



Planning Commission Regular Meeting

Monday, August 24, 2026, 6:30 PM
106 Center Street

Members of the public may attend the Planning Commission meeting either in person or by joining via Zoom either online or by telephone at:

<https://us02web.zoom.us/j/87885449739?pwd=2QMUKB7SyVbnS6bLS9YlIkd5WxGI.1>

Meeting ID: 878 8544 9739

Passcode: 539543

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AGENDA

1. Call to Order
2. Roll Call
3. Minutes of the Preceding Meeting(s)
 - A. July 27, 2026 Planning Commission Meeting Minutes
4. Discussion Items
 - A. Public Hearing, 150 Bell Street, Residential Review Permit Application for Construction of New Garage (PC No. 2026-11) - Continued from July 27, 2026 Planning Commission Meeting
 - B. Public Hearing, 349 West Lake Street, Residential Review Permit Application and Variance from Height and Front Yard Setback Standards Application for Construction of a New Home
 - C. Public Hearing, 300 Water Street, Variance from Height Standard Application for Construction of New Commercial Building
 - D. Public Hearing, Ordinance No. 701 Amendment to Chapter 42 Residential Review Permit Ordinance Regarding Exemptions of Landmark Properties
5. Communications and Reports
 - A. Council Update
 - Next City Council Meeting: September 8, 2026

- Next Planning Commission Meeting: September 28, 2026

B. Next Planning Commission Meeting: September 28, 2026

6. Miscellaneous

7. Adjournment

City of Excelsior
Planning Commission
Monday, July 28, 2027
(Rescheduled from June 22, 2026)

Meeting Minutes

1. CALL TO ORDER

2. ROLL CALL

Present: Commissioners Day, Malsam, Muenzberg, Tyler

Absent: Commissioners Johnson, Neale

Also in attendance: Jess Long, City Planner; Josh Weir, Acting City Attorney; Julia Mullin, Community Development Director

3. MINUTES OF THE PRECEDING MEETING(S)

(a) July 8, 2026 Planning Commission Meeting Minutes

Tyler moved to approve minutes. Day seconded. Approved 4-0.

4. DISCUSSION ITEMS

(a) Public Hearing, 88 First Street, Variance application for lot coverage for driveway (PC No. 2026-10)

Staff provided report. Chair Muenzberg opened the public hearing. Applicants, Randy Herman and Debra Pallazza spoke. No members of the public spoke. Day moved to recommend approval of the variance. Malsam seconded. Motion failed on a 2-2 vote. Commissioners Muenzberg and Tyler voted against the motion. The item moves forward to City Council with no recommendation from Planning Commission.

(b) Public Hearing, 150 Bell Street, Residential Review Permit application for construction of new garage (PC No. 2026-11)

Staff provided report. Chair Muenzberg opened the public hearing. Applicant, Kris Meyer, Courtland Custom Homes, spoke. No members of the public spoke. The Commission requested additional information from the applicant. Day moved to continue the application to the next Planning Commission meeting. Tyler seconded. Approved 4-0.

(c) Public Hearing, Ordinance No. 698, Amendment to Swimming Pool Standards

Staff provided report. Chair Muenzberg opened the public hearing. No members of the public spoke. Day moved to recommend approval of the ordinance amendment. Malsam seconded. Approved 4-0.

(d) Public Hearing, Ordinance No. 699, Amendment to Porch and Pergola Definitions

Staff provided report. Chair Muenzberg opened the public hearing. No members of the public spoke. Day moved to recommend approval of the ordinance amendment with edits to “porch”, “enclosed porch”, and “pergola” definitions. Malsam seconded. Approved 4-0.

5. COMMUNICATIONS AND REPORTS

(a) Council Update

Next City Council meeting: August 3, 2026

Next Planning Commission meeting: August 24, 2026

(b) Upcoming items

6. MISCELLANEOUS

7. ADJOURNMENT

*Day moved to adjourn the meeting. Malsam seconded. Approved 4-0.
Meeting adjourned at 9:00 pm.*

Respectfully submitted,
Julia Mullin, Community Development Director



MEMORANDUM

To: Planning Commission

Re: 150 Bell Street – Application for RRP
Date: August 24, 2026
From: Jess Long, Planner and Julia Mullin, Community Development Director

APPLICANT: Kris Myer, 823 Courtland Court, Shakopee, MN 55378
PROPERTY OWNER: Jack Bennett, 1 Center St, Excelsior, MN 55331
LOCATION: 150 Bell Street
CASE NO.: PC No. 2026-11
60/120-DAY REVIEW 8/24/2026 10/23/2026
DEADLINE:

BACKGROUND

The Planning Commission previously reviewed a Residential Review Permit Application for a new two car detached garage at 150 Bell Street at the July 27, 2026 meeting. While reviewing the application the Planning Commission determined that additional materials were required prior to granting a RRP approval in order to clarify materials, confirm driveway layout, and understand placement of garage in relation to slope at the rear. The applicant, Kris Myer, has submitted revised elevations and a revised Site Plan to provide additional clarity.

The proposed design conforms with the standards for detached garages in Excelsior's zoning ordinance (Chapters 11 and 41).

DETAILS/ANALYSIS DETAILS/ANALYSIS

Standard	Required – R2	Existing	Proposed
Minimum Lot Area	10,000 sf	6,767 sf	6,767 sf
Minimum Lot Width	60'	68.33'	68.33'
Side yard setback (detached garages)	3'	3'	3'
Rear yard setback (detached garages)	3'	3'	3'
Maximum Building Coverage	25% of lot area = (1,691 sf)	1,222 sf (18%)	1,556 sf (22.9%)
Maximum Lot Coverage (1)	42% of lot area= (2,842 sf)	1,772 sf (26.2%)	2,193 sf (32.4%) Driveway exemption = 1,914.5 sf (28.3%)
Maximum Height	16		14' 2"
Maximum Area (detached garage)	624 square feet on lots of less than 12,000 square feet	242 sf	576 sf

- (1) *Exemptions.* Up to 500 square feet of lot coverage is exempt from the lot coverage limits if a garage is detached, set back 60 feet or more from the front property line, and accessed from the front of the property. The exemption applies only to that portion of the driveway that is required between the rear of the primary structure and the detached garage.

