

1. Agenda And Packet

Documents:

[11-13-19 RRBRC MEETING PACKET.PDF](#)

City of Excelsior
Residential Review Board Research Committee

AGENDA

Wednesday, November 13, 2019

Council Chambers 343 Third Street

4:30 P.M.

- 1) Call to Order
- 2) Approval of Meeting Minutes for November 6, 2019
- 3) Stillwater Design Guidelines vs. Current City Ordinances Table
- 4) Stepback/Increased Side Yard Setback Discussion
- 5) Assignments for Next Meeting
- 6) Public Comment/Questions
- 7) Adjournment

Notice: Some items on this agenda are important enough to City Council members that a quorum of the Council may be present to receive information leading to their future deliberations and eventual decision.

Auxiliary aid for individuals with disabilities is available upon request. Requests must be made at least 96 hours in advance to the City Clerk at (952) 652-3675.

City of Excelsior
Hennepin County, Minnesota

Minutes
Residential Review Board Research Committee

Wednesday, November 6, 2019

1. CALL TO ORDER

Chair Noll called the meeting to order at 4:00 p.m.

2. ROLL CALL

Members Present: Noll, Macpherson, Caron, Townsend, Beattie

Members Absent: Wallace

Also Present: City Planner Becker

3. DISCUSSION WITH MIKE LAMB OF LHB ARCHITECTS

Mike Lamb with LHB Architects explained his background in architecture with an emphasis in urban design and gave a background on LHB, which has a research group focused on building and community performance. He explained the projects he has helped with, including the Minnesota State Capital Zoning and Design Rules, the Madison, WI Zoning Code rewrite, Bottineau LRT Brooklyn Park, MN. He provided a handout on a synoptic survey and suggested doing this in order to get a feel for positioning, setbacks, mass and scale, etc. within different blocks and streets of the City. He explained the codesproject.asu.edu, which is a sample of codes from different cities and times.

4. MEETING MINUTES

Motion by Macpherson, seconded by Caron, to approve the meeting minutes for October 30, 2019. Motion carried 5/0.

Beattie asked that the record for the October 23, 2019 meeting be updated to reflect his dissenting opinion on the Review Board being made up of one representative from the Planning Commission, one representative from the Heritage Preservation Commission and one outside expert in architecture. He feels that the work can be done by the Planning Commission, similar to the outline he provided that was done by the former City Planner Smith.

5. REVIEW BOARD STANDARDS

Beattie presented a handout that was presented to a former Single Family Standards Task Force regarding triggers for review and a possible administrative review process.

Noll provided a handout on possible Good Neighbor Design Guidelines vs. comparable Stillwater Conservation District Design Guidelines.

Minutes

Single Family Standards Task Force

November 6, 2019

Page 2 of 2

Beattie had concern about subjectivity. Caron feels that objective standards can be created. Townsend feels that subjective standards open the door to politics and allows outside persons to weigh in and feels that the synoptic survey would be a good tool to utilize. She feels that we should survey the most and least desirable homes, analyze most and least desirable homes that have the same characteristics, and then determine what it is that sets apart the most from the least desirable, then articulate that asset into a requirement within the Zoning Code. Caron feels that there should be a table created that shows the Stillwater Design Guidelines and how, if any, ordinances already cover any of the guidelines. Beattie wants to see what worked and what didn't work in recent builds. The committee was directed to send examples of most and least desirable homes to Becker for next meeting to take photographs of the streetscape, setbacks, and analyze setbacks, lot coverage, etc. for a future meeting.

6. ADJOURNMENT

Motion by Beattie, seconded by Macpherson, to adjourn at 6:26 p.m. Motion carried 5/0.

Respectfully submitted,

Emily Becker
City Planner



MEMORANDUM

Re: Residential Review Standards and City
Review Process

Date: November 13, 2019

To: Res. Rev. Board Res. Committee

From: Emily Becker, City Planner

BACKGROUND/SUMMARY

The Residential Review Board Research Committee (RRBRC) has been tasked with research the option of forming a residential review board (RRB), review board standards, and the process including costs and other details as well as identifying single family residential standards.

