requested that Wallace sketch out the possible issues and provide the information to staff. Wallace stated that in general the major conflict is that it seems the City of Excelsior wants new additions to look old and the Secretary of Interior Standards wants all new additions to look like the time they were built. Caron replied that the City was not trying to replicate what was built in the past, rather to construct buildings and additions that are compatible. Wallace stated that this was a big discussion topic and the Commissions needed to find some consistency because currently they are in conflict. Discussion followed.

Tim Caron, advisor to the HPC, left the meeting at 8:32 pm.

(a) Joint Advisory Commission Training (Planning Commission & HPC)

Staunton gave a public officials training for the HPC and the Planning Commission. Questions and discussion followed.

Chair Craig called for a 5 minute break at 9:02 pm.

Chair Craig reconvened the meeting at 9:07 pm.

(b) Dates for Additional Work Session(s)

The Commission set a special meeting for Monday, July 22nd at 5:30 PM to discuss formula businesses.

9. COMMUNICATIONS & REPORTS

(a) Next Planning Commission Meeting – Tuesday, August 6, 2013

10. MISCELLANEOUS

(a) Recent City Council Actions

Staunton informed the Commission of recent City Council actions.

11. ADJOURNMENT

Commissioner Duyvejonck moved, Hannah seconded, to adjourn the meeting at 10:05 pm. Motion carried 5/0.

Respectfully submitted,

Lane L. Braaten
City Planner