Neighborhood Notification and Opportunity to be Heard

As required by Ordinance *Section 42-7 (c) Neighbor Notification and Opportunity to be Heard*, property owners within 500 feet of the property have been mailed notice of the meeting and the opportunity to provide feedback at the regularly scheduled Planning Commission meeting on July 27, 2026.

RRP Criteria

The City Architect's revised review is attached. The following is planning staff's review based on revised materials submitted on August 17, 2026.

1. Massing and scale of new structure should be compatible with neighboring structures.

Initially the proposed garage was 16' tall. The applicant reduced the height of the garage so that a variance would not be required. The proposed garage height has been reduced an additional 8" to 14' 2". The reduced height is compatible with the home on the parcel as well as the homes and detached garages adjacent to 150 Bell Street. The additional massing of

the proposed two car garage will be partially hidden from the street view by the principal structure.

2. The size and mass of a new structure should be compatible with the size of the property.

The detached garage is larger than the existing single car garage, however the new two car garage does not overwhelm the lot. The position of the garage to the rear of the parcel and adjacent to the neighbor's detached garage reduces the visual impact from the public right of way.

3. A new structure should follow alignments that are predominant on the street and compatible with neighboring properties.

The existing detached garage is located at the rear of the parcel. The neighboring properties, 140 Bell and 160 Bell, also have garages located at the rear of the parcel. The proposed garage will maintain the existing alignment with the neighboring properties.

4. A new structure's design should respect the site's natural slope and features, minimizing cut, fill and retaining walls.

The proposed garage will be integrated with the existing slope. Changes to the existing retaining wall will require engineered plans to be reviewed by the City Engineer. He has conducted a preliminary review and identified no issues.

5. Consider front porch element in design of new structures.

Not applicable to this proposal.

6. A new structure should be detailed as four-sided architecture.

The proposed garage has a simple design that is consistent with the existing garage and the neighboring garage. The simple design will not overwhelm the design of the new second story addition to the principal structure. The applicant has provided additional information on the proposed materials. The proposed design is compatible with and mirrors design elements of the principal structure.

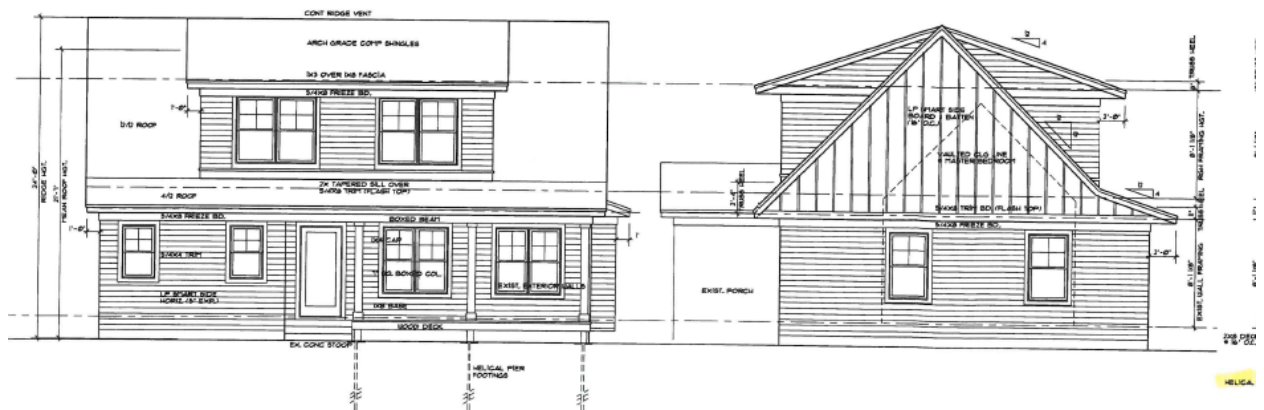


Figure 1 Approved elevations of principal structure

7. Consider neighbor views, privacy and sunlight in placement and size of a new structure's elements.

The expanded garage will have minor impact on the views privacy and sunlight of neighboring properties.

Recommended Conditions of Approval.

Staff recommends the following conditions with approval of this Residential Review Permit application:

1. The applicant shall obtain all necessary City, watershed district, and other government entity permits and approvals including but not limited to building permits, grading, and erosion control plans, etc.
2. The RRP shall expire one year from the date of adoption of the resolution if not acted upon.
3. The applicant shall submit any grading or retaining wall designs to the City Engineer for review.

RECOMMENDED PLANNING COMMISSION ACTION

The Planning Commission shall review revised plans for the Residential Review Permit application which was continued at the July meeting. Staff recommends that the Planning Commission approve the Residential Review Permit application with the proposed conditions.



Excelsior Good Neighbor Guidelines PLAN Review

150 BELL STREET

08/20/2026 (REVISED FROM 07/21/26)

Guidelines (7)	Review Criteria
1. Massing and scale of a new structure should be compatible with neighboring structures	• Ensure that the massing and scale of a new structure is visually compatible with neighboring structures, with special attention to design of upper levels and roofs. • Consider incorporating the following mass mitigation techniques to align with neighborhood patterns: ▪ Street facing gable ▪ One story open front porch ▪ Step-downs ▪ Upper level components that are 1/2 story rather than full story ▪ Roof planes that are broken up (no large unarticulated planes) ▪ Offset structure components to break up bulk and large flat planes (gable and wing) ▪ Separate components by breezeway or one story element ▪ Garage located 60' back from front street ▪ Highly creative design that reduces the perception of bulk ▪ A "tunnel effect," which results from tall walls placed close together, should be avoided through one-story additions or step-backs • Maintain consistency with the street wall on all sides (including corner lots) and design façade width to reflect the established range of neighboring structure widths. • Ensure that the height of a new structure is within the height range of neighboring structures and floor-to-floor heights are compatible with those of neighboring structures. • Position taller portions of a structure away from neighboring structures of lower scale to minimize looming effects and shading of neighboring structures, or step down the structure toward lower-scaled neighboring structures.