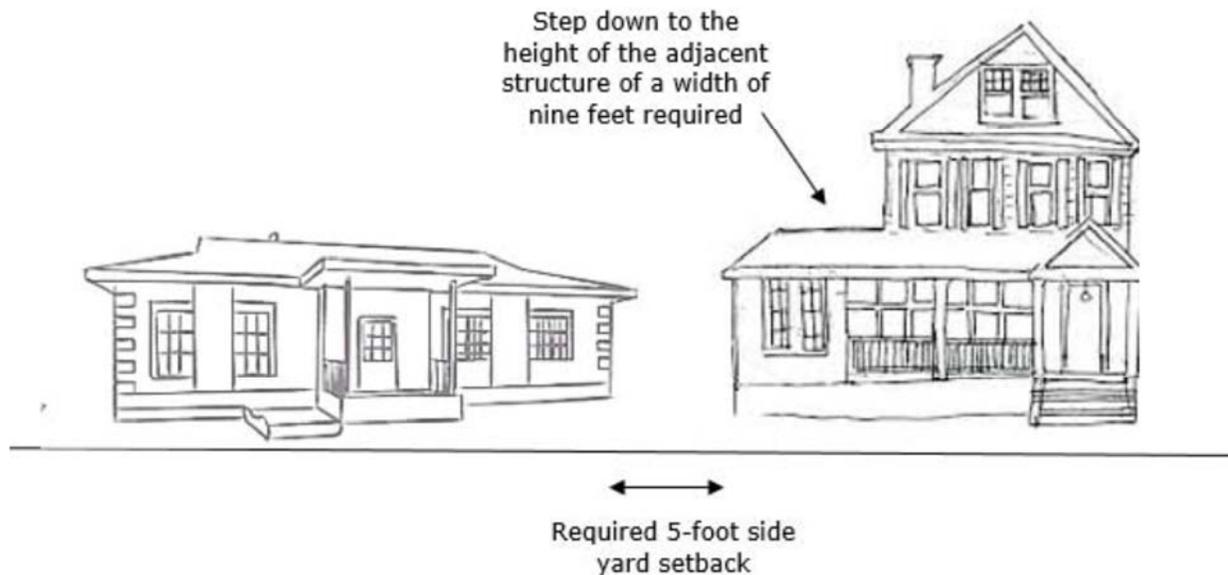
REVIEW/ANALYSIS

Design Standards. Per direction from the RRBRC at its last meeting, staff has prepared a table that shows the City of Stillwater Conservation District Design Guidelines and if/how they are already addressed in our City Code as well as draft descriptions of the guidelines. Staff has taken into account recommendations on these guidelines from both the Single Family Standards Task Force and the Planning Commission.

Previously Adopted and Discussed Design Standards. Staff provided interim ordinance language as well as design standards on which the Planning Commission has already been working on at the last meeting. The RRBRC should discuss step downs and increased side yard setbacks (language below), as well as how it relates to setback and recessed or protruding wall requirements.

(d) Step downs. When a proposed principal structure requires setbacks of five and nine feet and is more than five feet taller in height than the height of an existing principal structure located on the side of the property that requires a five foot setback, the height of the proposed principal structure shall be stepped down near the property on which a five foot setback is required to a maximum height equal to that of the existing adjacent principal structure unless both adjacent property owners' consent in writing to a different arrangement. The width of the step down shall be a minimum of nine feet.

[6] If a structure is more than five feet taller in height than the height of an existing principal structure located on either adjacent lot on the same block and same side of the street, the minimum side yard setback must be increased by one foot for every one foot taller the structure is than the adjacent structure plus five feet (i.e. if a proposed structure is 26 feet in height, and the existing adjacent structure is 20 feet in height, the minimum side yard setback shall increase by one foot). The increase in minimum side yard setbacks shall be on the side of the property on which the shorter principal structure exists (i.e. if a structure is 26 feet in height, and the adjacent structure is 20 feet in height, the increased minimum side yard setback shall be to the shared property line of the shorter principal structure).



