

Planning Commission

March 9, 2020 – 7 pm
Council Chambers
Golden Valley City Hall
7800 Golden Valley Road

REGULAR MEETING MINUTES

1. Call to Order

The meeting was called to order at 7:03 by **Chair Blum**

Roll Call

Commissioners present: Ron Blum, Adam Brookins, Chuck Segelbaum, Lauren Pockl, Rich Baker, Ari Prohofsky
Commissioners absent: Andy Johnson, Ryan Sadeghi
Staff present: Jason Zimmerman – Planning Manager, Myles Campbell – Planner
Council Liaison present: Gillian Rosenquist

2. Approval of Agenda

Chair Blum, asked for a motion to approve the agenda.

MOTION made by **Commissioner Segelbaum**, seconded by **Commissioner Baker** to approve the agenda of March 9, 2020, as submitted and the motion carried unanimously.

3. Approval of Minutes

Chair Blum asked for a motion to approve the minutes from February 24, 2020.

MOTION made by **Commissioner Brookins**, seconded by **Commissioner Segelbaum** to approve the meeting minutes from February 10, 2020, as submitted. **Commissioner Pockl** and **Commissioner Baker** abstained due to not attending the February 10th meeting. The remaining commissioners voted and the motion carried.

4. Discussion – Narrow Lot Regulation

Jason Zimmerman, Planning Manager, began the presentation with a recap of the request to the Planning Commission from City Council. In order to accurately convey the Council's direction, Zimmerman introduced Councilmember Gillian Rosenquist to speak as the liaison.

Councilmember Gillian Rosenquist began her presentation by mentioning the Joint Board, Commission, and Council meeting where a high-level overview was given on how all three work together. The duties of each group were reviewed and specifically how the Commission uses their resident expertise to provide feedback on items as directed by Council. Related to this, Rosenquist reviewed the history of narrow lots and the unique situation in Golden Valley of tax parcel subdivision prior to a formal City Zoning code.

Council asked the Commission to address certain areas within the conversation around narrow lots. The Commission was asked to focus on lots 50 feet wide or less and investigate possible zoning



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modifications to the City Code for narrow lot development. They were asked to utilize resident feedback as well as that from outside experts. The Council wanted recommendations before the building season started in Spring of 2020.

Chair Blum thanked Councilmember Rosenquist for presenting and asked for clarification as he felt she was telling the Commission to not consider neighborhood character when reviewing height and massing but to then make sure those items fit in Golden Valley. **Blum** asked the Councilmember if the comprehensive plan and how legislation is formed are important factors in how the Commission comes to their decisions. **CM Rosenquist** agreed that those things are important factors in the commission's decision making, but reiterated that neighborhood character can mean different things to different people and stated that the Commission should wrestle less with neighborhood character and more with height, massing, and setbacks. **Blum** asked if the comprehensive plan is the guide for how the Commission is to respond to height, massing, and setbacks. **CM Rosenquist** responded that the comprehensive plan is the big picture and that the Council recognizes this is a narrow question within that big picture.

Commissioner Segelbaum asked if the Council wasn't satisfied with the current lot regulations and if that was the motivation for a deeper dive from the Commission. **CM Rosenquist** responded that the focus was 50 feet or less due to the number of non-conformities created by reviewing lots between 50-80 feet wide. Looking at the areas with lots that are 50 feet wide or less, they're legally plated and are eligible for construction, what would the Commission like those areas of construction to look like. If there's a situation where all the lots are built on, make it so the buildings fit into the comprehensive plan for the future.

Zimmerman reviewed the February 10th meeting, staff recommendations for narrow lot regulations, and Commissioner feedback to see the "big picture". Staff created a list of nine proposed changes, what the staff recommendation is, and how that impacts the bigger picture.

The items are in black and staff recommendations are in blue.

