

CITY OF EXCELSIOR
Hennepin County, Minnesota

MINUTES

City Council Work Session

Monday, May 6, 2013

1. Call to Order/Roll Call

Mayor Gaylord called the meeting to order at 6:03 p.m.

Councilmembers present: Beattie, Caron, Fulkerson, Miller (arrived at 6:19 p.m.), and Mayor Gaylord

Heritage Preservation
Commissioners present: Brabec, Bolles, Finch, Macpherson, Nelson, Chair Schmidt, and Advisor Tim Caron

Also Present: City Manager Luger, City Attorney Staunton (arrived at 6:09 p.m.), City Planner Braaten, and City Clerk Johnson

2. Agenda Approval

Fulkerson moved, Beattie seconded, to approve the agenda. Motion carried 4/0.

3. Joint Work Session with the Heritage Preservation Commission

Mayor Gaylord read the four goals that the Council would like the Heritage Preservation Commission (HPC) to assist with.

Bolles suggested adding grant funding to the list of goals. Advisor Caron stated that the grant would be to conduct a survey of public facilities, schools, city buildings, etc. to see if any are historically significant. The HPC is willing to complete the paperwork to apply for the grant. He noted that the grants typically require matching funds from the City; the City's contribution would be around \$5,000.

Schmidt said that the HPC had attended a great training session on Saturday given by Advisor Caron. One item that was discussed was the process for designating sites. Once a site is designated the designation should be recorded in the chain of title for that property so future owners know that the property is historically designated.

Beattie said that he had attended the training and found it very informative; the training would be a good refresher for the Council.

Advisor Caron said there has been a series of survey's completed on residential and commercial properties in Excelsior that were compiled by Hess Roise and Associates. The survey of the downtown area identified

3. Joint Work Session with the Heritage Preservation Commission – (Continued)

structures built in 1890 to around 1940 as being within a period of significance and contributing structures.

Schmidt said that the HPC needs to establish their goals. Some on the Commission thought it would be valuable to establish a visual image to that shows the HPC's standards. A pictorial of what the City is looking at.

Nelson said she had never heard of a period of significance before. This provides the Commission with some context. She said a visual image is also more powerful than just describing something.

Schmidt said he would like to enlist a summer intern to work on some items this summer. He thought the City should have an informational sheet that outlines the steps that a designated site needs to go through. He also noticed when he was reviewing the City Code that the same regulations are listed in several locations of the City Code. It would be helpful to get everything in one place.

Caron said that there has been a lot of work done already. There is a lot of past practice as well as documents and additional training modules. Maybe the HPC should have a couple of work sessions and discuss these ideas. She likes the idea of having visuals for people.

Luger said it also provides information for perspective business or property owners. She had solicited graduate classes to do this type of work as part of their thesis a couple of years ago and hadn't received any interest.

Macpherson said that part of the issue is how the ordinances overlap. The HPC doesn't determine whether a sign meets City Code; this is not the HPC's jurisdiction. Applicants need to be given guidelines. There may be times when items need to be discussed even if they aren't part of the HPC's application. There are several steps involved in projects and an applicant may need to go before several groups.

Mayor Gaylord said that brings everyone back to a couple of the goals that the Council identified regarding working with the Planning Commission and aligning the City's ordinances.

Caron said that the Planning Commission and HPC have different standards that they apply. She agrees that the ordinances need to be reviewed. She identified a list of items that came up during the hotel project. In the areas where regulations overlap, it makes sense to combine those.

Finch asked which ordinances aren't aligned. Mayor Gaylord said that balconies are a good example. The HPC guidelines say balconies are not

3. Joint Work Session with the Heritage Preservation Commission – (Continued)

allowed and the design standards allow balconies. Finch said that the design standards apply City wide and the HPC regulations cover a small area.

Caron said the hotel project was very difficult for everyone to deal with. There were a number of issues that people were not aware of with the PUD process, such as, how does it work and which advisory commission goes first.

Beattie said there needs to be some education for the commissions and the applicants on the different processes.

Finch said the hotel was different than any other project that has come before the HPC. The plans that the HPC received were not detailed enough for the HPC to act on the application. The staff deemed it complete, but it was not as complete as the HPC typically receives.

Macpherson said that there wasn't a drawing that says this is the material that will be used here, and these are the colors. This project was too far along for the Commission to give input on design or materials, but yet not detailed enough for the HPC to take action.

Mayor Gaylord said that the Planning Commission saw the PUD application at the concept plan stage.