The project proposes demolishing an existing rear-yard single stall garage (plan dimensions about 12-0 x 20-0) and replacing it with a new two-stall garage (plan dimensions about 24-0 x 24-0, with a 14-10 high gabled roof). The existing driveway will continue to be used to access the garage. The extent of proposed new driveway paving connecting to the garage **has been revised to show proposed layout**. It appears the location and size of the proposed garage results in only about 13-4 from garage door to existing house's rear porch, possibly limiting vehicular access to the full width of the garage. Applicant **has provided a site drawing** indicating proposed paving and coverages.

The proposed garage is in the southwest corner of the site (as the existing garage was), with a proposed 3-0 setback at side and rear yards. The property immediately adjacent to the garage sideyard (140 Bell) has an existing 1-stall garage, set back a similar sideyard distance.

Generally, the height, massing and scale of the proposed garage seem compatible with neighborhood structures and context.

2. The size and mass of a new structure should be compatible with the size of the property	• Ensure that the structure's visible building envelope (bulk) is compatible with the property size and with neighboring structures. • Locate the garage to respect existing neighborhood patterns and minimize the garage's impact on structure massing and street face.
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The size of the garage relative to its lot size seems reasonably compatible; detached rear-yard garages are seen in other neighboring properties including a one-stall garage in the adjacent lot at 140 Bell.

3. A new structure should follow alignments that are predominant on the street and compatible with neighboring properties	• Respect the established structure location, alignments and open space patterns between neighboring structures when locating a new structure. • Maintain the traditional rhythm of the street face, the orientation pattern and the proportion of built to open space of structures facing the street, including each side of a corner lot. • Design the site footprint of a structure to be compatible with the existing lot coverage pattern of neighboring structures.
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The garage is generally located where the existing smaller garage was, adjacent to a neighboring garage, and follows existing neighborhood pattern alignments.

4. A new structure's design should respect the site's natural slope and features, minimizing cut, fill and retaining walls	• Ensure that grade changes do not change the character of the street face or the relationship of the structure to neighboring structures. • Respect the site's natural slope and minimize cut, fill and retaining walls. • Use structure setbacks and stepdowns at the slope to break up massing and continuous walls.
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The site has a steep grade up in the rear yard with an extensive retaining wall. Drawings do not clearly show how the proposed structure and retaining wall intersect. Applicant should clarify how retaining wall and garage relate to each other, and how grades and drainage are managed around the rear of the garage.

5. Consider front porch element in design of new structures	• Use an unenclosed single story front porch to break up a structure's massing on the street face.
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Not applicable

6. A new structure should be detailed as four-sided architecture	• Use an unenclosed single story front porch to break up a structure's massing on the street face. • Arrange openings to reflect the traditional alignment of openings in neighboring structures to avoid large, unbalanced wall expanses.
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The design detailing, new windows and siding materials are consistent with the house, with all four elevations of the garage - provided. Drawings indicate siding materials and detailing appropriately matching the existing house.

Garage should have siding types and corner details consistent with main house and windows. Drawings appear to indicate this. No windows are indicated in plan at one side or rear elevations. Typically, four-sided design may indicate windows to be in two or all three of the non-garage door elevations, but considering the location of this garage and the obscured visibility of the side and rear elevations, a single window on the door side elevation may be acceptable. The window shown, has been made larger and more vertically proportioned to be consistent with window proportions of the house.

The side and rear elevations indicates a full-height CMU block at rear of garage. Site plan indicates this wall to be 6-0 high maximum; drawings show it full-height, approximately 8-8. Applicant should clarify.

7. Consider neighbor views, privacy and sunlight in placement and size of a new structure's elements.	• Locate decks, balconies, and pools to consider privacy of neighboring properties. • Minimize interruption of the sunlight, skyplane, and views for neighboring structures.
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Due to location on site and size, and rear-yard grading, the garage should have little impact on neighbor views, privacy and sunlight.

CERTIFICATE OF SURVEY

PART OF LOTS 7 & 8
LATHAM BROTHERS ADDITION TO EXCELSIOR
HENNEPIN COUNTY, MINNESOTA

SURVEYOR NOTES:

1. BEARING ARE BASED ON THE HENNEPIN COUNTY COORDINATE SYSTEM NAD83 2011 ADJUSTMENT
2. ELEVATION ARE BASED ON THE NAVD88 DATUM, MNCORS GEOID 18
3. APEX LAND SURVEYING, LLC PREPARED THIS SURVEY WITHOUT THE BENEFIT OF CURRENT TITLE WORK. THE PROPERTY SHOWN IS BASED ON A LEGAL DESCRIPTION PROVIDED BY YOU THE CLIENT OR A GENERAL REQUEST AT THE APPROPRIATE COUNTY RECORDER'S OFFICE. EASEMENT, SITE RESTRICTION OR ADJOINING DEED CONFLICTS MAY EXIST WHICH AFFECT SUBJECT PROPERTY AND ARE NOT SHOWN BY THIS SURVEY. WE RESERVE THE RIGHT TO REVISE THE SURVEY UPON RECEIPT OF A CURRENT TITLE COMMITMENT OR TITLE OPINION.
4. SNOW, SNOW PACK AND/OR ICE CONDITIONS WERE PRESENT ON THE DAY(S) OF THE FIELD SURVEY. SOME AREAS OF THE SITE HAVE BEEN OBSTRUCTED AND THE VISIBILITY, OBSERVANCE AND/OR ACCESSIBILITY OF IMPROVEMENTS, UTILITIES ARE SHOWN TO THE BEST OF OUR ABILITY. FIELD DATE: 12/09/2025
5. PROPOSED GARAGE CONSTRUCTION NOTES:

A. MATERIALS TO MATCH THOSE OF THE HOUSE (SIDING, ROOFING, CORNER PIECES)

B. GABLE AND TRIM TO MATCH THAT OF THE HOUSE

C. CONCRETE BLOCK AT THE REAR OF THE GARAGE: MUST BE ONLY 6' TALL AND TIE INTO EXISTING RETAINING WALLS, MATCHING EXISTING GRADE.