(e) Front, Side and Rear Wall Plane Limitations.

- (1) The length of an exterior front wall of principal structures more than 20 feet in height shall not exceed 16 feet in width on the first floor without a minimum of at least a two-foot deep by eight-foot-wide offset (projecting or recessed) within every 16 feet or less. The length of an exterior front wall of principal structures up to 20 feet in height shall not exceed 24 feet in width on the first floor without a minimum of at least a two-foot deep by eight-foot-wide offset (projected or recessed) within every 24 feet or less. A porch may be utilized in lieu of the required offset.
- (2) The length of an exterior side or rear wall shall not exceed 32 feet without a minimum of at least a two-foot deep by eight-foot-wide offset (projecting or recessed) within every 32 feet or less. A porch may be utilized in lieu of the required offset.

(g) Wall Heights on Sloped Terrain. To the extent that any wall height of a new or remodeled structure exceeds 28 feet in height, it shall step back at least two feet for each foot it exceeds 28 feet in height at the point the wall height exceeds 28 feet in height. For purposes of this section, "wall height" shall mean the distance from the place it emerges from the ground to the top of a cornice or a flat roof, to the deck line of a mansard roof, to a point on the roof directly above the highest wall of a shed roof, to the uppermost point on a round or an arch type or to the mean distance of the highest ridge of a pitched, hip, or gambrel roof.

Outside Experts. Mike Lamb of LHB came to interview at the last meeting. The committee should discuss if they think that Mike's expertise should be pursued, keeping in mind that there would be a cost (unknown). David Showalter will be contacted once we come up with design standards to review them. Terry Rossi (resident) has also indicated she would like to attend a meeting and present research she's done over the years.

Sequence. Bruce Noll will have a draft sequence to present.

ATTACHMENTS:

- Table comparing Stillwater Conservation District Guidelines to City Code

Stillwater Guidelines	Relating Item Already in City Code	Staff Comment	Possible Excelsior "Good Neighbor" Design Guidelines	Planning Commission Input
<p>1. Massing and scale of a new building should be compatible with surrounding structures</p>	<p>Article 17, Section 17-5 (2): Compatibility. Buildings in all zoning districts shall maintain a high standard of architectural and aesthetic compatibility with surrounding properties. Compatibility means that the exterior appearance of the building, including design, architectural style, quality of exterior building materials, and roof type and pitch are complementary with surrounding properties.</p> <p>Article 41, Section 41-10 (b): New construction and remodeling. New construction and remodeling shall relate to the design of surrounding traditional buildings, where these are present. Design features such as similar setbacks, scale, facade divisions, roof lines, rhythm and proportions of openings, building materials and colors are possible design techniques, while allowing desirable architecture innovation, variation, and visual interest. All sides of buildings shall use the same building materials and other architectural treatments as principal facades.</p>	<p>The language in the first section outlined speaks more to design than scale, and from what staff understands, the City is not as concerned with compatibility in design as it is with compatibility in scale. Additionally, the language is very subjective, and a number of people are likely going to have differing opinions on what "compatible," "complementary," and "similar" mean.</p>	<p>1. Massing and scale of a new building should be compatible with surrounding structures</p>	<p>The Planning Commission did not recommend this guideline specifically.</p>
<p>2. Respect the existing rhythm of the streetscape.</p>	<p>Article 41, Section 41-3, Table 41.2: -Front Yard Setback (feet): 20—30 [2] [2]The front yard setback of a principal structure (or addition thereto) shall be no closer to the street than the average of the front yard setbacks for the principal structures on either adjacent lot on the same block and same side of the street provided that it shall not be closer than 20 feet or farther than 30 feet from the front lot line. -Lots 60 wide and less - 9/5 [5]; Lots between 60 & 70 - 9/20% of the lot width minus 6[5]; Lots 70 and greater - 10% of the lot width + 2 [5]Side yard setbacks of greatest distance shall be placed on the side of the lot with the closest neighboring building unless both adjacent property</p>	<p>It is of the opinion of staff that this guideline is already accomplished with setback averaging already outlined in the Zoning Code.</p>	<p>2. A new building should follow alignment and setbacks that are predominant on the street and adjacent properties</p>	<p>They felt this one should be used</p>

