

City of Excelsior  
Hennepin County, Minnesota

Minutes  
Planning Commission

Tuesday, June 3, 2014

1. CALL TO ORDER

Vice-Chair Duyvejonck called the meeting to order at 7:08 p.m.

2. ROLL CALL

Commissioners Present: DiLorenzo, Duyvejonck, Wallace, and Wilson

Commissioners Absent: Chair Craig, Busch, and Honzl

Also Present: City Planning Consultant Richards, City Planner Smith, City Attorney Staunton

3. APPROVAL OF MINUTES

a) Commissioner DiLorenzo moved, Commissioner Wilson seconded, to approve the Planning Commission Minutes of May 6, 2014. Motion carried 4/0.

4. PENDING ISSUES/PROJECTS

a) Appoint Liaison to City Council meeting June 16, 2014 – none needed

5. PUBLIC HEARINGS

NONE

6. PUBLIC HAERINGS – (Continued)

a) Proposed Ordinance to Amend Article 38 of Appendix E of the Excelsior City Code of Ordinances to Provide Restrictions on Formula Businesses within the Business Zoning Districts - Staunton recommended continuing this item to the next month's Planning Commission meeting since only four PC members were at the June 3rd meeting and the depth of the staff's memo. Duyvejonck asked if anyone else requested to be updated on the item. Mark Kelly has asked to be updated on the procedures. Staff will inform Mr. Kelly of next month's meeting. Vice-Chair Duyvejonck opened the public hearing. No one spoke. Vice-Chair Duyvejonck closed the public hearing. Wallace motioned to continue, Wilson seconded. Motion approved 4-0.

7. NEW BUSINESS

a) Design Standards and Site Plan Review for Second Floor Addition to 212 Water Street (Martin's Women Apparel Building), PID # 34-117-23-11-0062 – Larry Martin. City Planner Richards introduced the agenda item. The Heritage Preservation Commission denied the first Site Alteration Permit (SAP) request that set the rooftop addition back three feet on a 5-0 vote. The HPC approved

resubmitted plans that had the rooftop addition directly behind the existing parapet on a 4-2 vote. Staff had recommended denial of the SAP request. There is a rooftop patio. Front area is planned to be enclosed. Parking requirements are planned to be met.

Staunton mentioned that the staff filed a notice of appeal of HPC decision to the City Council. Staunton stated that the appeal will most likely be on the June 16<sup>th</sup> City Council meeting but most likely will just be setting a hearing date. The HPC has a special meeting scheduled for June 4, 2014 to discuss the details of the building plans. Wallace stated that he would rather see items not go to the Planning Commission until it has been approved by the HPC.

Tammy Magney, Magney Architecture, stated that closing neighboring windows is a common phenomenon in larger cities. Ms. Magney believes that the one-foot setback would be clearly differentiated for the average person. She believes the only standard that the project does not meet is the inconspicuous as possible standard. She believes that the proposal is progress and should be allowed.

Larry Martin, 212 Water St., stated that the standard is so flexible that you could do many different things with the downtown street front. Mr. Martin plans to live in the condominium.

DiLorenzo motioned to continue the time until the July 8<sup>th</sup> Planning Commission meeting, seconded by Wilson. Motion approved 4-0.

## 8. UNFINISHED BUSINESS

### a) Parking Update – Implementation

i. Parking Counts – Richards stated that parking counts were completed in the second week of May. Parking counts will continue in June, July August and September.

ii. Parking Map – Richards stated that there was nothing to note.

iii. Parking Management – Richards stated that a newer system is equipped with a camera to help enforce parking hours. These have to be hardwired. They would pay for the installation of the meters if they receive 50% of the revenue. City would never own these meters. The other two options would be paid after three years. Wallace asked at what point would the Planning Commission have enough information to make a recommendation to the City Council. Richards stated that the third option was just introduced and staff met with the downtown business owners. Richards suggested that staff would research the enforcement aspect and bring it back to the Planning Commission at their July meeting. Duyvejonck would like to see the third option's initial costs for installations. DiLorenzo likes the third option that would notify users when the paid time is almost up. Duyvejonck liked if first 15 minutes would be free for consignment

drop offs, etc. Wallace motioned to continue the item to the July Planning Commission meeting, DiLorenzo seconded. Motion approved 4-0.