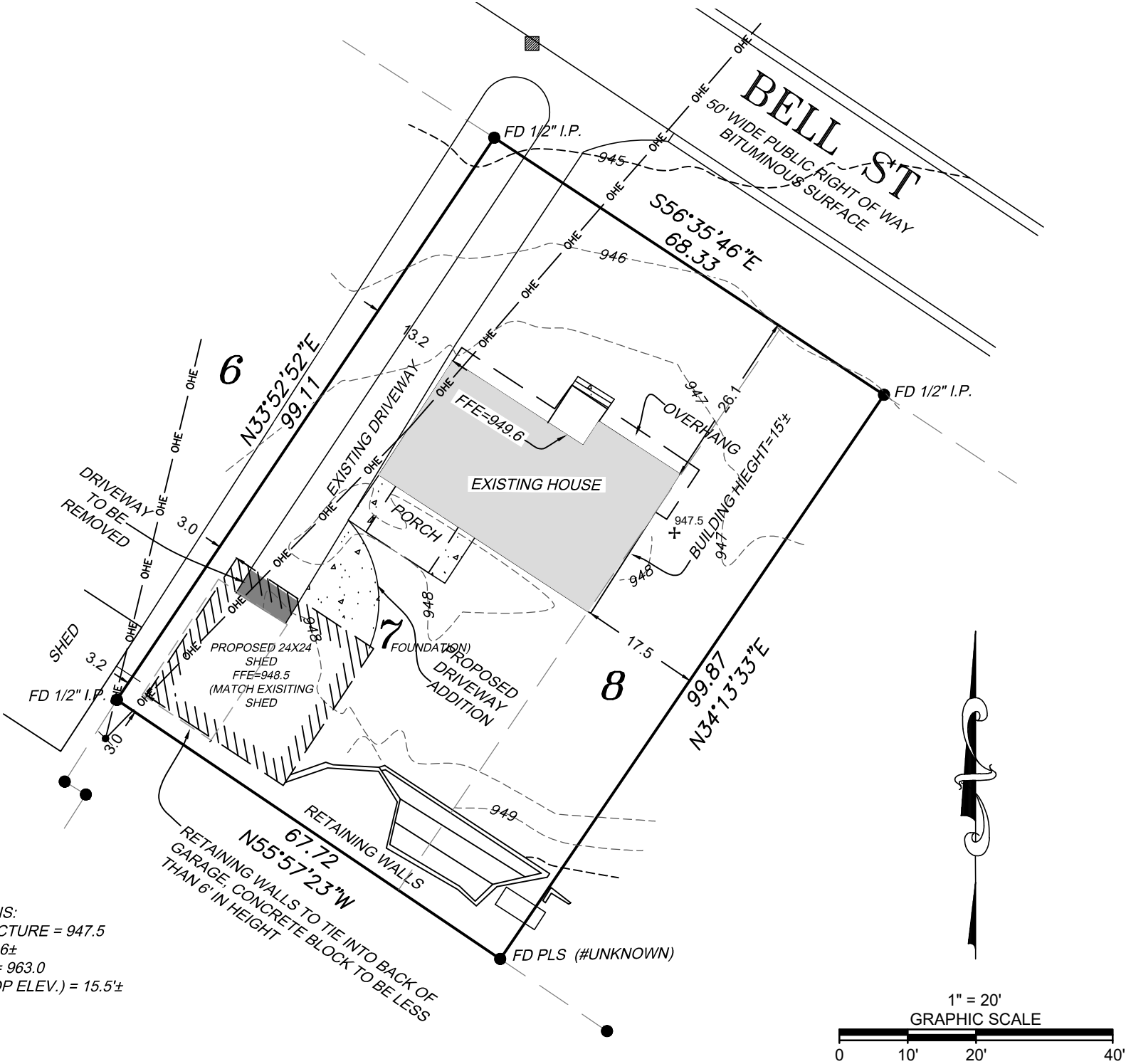
IMPERVIOUS SURFACE CALCS:
TOTAL LOT AREA: 6,767 SQ. FT. (0.16 ACRES)

EXISTING DRIVEWAY: 550 SQ. FT.
SHED: 242 SQ. FT.
EXISTING HOUSE: 796 SQ. FT.
PATIO/PORCH: 184 SQ. FT.
RETAINING WALLS & OVERHANG: 132 SQ. FT.
TOTAL LOT COVERAGE: 1,904 SQ. FT. (28.1% COVERAGE)

PROPOSED GARAGE: 576 SQ. FT.
PROPOSED DRIVEWAY: 120 SQ. FT.
SHED TO BE REMOVED: -242 SQ. FT.
DRIVEWAY TO BE REMOVED: -33 SQ. FT.

PROPOSED IMPERVIOUS: 2,325 SQ. FT. (34.3% COVERAGE)

EXISTING BUILDING CONDITIONS:
LOW POINT WITHIN 7' OF STRUCTURE = 947.5
BUILDING HEIGHT @ 948.4 = 14.6±
BUILDING HEIGHT ELEVATION = 963.0
BUILDING HEIGHT (LOW PT - TOP ELEV.) = 15.5±



● FOUND MONUMENT

● POWER POLE

— OHE — OHE — OHE — OHE — OVERHEAD ELECTRIC

SURVEYORS CERTIFICATION:

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA

8/18/2026
DATE

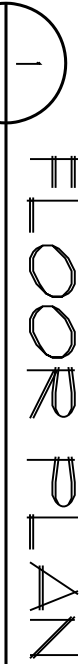
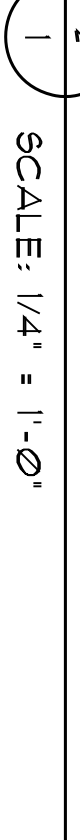
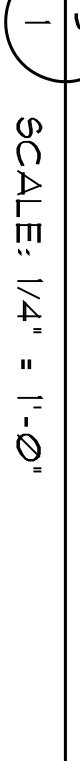
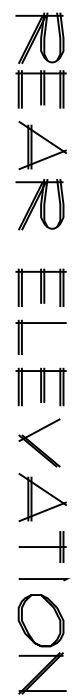
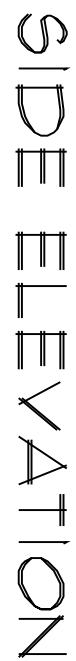
KALEB J. KADELBACH (LICENSE NO. 57070)

CLIENT INFORMATION:
JACK BENNETT
150 BELL ST
EXCELSIOR, MN 55331

FIELD DATE: 12/09/25
APEX JOB NO. 25801

APEX
LAND SURVEYING

kaleb.kadelbach@apex-landsurveying.com PH: (763) 388-0056

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MEMORANDUM

Re: 349 West Lake St – Application for RRP and Var

Date: August 24, 2026

To: Planning Commission

From: Jess Long, Planner and Julia Mullin, Community Development Director

APPLICANT: Jon Monson, Landschute, 202 Water Street, MN 55331
PROPERTY OWNER: Teresa Kain & Norman Domholt, 349 West Lake Street, Excelsior
LOCATION: 349 West Lake Street
CASE NO.: PC No. 2026-12
60/120-DAY REVIEW : 10/2/2026 12/1/2026

Background

Jon Monson of Landschute has submitted applications for a Residential Review Permit and variances from front yard setback and height requirements to construct a new single-family home at 349 West Lake Street. The proposed construction would require demolition of the existing 1880 home. The property is not designated as a Landmark property and does not require Heritage Preservation Commission review. The property is located in the R-2 District and contains 12,936 square feet. An existing nonconforming detached tuck-under garage along Maple Street will be removed as part of the demolition of the primary structure. The applicant also proposes improvements to retaining walls located within the public right-of-way along Maple Street. The City will require an encroachment agreement before any improvements are made to retaining walls within the public right-of-way.

1. RESIDENTIAL REVIEW PERMIT APPLICATION REVIEW

NEIGHBORHOOD CHARACTER

The parcel is located in the R-2 District at the corner of West Lake Street and Maple Street. The surrounding neighborhood includes a mix of one- and two-story homes. The adjacent homes on Maple Street are primarily one-story structures, while homes along West Lake Street are generally two-story single-family homes. The adjacent property to the south, located at the corner of West Lake Street and George Street, is also a two-story single-family home

DETAILS/ANALYSIS

Standard	Required – R2 District	Existing	Proposed
Minimum Lot Area	10,000 sf	12,936	12,936 sf
Minimum Lot Width	60'	84'	84'
Front Yard Setback*	Principal structures on corner lots or next to only one existing principal structure shall match the front yard setback of the adjacent home. Adjacent = 62.6	54.9'	43.9'
Rear Yard Setback	35'	46.1'	35.2'
Minimum Side Setback ROW	15' from ROW	31.8'	18.2'
Minimum Side Setback	10% of lot width + 2'	10.4'	22'
Maximum Lot Coverage	12% (lot area) + 2100 = 3,652 sf	2,751 sf	3,584 sf
Maximum Building Coverage	5% (lot area) + 2100 = 2,746 sf	1,949 sf	2,676 sf
Maximum Height	29' (lot width greater than 70')	35.6'	35.25'
Front wall plane	16' max without a 2'x 8' offset		16'
Side wall plane Maple Street	32' max without a 2'x8' offset		23' 4" garage wall plane
Side wall plane	32' max without a 2'x8' offset		17'
Rear wall plane	32' max without a 2'x8' offset		25' 4"
Attached garage with street-facing doors**	Be recessed at least 10' from front wall plane		12' 8"
	Individual garage doors not greater than 64 sf each		64 sf
	Garage door opening limited to 8' height maximum***		8'

	Garage not to exceed 800 sq ft or 75% of footprint		777 sf
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*Sec. 41-3. Principal structures on corner lots or next to only one existing principal structure shall match the front yard setback of the adjacent home.

**Sec. 41-10. (e) 2 c. Street facing garage doors shall be recessed at least ten feet from the longest front or side wall plane of the principal building.

***Sec. 11-1. (e) 5 The garage door opening shall be limited in height to eight feet as measured from the driveway apron or grade at the door opening.

Garage: The proposed attached tuck-under garage will be located at the existing elevation of Maple Street, which is lower than the natural grade of the hill on which the new home will be constructed. The garage will include two doors, each measuring 64 square feet, and will be recessed 13 feet 2 inches from the side wall plane. The Planning Commission should consider whether reducing the roof ridge line would lessen the massing of the garage and the overall home.

Materials: The applicant is proposing six-inch lap siding along the first story, cedar shingle siding on the second story, fieldstone veneer for along the foundation, and asphalt shingles for the roof.

Landscaping and Tree Preservation: The applicant has identified trees that will be removed to incorporate the new structure. The applicant has met with the City Arborist to identify trees that must be removed as well as protections that will be necessary to protect trees marked for preservation.

Neighborhood Notification and Opportunity to be Heard

As required by Ordinance *Section 42-7 (c) Neighbor Notification and Opportunity to be Heard*, property owners within 500 feet of the property have been mailed notice of the meeting and the opportunity to provide feedback at the regularly scheduled Planning Commission meeting on August 24, 2026.

RRP Criteria

The City Architect's review is attached. The following, in italics, is Planning Review.

1. **Massing and scale of new structure should be compatible with neighboring structures.**

The proposed home has reduced height when compared to that of the existing structure. However, the proposed home will still require a height variance and will extend closer to West Lake and Maple Streets. The neighborhood is a mixture of single and two story homes. The new two and a half story home (with partially exposed basement) is replacing an existing two and a half story home. Reducing the height of the garage could lessen the overall impact of the massing of the home as the home is located closer to Maple Street than the existing home.