	<p>owners consent in writing to a different arrangement.</p> <p>Also, see Section 41-10 (b) reference above.</p>			
3. Follow alignment and setbacks predominant on the street and adjacent properties.	See Section 41-3 reference above.	It is the opinion of staff that this guideline is covered through zoning.	See 2 above.	
4. Design new roofs to be compatible with forms of existing roofs in the neighborhood.	See Section 17-5 reference above.	It is the opinion of staff that this is already covered, but the term compatible is too subjective.	3. A new roof should be designed to be compatible with forms of existing roofs in the neighborhood	
5. Building height should be considered in choosing roof forms, architectural style, and relating to context.	It is not the opinion of staff that this is not covered in the City Code.	See adjacent comment.	See 3 above.	The Planning Commission thought this guideline should be considered.
6. Building and site design should respond to natural features.	<p>Article 14, Section 14-1 (b): Building height.</p> <p>(1) Building height is the vertical distance from the average grade at the front of the building or ten feet above the lowest ground level, whichever is lower, to the highest point of the building excluding chimneys and other building accessories as specified in subsection 14-1(b)</p> <p>(2). "Average grade" is measured at the highest and lowest exterior corners of the front façade of a structure without regard to alterations of natural grade.</p>	It is the opinion of staff that this guideline would be useful.	4. A new building's design should respect the site's natural slope and features, minimizing cut, fill and retaining walls.	The Planning Commission thought this guideline should be considered.
7. Respect the site's natural slope in new building design: minimize cut, fill and retaining walls.	See Section 14-1 reference above.	It is the opinion of staff that this guideline would be useful.	See 4 above.	The Planning Commission thought this guideline should be considered.
8. When retaining walls are necessary, minimize their impact.	Article 21, Section 21-2 (1): Permit required.	It is the opinion of staff that this guideline would be useful.	See 4 above.	The Planning Commission thought this

	<p>a. No person shall hereafter erect a boundary line fence six feet high or less, move, or replace an existing fence and/or erect a retaining wall four feet high or less, move, or replace an existing retaining wall without first making an application for and securing a fence and/or retaining wall permit.</p> <p>b. No person shall hereafter erect a fence more than six feet high and/or retaining wall more than four feet high without first making an application for and securing a building permit.</p> <p>Article 14, Section 14-1, Table 14.1: Retaining wall minimum setback from property line: 5 feet</p>			<p>guideline should be considered.</p>
<p>9. Preserve significant trees.</p>	<p>Article 12, Section 12-9:</p> <p>(d) Minimum tree density. A minimum tree density shall be maintained in the developable site area of all developed sites according to the following table. Single Family Lots: significant/ landmark trees per 5,000 SF 1</p> <p>(e) Tree survey required.</p> <p>(1)A tree survey performed by a certified arborist, registered landscape architect, or a registered land surveyor shall be submitted prior to removal of any protected tree.</p> <p>(2)The tree survey shall address the location, species, size, and condition of all protected trees.</p> <p>(3)The city may accept a partial tree survey in lieu of a full tree survey if the zoning administrator finds that protected trees only exist on a portion of the site.</p> <p>(f)Limitation on tree removal.</p> <p>(1)No landmark tree shall be removed unless the city forester and independent arborist has determined the tree poses an immediate danger to life or property that cannot be corrected by pruning, transplanting, or other treatments.</p> <p>(2)No significant tree or tree required by this article shall be removed unless:</p> <p>a.The minimum tree density established in subsection 12-9 (d) continues to be met; or</p>	<p>It is the opinion of staff that the current requirements may not be strict enough (specifically when there are exist many significant trees on the property).</p>	<p>8. A new building should preserve significant trees</p>	<p>The Planning Commission wanted to keep significant trees and maintain the canopy.</p>