1. Side yard setbacks
 - Minimum side yard setback of 5 feet
2. Garage stall requirements
 - Allow one-car garages for lots 50 feet in width or less; limit garage width to 65% of façade
3. Slope of "tent" portion of building envelope
 - Set vertical : horizontal slope of "tent" portion of building envelope to 2:1
4. Side wall height at side setback line
 - Lower wall height at side setback line to 13 feet
5. Second story dormers
 - Allow second story dormers to extend outside building envelope
6. Side wall articulation
 - Prohibit side wall articulation from extending into side yard setback; no principal structures within 5 feet of property line
7. Secondary front yard setbacks

- Reduce secondary front yard setback to 15 feet for lots 65 feet in width or less; maintain 22 feet of building envelope width
8. Lot coverage
 - Eliminate lot coverage allowance of 40% for lots under 5,000 square feet
 9. Amount of impervious surfaces
 - No recommended changes

Commissioner Segelbaum asked about item 3 and why the ratio doesn't have a qualifier. **Zimmerman** stated the 2:1 ratio is the current regulation for lots 65 feet and wider, applying this ratio to narrow lots would align the standard practice. Segelbaum followed up by asking if any other item will impact lots over 65' or wider. **Zimmerman** stated most items are for lots 50' and under, some items state up to 65' wide lots and that's to eliminate the gap between 50'-65'. **Commissioner Baker** asked if dormers will be regulated to lots 50' wide or less and **Zimmerman** responded that's the focus as lots wider than that, tend to have the space for a full second story. **Commissioner Brookins** asked if #4 would target all lots and **Zimmerman** stated it's targeted for lots 50' wide and under.

The Commissioners proceeded to have a conversation around the items presented. The Commissioners asked about zoning code history, past conversations about changes, and number of lots impacted.

Commissioners Baker, Brookins, and Segelbaum stated that staff recommendations are reasonable.

Blum mentioned the concept of buildability and mentioned a brochure by the MN Department of Labor and Industry titled "Tiny Houses and the 2020 MN Residential Code". **Blum** said the document contemplates homes between 100-400 sq feet. He asked staff if that size house is less or more than what the Commission has been contemplating for the narrow lots. **Zimmerman** stated it's significantly less. **Blum** stated his point was to show that buildability could include a wide variety of housing styles and sizes and that Commissioners consider what they determine to be a buildable home

Baker stated his desire to see the pamphlet Blum referenced and reiterated the objectivity of the term buildability. **Zimmerman** reminded the group of the difference between aesthetic: paint color, siding, architectural style; and character: rhythm of housing-massing and height. The goal of the City is not to tell people what kind of home they can have but rather and height and scale so rules for building are maintained.

The discussion continued and revolved around setbacks, how setbacks relate to the height of the building envelope, changing the tent to be a 1:1 if it begins from the property line, and reviewing mockups of some of the suggestions.

Commissioner Pockl asked staff if the City of Golden Valley has minimum house size requirements. Staff responded that the code mainly revolves around a 22-foot wide requirement for homes. The City does not allow for tiny homes that exist on a trailer and then are wheeled on a property, mainly because of utility needs and footings. Directly addressing tiny homes hasn't been a priority for Golden Valley thus far.

5. Discussion – Public Input Process

Jason Zimmerman, Planning Manager, began the conversation by revisiting a document that has been on the Planning Commission website which illustrates the public comment process for a meeting. This particular document is similar to that which directs the same process at a City Council meeting. Zimmerman sent the document to Commission members with the suggestion that the list be placed on the podium and on the front table so everyone attending a meeting with public input knows what to expect. Upon receipt of this procedure, the Chair suggested there be a public conversation. During this introduction the Chair passed around a document to the Commission members.