2. The size and mass of a new structure should be compatible with the size of the property.

The parcel is 12,963 sf, which is relatively large, and a two story single family home is compatible with the lot. The natural slope of the property impacts the measured final height of the home. The new home will sit closer to public rights-of-way which will increase the massing as viewed by the public. The lot's size and position at the corner of West Lake Street and Maple Street will reduce the impact of the structure on the immediate neighbors on George and Maple.

3. A new structure should follow alignments that are predominant on the street and compatible with neighboring properties.

The property requires a front yard setback variance due to Section 41-3 of the zoning code, which requires that corner lots match the front yard setback of the adjacent property. The proposed 43.9' setback is greater than the typical 20-30' setback required by other residential properties. The proposed front yard will still allow for open space and is compatible with neighboring properties

4. A new structure's design should respect the site's natural slope and features, minimizing cut, fill and retaining walls.

The proposed attached garage has been built into the existing hill. This will allow access and prevent a steep driveway. There are new proposed retaining walls that the City Engineer must review prior to building permit issuance.

5. Consider front porch element in design of new structures.

The proposed home will have two covered porches that face both Maple Street and West Lake Street. The porches are not large but add architectural detail to the home.

6. A new structure should be detailed as four-sided architecture.

The proposed home is well-detailed on all four elevations using windows and materials.

7. Consider neighbor views, privacy and sunlight in placement and size of a new structure's elements.

The proposed home's location on the natural hill will cause an impact to neighbors. The proposed home is located generally where the existing structure sits, however the larger footprint will have some additional impact on neighboring properties.

Variance Analysis

The Applicant requires variances from front yard and building height requirements.

Variance Review Criteria

The Excelsior Zoning Code, per MN Statute, requires that a variance request be evaluated according to the following criteria:

1. Is the property owner proposing to use the property in a reasonable manner not permitted by the ordinance?

The applicant proposes to use the property to build a new single family home. A single family home is a reasonable use for this parcel. The design and style of the proposed home is compatible with the style of homes in Excelsior.

2. Is the plight of the property owner due to circumstances unique to the property that have not been created by the landowner?

a. Front yard setback

The required front yard setback of property is 62.2 feet from the property line along West Lake Street. Increasing this setback so that it matches that of the neighbor would shrink the rear yard setback; the placement of the home on the parcel lessens impacts on both neighbors, and the requirement that the setback match that of the neighbor is not reasonable here but the neighboring parcel, on George Street, has a different orientation to the street. The need for a variance is caused by the Section 41-3 of the zoning code which requires principal structures on corner lots or next to only one existing principal structure shall match the front yard setback of the adjacent home. The adjacent home, 101 George Street, has 62.6' front yard setback. The unique placement of both lots has created a large front yard requirement.

b. Building height

The submitted elevations identify a lowest grade elevation of 962 feet and a proposed building height of 35 feet 5 inches. There is an approximately 9-foot change in elevation from the front of the existing structure to the front property line and an approximately 6-foot change in elevation from the side of the structure to the property line along Maple Street. The natural slope of the property contributes to the proposed building height and results in the need for a height variance.

3. Will the variance, if granted, alter the essential character of the area?

The applicant has designed a home whose features are consistent with the character of the area. The height of the building is caused by natural grades on the lot and the front yard setback request is caused by the need to match the adjacent property that is also uniquely located on the corner of West Lake Street and George Street. Other design features share the cottage style seen in surrounding homes. The variances requested are required because of the unique features and location of the property. The variances, if granted, will not alter the essential character of the area.

4. If a variance is granted, will the outcome be (a) in harmony with the purpose and intent of the ordinance, and (b) consistent with the Comprehensive Plan.

The proposal meets the following Goal of the Comprehensive Plan for Residential Areas. City policy supports the enhancement of housing and residential neighborhoods. Goal: Maintain the Community's image and desirability as a great place to live and raise a family by preserving and enhancing the quality, character, safety and appeal of residential neighborhoods and developments, and providing diversity in its housing stock and unit types.

Front yard setback variance: The purpose of the front yard setback requirement is to prevent overcrowding and preserve separation from the public right-of-way. The front yard setback cannot be increased without reducing the rear yard setback. The proposed 43.9-foot setback is greater than the typical 20- to 30-foot front yard setback in the R-2 District. The adjacent corner property at 101 George Street appears to face George Street; however, it technically has a front property line along West Lake Street. When measured from West Lake Street, that property has a front yard setback of 62.6 feet. Ordinance requires that the front corner lots match the adjacent property's setback. The proposed 43.9-foot setback is the minimum variance necessary to avoid further impacts to other setbacks on the property or changes to the structure's design.

Building height variance: The intent of the building height standard is to reduce the impact of structures on neighboring properties and to ensure new construction is compatible with the

mass and scale of existing original homes in Excelsior. The Planning Commission should discuss whether reducing the height from that of the existing structure, but still not meeting the height standard has met the intent of the ordinance due to the unique topography of the lot. Reducing the height of the garage could help the proposed building height conform with the intent of the standard.

Public Hearing

As required by City Ordinance *Appendix E, Section 6-6 – Procedures Variances*, the Planning Commission shall conduct a duly noticed public hearing on the Variance application at their regularly scheduled meeting on Monday, August 24, 2026.

Recommended Conditions of Approval.

Staff recommends the following conditions with any approval of this Residential Review Permit and Variance:

1. The applicant shall obtain all necessary City, watershed district, and other government entity permits and approvals including but not limited to building permits, grading and erosion control plans, etc.
2. The City Engineer shall review and approve the grading and stormwater plans.
3. The plans shall be consistent with the survey and plans included in the August 24, 2026, Planning Commission packet.
4. The RRP and Variance shall expire one year from the date of adoption of the resolution if not acted upon.

RECOMMENDED PLANNING COMMISSION ACTION

The Planning Commission shall hold a public hearing for the Residential Review Permit and Variance applications. Staff recommends that the Planning Commission discuss with the applicant the height and mass of the structure and whether there is opportunity to further reduce the height of the garage as a way of reducing the overall massing of the proposed home. Staff recommends approval of the Residential Review Permit with any changes identified by the Planning Commission. Staff also recommends that the Planning Commission recommend approval of the variance to the City Council.