	b.No reasonable alternative site design at the same density and intensity could be approved and the tree replacement standards in subsection (g) are met.									
10. Locate garage and driveway to respect existing street and neighborhood patterns.	<p>Article 41, Section 41-10: (2)Street facing garage doors shall a.Have individual garage doors that do not exceed 64 square feet, each; b.Not exceed 50 percent of the combined façade width of the dwelling and garage; and c.Be recessed at least ten feet from the longest front or side wall plane of the principal building. For tuck-under garages, in lieu of a ten-foot setback, provide a decorative trellis or other feature that will provide a shadow line giving the perception that the garage opening is recessed. The feature shall be provided across the top and along the width of the garage doors and be at least 12 inches deep.</p>	It is the opinion of staff that this guideline would be useful.	5. The size and mass of a new structure should be compatible with the size of the property.	The Planning Commission felt this guideline is covered through zoning.						
11. Minimize garage impact on new structure massing and street front.	See Section 41-10 (2) reference above.	It is the opinion of staff that this guideline is covered through zoning.	See 5 above.	The Planning Commission felt this guideline is covered through zoning.						
12. The size and mass of the structure should be compatible with the size of the property.	<p>Article 41, Section 41-5, Table 41.4: Building Coverage Regulations: Lot Size (square feet) Less than 7,000: 35% 7,000 to 14,000: 5% (lot area) + 2100 Greater than 14,000: 20%</p> <p>Article 41, Section 41-5, Table 41.3: Maximum Building Height</p> <table border="1" data-bbox="417 1123 1058 1380"> <tr> <td>Lot Width (feet)</td> <td>70 or less</td> <td>Greater than 70</td> </tr> <tr> <td>Maximum Height, Sloping Roof (feet)</td> <td>28</td> <td>29</td> </tr> </table>	Lot Width (feet)	70 or less	Greater than 70	Maximum Height, Sloping Roof (feet)	28	29	It is the opinion of staff that this guideline would be better covered by Floor Area Ratio (FAR).	See 5 above.	The Planning Commission liked this guideline and the illustration that was provided.
Lot Width (feet)	70 or less	Greater than 70								
Maximum Height, Sloping Roof (feet)	28	29								

	<p>Maximum Height Bonus for Sloping Roofs</p>	<p>Maximum height may be increased 1 foot (to a maximum 31 feet) for each 1 foot increase on each side in minimum side yard setbacks</p>	<p>Maximum height may be increased 1 foot (to a maximum 32 feet) for each 1 foot increase on each side in minimum side yard setbacks</p>			
<p>13. Consider front porch elements in the design of infill structures.</p>	<p>Article 41, Section 41-10 (e) Front, Side and Rear Wall Plane Limitations.</p> <p>(1) The length of an exterior front wall of principal structures more than 20 feet in height shall not exceed 16 feet in width on the first floor without a minimum of at least a two-foot deep by eight-foot-wide offset (projecting or recessed) within every 16 feet or less. The length of an exterior front wall of principal structures up to 20 feet in height shall not exceed 24 feet in width on the first floor without a minimum of at least a two-foot deep by eight-foot-wide offset (projected or recessed) within every 24 feet or less. A porch may be utilized in lieu of the required offset.</p> <p>(2) The length of an exterior side or rear wall shall not exceed 32 feet without a minimum of at least a two-foot deep by eight-foot-wide offset (projecting or recessed) within every 32 feet or less. A porch may be utilized in lieu of the required offset.</p>			<p>If the City feels this is important, staff feels that this should be a more clear standard.</p>	<p>See 2 above.</p>	<p>The Planning Commission liked this guideline.</p>
	<p>Maximum Height, Top of Parapet, Flat Roof (feet)</p>	<p>22</p>	<p>24</p>			