Chair Blum stated he was handing out a model Planning Commission policy, and that it was his belief that the procedure guidelines shared by staff were premature. **Blum** stated that guidelines summarize a policy and believed that there wasn't a policy set by the City to enforce the listed guidelines. Blum listed specific items in the guidelines that he would like to see amended. **Commissioner Baker** first thanked the Chair for his insights and that he looks forward to the amending process. **Baker** added his uncertainty on if the Planning Commission is responsible for amending this process. **Baker shared** his concern with the Chair handing out the model document to the Commissioners, **due to the fact** that there wasn't a way to share the document with the public and the lack of attribution. **Baker** stated that he felt the Commission members should return the document to the Chair. **Blum** responded that he requested this item be added to a future meeting and felt the guideline process was being rushed. After some dialogue, the Chair asked what the intention of staff was with this topic. **Zimmerman** responded the intention of staff was to receive feedback on a process that has been public for some time, and if the current Commission wanted to make it the official process. Referencing the document provided by the Chair, **Zimmerman** noted the document appearing to be a rewrite of the Planning Commission bylaws. This would be outside the powers of the Commission, as the Council sets and approves bylaws for all boards and commissions. **Zimmerman noted that** the City Attorney advised staff that the Commission has the ability to create its own public process for taking input, just as the Council did for their meetings. **Commissioner Segelbaum** stated that he moved to approve the agenda as it was written in the beginning of the meeting and if the agenda was changing, the Commission needed to follow the correct order of procedure to do that. **Segelbaum** added that the guidelines are something the Commission has informally followed and it gives the public notice for process and how to follow. He added that it's the Chair's prerogative to modify as they see fit and he'd like to adopt the guidelines.

Baker, Segelbaum, and Commissioner Brookins agreed that the guidelines are in line with current practice and **Baker** suggested the Chair revise the guidelines and present a new draft to the Commission.

Brookins added that he is not comfortable not having a process to provide the public and made a **MOTION** to move forward with the public input process as laid out in the guidelines on the website.

After further discussion, the **Chair** stated that the motion failed due to lack of a second. **Blum** reiterated that he would like to know the origin of the guidelines and under what authority they were established. **Zimmerman** stated the Commission does have under its authority, the ability to set the public input process for the Commission. **Segelbaum** stated that a resolution may not occur this evening and he didn't second Brookins' motion because he wasn't certain a formal vote needed to occur in order to approve the guidelines that are already public. **Segelbaum** added that if the Chair

would like a vote to clarify consensus, he asked the Chair make that determination and hold a vote. **Baker** added that if the Chair has legal questions then he should consult with the City Attorney.

Maria Cisneros, City Attorney for the City of Golden Valley, stood before the Commission and stated the topic at hand was about “Rules of Procedure” which differ from the Bylaws. The Council has their own Rules of Procedure for how their meetings are run as does the Commission. The City has not historically adopted strict Rules of Procedure as other cities have. **Cisneros** hasn’t been able to review all the meeting minutes for past Planning Commission meetings but her belief is that the current guidelines are publicly posted because they were once determined by a previous Commission. **Cisneros** said it’s within the Commission’s ability to adopt the guidelines as they’re listed or they may edit as they see fit and adopt those. **Baker** echoed Cisneros’ recommendation and **Commissioner Pockl** agreed. The Commission made a few immediate edits on word choices.

Television portion of the meeting concluded at 9:11pm

6. Commissioner Training – Variances

7. Council Liaison Report

Councilmember Rosenquist provided an update to Commissioners on the State of the City event at New Bohemia. She provided an update on the Joint Board Commission and said that lack of attendance was noted, there will be an increased effort to promote attendance for the next meeting.

8. Reports on Meetings of the Housing and Redevelopment Authority, City Council, Board of Zoning Appeals, and other meetings

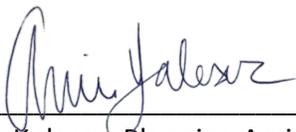
Councilmember Rosenquist updated Commissioners on a proclamation issued by the City Council opposing conversion therapy. The Council will also be encouraging representatives to support the bill introduced by the Senate to ban the practice of conversion therapy in the state of Minnesota. There was also a bill to introduce rapid transit on 55 and the Council Manager meeting will discuss affordable housing.

9. Other Business

Maria Cisneros, City Attorney, informed Commissioners that they will soon receive email addresses with the City of Golden Valley domain.

10. Adjournment

MOTION made by **Commissioner Pockl**, seconded by **Commissioner Baker** and the motion carried unanimously to adjourn the meeting at 9:57 PM.



Amie Kolesar, Planning Assistant


Adam Brookins, Secretary