Excelsior Good Neighbor Guidelines PLAN Review

349 W LAKE STREET

08/19/2026

Guidelines (7)	Review Criteria
1. Massing and scale of a new structure should be compatible with neighboring structures	• Ensure that the massing and scale of a new structure is visually compatible with neighboring structures, with special attention to design of upper levels and roofs. • Consider incorporating the following mass mitigation techniques to align with neighborhood patterns: ▪ Street facing gable ▪ One story open front porch ▪ Step-downs ▪ Upper level components that are 1/2 story rather than full story ▪ Roof planes that are broken up (no large unarticulated planes) ▪ Offset structure components to break up bulk and large flat planes (gable and wing) ▪ Separate components by breezeway or one story element ▪ Garage located 60' back from front street ▪ Highly creative design that reduces the perception of bulk ▪ A "tunnel effect," which results from tall walls placed close together, should be avoided through one-story additions or step-backs • Maintain consistency with the street wall on all sides (including corner lots) and design façade width to reflect the established range of neighboring structure widths. • Ensure that the height of a new structure is within the height range of neighboring structures and floor-to-floor heights are compatible with those of neighboring structures. • Position taller portions of a structure away from neighboring structures of lower scale to minimize looming effects and shading of neighboring structures, or step down the structure toward lower-scaled neighboring structures.

The project is on a large corner lot, and proposes demolishing an existing 2-1/2 story home with detached garage and replacing it with a home and tuck-under garage. Neighboring structures and topography are varied. Maple Street has mostly 1 and 1-1/2 story houses, though W. Lake has some two-story-plus homes nearby. Adjacent house to the SE #124 is a small lot with a one story rambler; adjacent to the SW is #101 on a larger lot with a mostly 2-story home.

Though the height of the proposed home is lower than the height of the existing, the massing and scale of the proposed design is greater than the existing, and greater than many of the adjacent homes. One notable change is the additional footprint and massing moving 13.6' closer toward Maple Street (an 18.2' setback vs. existing 31.8'). This massing change is emphasized by existing topography and grades, with the main floor (both existing and proposed) set about 13-0 above sidewalk level. The proposed footprint also expands toward W. Lake Street and the neighbor to SE, but these impacts are somewhat diminished by the larger setbacks at those locations. A new, stepped +/- 8-0 retaining wall is proposed along Maple.

The proposed design creatively incorporates gables, setbacks and articulation which reduce and mitigate the massing of the overall structure. The massing is appropriately stepped down at the garage near the adjoining SE neighbor #124. The SE corner of the house has a full 3-story appearance due to the grade of driveway access to the tuck-under garage.

2. The size and mass of a new structure should be compatible with the size of the property	• Ensure that the structure's visible building envelope (bulk) is compatible with the property size and with neighboring structures. • Locate the garage to respect existing neighborhood patterns and minimize the garage's impact on structure massing and street face.
--	--

The Building mass is relatively compatible with its lot size; without topographic considerations, it could fit well within setbacks. The mass and bulk is emphasized by topography and its height on the site, and is large compared to neighboring properties. The removal of the existing garage and incorporation of the new garage in the house helps lessens impact on immediate neighbor to the SE #124.

3. A new structure should follow alignments that are predominant on the street and compatible with neighboring properties	• Respect the established structure location, alignments and open space patterns between neighboring structures when locating a new structure. • Maintain the traditional rhythm of the street face, the orientation pattern and the proportion of built to open space of structures facing the street, including each side of a corner lot. • Design the site footprint of a structure to be compatible with the existing lot coverage pattern of neighboring structures.
---	--

Alignments of existing houses along Maple are generally located further back than the proposed 18.2' setback there. However, these houses reflect front-yard setbacks on Maple, while this corner site considers Maple a side-yard, and its setback is allowable. Its alignment along W. Lake seems less impactful on neighbors due to the street configurations and differences in setbacks and orientation of adjacent houses. Given its larger corner lot, lot coverage seems compatible with neighboring properties.

4. A new structure's design should respect the site's natural slope and features, minimizing cut, fill and retaining walls	• Ensure that grade changes do not change the character of the street face or the relationship of the structure to neighboring structures. • Respect the site's natural slope and minimize cut, fill and retaining walls. • Use structure stepbacks and stepdowns at the slope to break up massing and continuous walls.
--	--

The site has a steep grade, with an existing stone retaining wall along Maple proposed to be removed and replaced with +/- 8-0 high stepped boulder retaining walls (approximate heights appear 5-6 at sidewalk and 2-6: applicant can verify). Applicant should clarify construction of the walls (loose boulders vs coursed stone, or other?). The existing house had both front and side entrance sidewalks connected directly to the public sidewalk at Maple Street; the proposed shows only a Maple-facing entrance sidewalk connecting to the to the driveway.

5. Consider front porch element in design of new structures	• Use an unenclosed single story front porch to break up a structure's massing on the street face.
---	--

There are two small open porches, facing Maple (8-0 x 4-0) and W. Lake (12-0 x 4-6). The W. Lake entrance porch is located within a larger, mostly glazed porch-like massing that resembles/references an enclosed porch (similar to the wraparound screen porch of the existing house). The Maple St. porch is partially recessed into the building mass with a bracketed roof extending above.