14. Accessory buildings should be compatible with the main building.	Article 11, Section 11-1 (b) Design. (1)Accessory buildings shall be compatible with the principal buildings with respect to building materials and design.	It is the opinion of staff that this guideline is covered through zoning.	See 2 above.	The Planning Commission felt this guideline is covered through zoning.
15. Design and detail new construction as four-sided architecture.	Article 41, Section 41-10 (c) Window and door openings. For principal residential buildings, above grade window and door openings shall comprise at least 15 percent of the total area of exterior walls (excluding the area of garage doors) facing a public street or sidewalk. In addition, above grade window and door openings shall comprise at least ten percent of the total area of all exterior walls. Also see Section 41-10 (e) reference above.	Staff feels that if this guideline is included that "four-sided architecture" should be more clearly defined.	6. A new building should be designed and detailed as foursided architecture	The Planning Commission liked this guideline.
16. The façade of the structure should be compatible in scale and character to the houses of the streetscape.	See Section 41-10 (b) and Section 17-5 (2) references above.	Staff feels this language is subjective.	See 6 above.	The Planning Commission felt that this guideline should not be utilized because it discourages a variety of housing.
17. Building elements should be proportional to the scale and style of the building, and its context.	See Section 41-10 (c), Section 41-10 (e), and last sentence of Section 41-10 (b) above.	Staff feels this language is subjective.	See 6 above.	The Planning Commission liked this guideline.
18. Use architectural details to create visual interest and support architectural style.	See Section 41-10 (c), Section 41-10 (e), and last sentence of Section 41-10 (b) above.	Staff feels this language is subjective.	See 6 above.	The Planning Commission felt this guideline is covered through zoning.
19. In new building design, consider appropriate materials, textures and colors, and their relationship to other buildings of the neighborhood.	See Section 17-5 (2) reference above.	Staff feels this language is subjective.	See 6 above.	The Planning Commission felt that this should be combined with Guideline 20.
20. Use masonry and stone authentically.	Article 41, Section 41-9:	It is the opinion of staff that this guideline is	See 6 above.	The Planning Commission felt

	<p>The primary exterior building facade finishes for residential uses shall consist of materials comparable in grade to the following:</p> <p>(a) Brick.</p> <p>(b) Stone (natural or artificial).</p> <p>(c) Integral colored split face (rock face) concrete block.</p> <p>(d) Wood, natural or composite, provided the surfaces are finished for exterior use or wood of proven exterior durability is used, such as cedar, redwood or cypress.</p> <p>(e) Stucco (natural or artificial).</p> <p>(f) Finished or unfinished copper and zinc.</p> <p>(g) Recyclable grades of vinyl, and finished steel and aluminum.</p> <p>(h) Fiber cement board.</p> <p>(i) Exterior insulation and finish systems.</p> <p>(j) Energy generation panels and devices affixed to a roof or wall. If not in use, the panels or devices should be removed and building surface restored to the original condition.</p>	covered through zoning, unless the City wants to require that real stone and stucco and brick be used.		that this should be combined with Guideline 19.
21. Locate taller portions of buildings to minimize obstruction of sunlight to adjacent yards and rooms.	See Article 41, Section 41-10 (e) (2), Article 41, Section 41-3, Table 41.2, and Section 41-5, Table 41.3 (middle row of table) references above.	Staff feels this language is subjective and difficult to determine.	7. Neighbor views and privacy should be considered in placement and size of a new building's elements	The Planning Commission felt that this should be combined with Guideline 22.
22. Consider neighbor's views in placement and size of new building elements.	See above references.	Staff feels this language is subjective and difficult to determine.	See 7 above.	The Planning Commission felt that this should be combined with Guideline 21.
23. Windows, balconies and decks should be located to respect privacy of neighboring properties.	It is not the opinion of staff that this is not covered in the City Code.	It is not the opinion of staff that this is not covered in the City Code.	See 7 above.	The Planning Commission felt this guideline should be included
24. Consider using landscape elements and fences to buffer views and	The only buffering requirements are for in developed areas other than one and two family lots.	The City should consider whether or not this should be a requirement.	See 7 above.	The Planning Commission felt this guideline should be included.