- b) Parking Options for Water Street/Design Standards for 50 foot Setback Requirement on Water Street – Richards stated that staff has not done additional work on this since the May Planning Commission meeting. Wallace motioned that the item be continued to the July 8<sup>th</sup> Planning Commission meeting, DiLorenzo seconded. Motion approved 4-0.
- c) Planned Unit Development Process/Design Standards Updates – Richards introduced the item. Staff is recommending that the HPC review timeline be changed from 45 days to 60 days. HPC requested being reviewed at the Concept Plan and General Plan as a recommending body, and give final approval at the Final Plan stage as a Site Alteration Permit. The Planning Commission liked the idea of limiting the HPC review to five general criteria in the PUD Concept Stage. Staunton suggested that the issuance of the SAP be at the Final Plan stage. If there are exterior design changes that are material enough, then the project should go back to the HPC and the Planning Commission as well. Staunton stated that at General Plan, if the council approves they are essentially approving the project. Duyvejonck recommends that both commissions have the same review process. The PUD ordinance currently states that the Final Plan shall be substantial conformity with the General Plan. The PUD ordinance lists six criteria that would constitute a substantial change from the General Plan. If there is a substantial change, staff recommends that the application be brought back as an amendment to the General Plan. Richards stated staff is still working on the required submittal items. Duyvejonck would like to see what other cities require for submittal. At final plan may want to see construction drawings. Wallace suggested requiring a 3D rendering is appropriate for a PUD applications, may want to request two 3D renderings from different viewpoints.

Building setbacks – Richards asked what is appropriate for setbacks. Planning Commission believed it was best to wait until the Martin appeal is finalized before discussing building setbacks.

PUD project eligibility – Richards asked the Planning Commission if they wanted to revisit the PUD project eligibility language. Duyvejonck asked what message the City would be sending if the City changes the language at this date. DiLorenzo and Wilson like using the word “may”. The Planning Commission recommends that the language stays the same.

- b) Review Amended By-Laws – Smith introduced the item. Duyvejonck stated that some commissioners thought the 2012 By-Laws were confusing. Staunton stated that the By-Laws are reviewed yearly, so nothing event really initiated the By-Law review. Duyvejonck liked how the missing meeting language was worded in 2012. DiLorenzo recommended, Wilson second that wording from 2012 be used. Staff will bring back the final version to the Planning Commission for their review in July.

9. COMMUNICATIONS and REPORTS

- a) Next Planning Commission Meeting – Tuesday, July 8, 2014

10. MISCELLANEOUS

a) Recent City Council Actions – Staunton briefed the Planning Commission on recent City Council Actions. On May 19<sup>th</sup>, the Council held three public hearings: long-term financial plan and two liquor license requests (Victors and Coalition – both approved). Council approved one girls night out special event. The Council was concerned with how often Water Street is being closed. Council discussed the Scenic Byways plan. The Council discussed the CUP for the front porch for 157 Third St. Council concerned that the applicant received a building permit for the house and came back and requested the porch through a CUP. The Council is looking at creative ways of parking for the Fourth of July event. Council decided to set aside the five corners roundabout because of costs. A liquor license was approved for Olives Fresh for wine and beer. The Council discussed the Fire Cracker race. The organizer for the race wanted four areas for music around the city. Organizers wanted music to start at 7:30am. Council approved the music but a starting time of 8:00 am. Council approved the valet parking for Victors for a trial period for a year. Settled on a fee of \$5500/year for using the two parking spaces on Water and Second Streets. Council didn't want to move forward with expanding sidewalk café that would remove parking spaces.

Duyvejonck requested sending a list of remaining meeting dates. Smith updated the commission that the City received 12 proposals from architects for a space analysis of City Hall. Staff is hoping to recommend an architect(s) to the Council in the next 2-4 weeks.

11. ADJOURNMENT

Commissioner Wallace moved, Commissioner Wilson seconded, to adjourn the meeting at 9:40 p.m. Motion carried 4/0.

Respectfully submitted,

Patrick Smith  
City Planner