Bolles said the first review is a concept review, but the HPC doesn't have that step in their ordinance.

Advisor Caron said that the PUD had criteria in it that would have eliminated any properties within the downtown historic district, so concept level approval was not a concern. When the PUD ordinance was changed to allow more than one use on a lot, downtown historic properties could utilize the PUD.

Staunton said that the PUD ordinance can be amended to add a provision for the HPC to review concept plan.

Mayor Gaylord asked what the downfall would be if the HPC reviewed a PUD plan at concept level. Staunton said he's not sure there is a negative. There is a short window for acting on a Site Alteration Permit. The challenge is to find where is the right place where there is enough detail and not too late in the process to make significant changes to the plans. The idea would be to put something in the HPC ordinance that allows review of a concept plan.

Caron said the staff would also have some backup if the HPC and Planning Commission look at the concept plan.

3. Joint Work Session with the Heritage Preservation Commission – (Continued)

Caron said with regard to the quality of the application and the level of detail, the hotel was different. It was large, the drawings were hand drawn and not in CAD format. For a project this size, that is not typical.

Finch said from his discussions with Staunton, the developer is basically given a green light to move forward at PUD general plan review. The applicant is not required to provide plans to the detail that the HPC requires at the general plan stage, so this stage is prior to when the HPC would make a decision on an application. For this reason, he does not think having the HPC involved in the concept review solves the issue.

Advisor Caron said that typically when the HPC is asked to approve a final plan they get architectural drawings to scale with all the materials identified. The hotel application did not have that level of detail. Whatever stage the Council determines is appropriate for the HPC to act on it, there also needs to be provisions to have the level of detail that is needed.

Macpherson said as far as he's concerned there are too many loops holes with the hotel project. The HPC is supposed to rule on the final plans, not the general plans. Staunton said after the concept plan, the Council agreed to combine the general and final approval. The Council later decided to split the general and final plan approvals.

Caron said with the bigger projects and PUD's she tends to like the three stages. Unfortunately, answers as to how to handle the PUD process can't be figured out tonight.

Luger said that the Council wants the HPC's input on these items. She would caution them not to just look at the hotel project, but look at a number of the projects that have been done. How can the process get more efficient and operate better.

Macpherson said the HPC has had a lot of applicants who have come before them with ideas and then worked with the HPC on the details.

Beattie said his level of understanding of what the HPC does is different than what the Council or Planning Commission has to do. Regardless, we all have to work together. He thinks the hotel is a great case study; the City will be able to identify the issues that need to be finetuned.

Finch said from his perspective he would caution just using the hotel project; the City doesn't want rules that are designed to fit one project. There have been two projects that were appealed to the Council; the Council upheld the HPC's decision on one and overturned the HPC's decision on the other project.

3. Joint Work Session with the Heritage Preservation Commission – (Continued)

Miller said he appreciates the hard work that the HPC does; the HPC has an intricate set of rules to enforce. The hotel was a very difficult project. A hotel is an historic use, but the HPC cannot take a use into consideration when it looks at the application. He appreciates that the HPC looks at all these issues. He respects everyone's opinion. The City Council was put in a tough spot. The HPC has done great work for the City with regard to the projects. He appreciates the work that the HPC has done and hopes the HPC will continue to apply these same standards when reviewing applications.

Finch said it would have been nice to have a similar joint meeting to exchange ideas, that way Commissioners who resigned would have had an opportunity to voice their concerns. Many of the decisions that the HPC makes are never seen by the City Council; the Council tends to only see the ones that are controversial.

Macpherson said that he agrees that the hotel was different than other projects, but he doesn't think this will be the last project like that. He thinks people will look at this and want to do more with their properties.

Bolles said the HPC's advisor has an important role for the HPC and he has great knowledge and expertise. He hopes the Council engages the HPC advisor in discussions.

Schmidt gave a short overview of the 50 year celebration that is being discussed for the Rolling Stones concert that was held in Excelsior and Big Reggie's Danceland; the celebration is scheduled for 2014. The 4th of July will fall on a Friday next year, which provides an opportunity to have a two or three day celebration. Big Reggie's Danceland is an historic element of Excelsior's heritage. The next step will be to get some type of preliminary approval from the Council. Luger said that this item is on the Council's May 20th agenda.

4. Adjournment

Fulkerson moved, Beattie seconded, to adjourn at 7:01 p.m. Motion carried 5/0.

Respectfully submitted,

Cheri Johnson
City Clerk