maintain privacy between properties.				
25. Minimize the impact of exterior lighting on adjacent properties. Use recessed downlight fixtures or shields. Avoid floodlights and non- shielded point source lights. Use motion sensors and timers to control fixtures.	<p>Article 16, Section 16-5 (b) and (d):</p> <p>(b) Performance standards.</p> <p>(1)Residential/public park district standards. In all residential and public districts, any lighting used to illuminate an off-street parking area, structure, or area shall be arranged as to deflect light away from any adjoining residential property or from any public right-of-way. Historic style fixtures, as approved by the city council, shall be used in all heritage preservation sites and districts as regulated in chapter 20 of the Code. All lighting shall be installed in accordance with the following provisions:</p> <p>a.The light source shall be hooded or controlled so as not to light adjacent property in excess of the maximum intensity defined in subsection 16-5(d).</p> <p>b.Bare light bulbs shall not be permitted in view of adjacent property or public right-of-way, unless part of a permanent or decorative fixture.</p> <p>(d)Intensity. No light source or combination thereof which cast light on a public street shall exceed one foot candle (meter reading) as measured from the right-of-way line of said street nor shall any light source or combination thereof which cast light on adjacent property exceed four-tenths foot candles (meter reading) as measured at the property line, per the method outlined in subsection 16-5(e).</p>	It is the opinion of staff that this guideline is covered through zoning.	See 7 above.	The Planning Commission felt this guideline should be included.
26. Design grading and impervious surface drainage to minimize water run-off impact on neighboring properties.	<p>Entire Section 36-5 of Article 36, specifically the following of (a) (1):</p> <p>b.Development must be planned and conducted in a manner that will minimize the extent of disturbed areas, runoff velocities, erosion potential, and reduce and delay runoff volumes. Disturbed areas must be stabilized and protected as soon as possible and facilities or methods used to retain sediment on the site.</p> <p>c.When development density, topographic features, and soil and vegetation conditions are not sufficient to adequately handle stormwater</p>	Staff feels this is already covered in the Code (with possible changes to projections of eaves)	9. A new building project should minimize water run-off impacts on neighboring properties	The Planning Commission felt this guideline should be included

	<p>runoff using natural features and vegetation, various types of constructed facilities such as diversions, settling basins, skimming devices, dikes, waterways, and ponds may be used. Preference must be given to designs using surface drainage, vegetation, and infiltration rather than buried pipes and man-made materials and facilities.</p> <p>*A question was asked about the maximum projection of eaves into setbacks, and it has been confirmed that eaves can project up to two feet into the setback. Staff will confer with the City Engineer on what this should be changed to in order to minimize water runoff.</p>			
<p>27. Contain debris and respect noise restrictions during construction.</p>	<p>See entire Section 10-6 or Article 10 – Construction Management Plan, specifically (h): (h)Tracking dirt. The permit holder must install and maintain a rock entrance conforming to city standards at locations approved by the Zoning administrator. Tracking of dirt onto public roads during hauling and general day-to-day construction operations will require periodic sweeping of these roadways by the permit holder. Soil and sediment deposited onto public and/or private pavement areas shall be removed at the end of each work day. Sweeping maybe ordered at any time if conditions warrant.</p> <p>Article III Section 16-102: (1)No person shall engage in or permit construction activities on public property except between the hours of 7:30 a.m. and 8:00 p.m. on any weekday or between the hours of 8:00 a.m. and 6:00 p.m. on Saturdays.</p>	<p>Staff feels this is already covered in the Code.</p>	<p>10. Debris and noise should be contained and minimized during construction</p>	<p>The Planning Commission felt this guideline should be included</p>