6. A new structure should be detailed as four-sided architecture	• Use an unenclosed single story front porch to break up a structure's massing on the street face. • Arrange openings to reflect the traditional alignment of openings in neighboring structures to avoid large, unbalanced wall expanses.
--	---

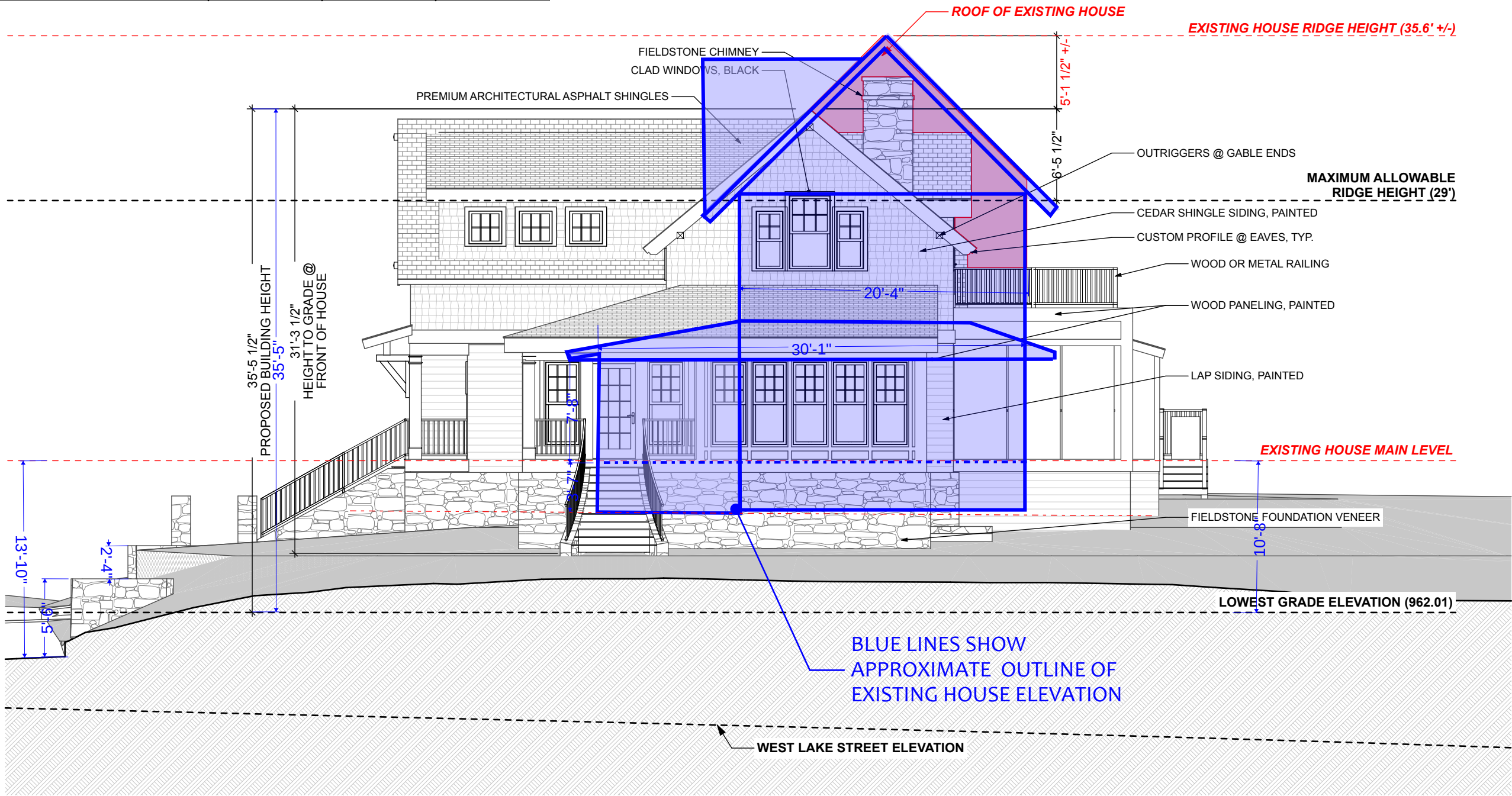
The design detailing, materials, windows, trim and siding are all consistent with four-sided architecture design.

7. Consider neighbor views, privacy and sunlight in placement and size of a new structure's elements.	• Locate decks, balconies, and pools to consider privacy of neighboring properties. • Minimize interruption of the sunlight, skyplane, and views for neighboring structures.
---	---

Generally, the design seems to consider views, privacy and sunlight concerns. The screened porch and upper deck are located adjacent to open space at neighboring lot, and the elevation of the house is well above adjoining neighbors which helps lessen impact.

WINDOW & DOOR OPENING CALCULATION

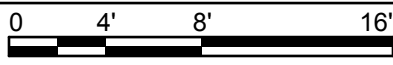
SIDE	WINDOW & DOOR AREA (S.F.)	WALL SURFACE AREA (S.F.)	PERCENTAGE OPENINGS
FRONT (W. LAKE ST.)	179	1,009	17.7%
SIDE ROW (MAPLE ST.)	241	1,568	15.4%
REAR	110	1,046	10.5%
SIDE	391	1,373	28.5%
ADDITIONAL SURFACES	0	118	0%
TOTAL	921	5,114	18%



1

NW Elevation (West Lake Street)

SCALE: 1/8" = 1'-0"



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Kain & Domholt
Residence
New Home

PROJECT ADDRESS

349 West Lake Street
Excelsior, MN 55331

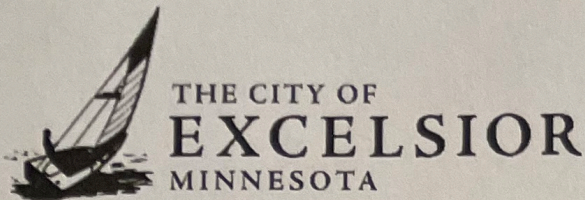
NOT FOR
CONSTRUCTION

PRINTED DATE: 8/3/26

SHEET NAME

Elevations

A06



Residential Review Permit Application

350 Highway 7, Ste 230
Excelsior, MN 55331
952-653-3674

Email permit to: permits@excelsiormn.org

APPLICANT INFORMATION		
Name: Jon Monson		Business Name: Landschute
Address: 202 Water Street Suite 202		
City: Excelsior	State: MN	Zip Code: 55331
Telephone: 952.470.7416	E-Mail: info@landschute.com	
OWNER INFORMATION (if different)		
Name: Teresa Kain & Norman Domholt		Business Name:
Address: 394 West Lake Street		
City: Excelsior	State: MN	Zip Code: 55331
Telephone: 612.715.0440	E-Mail:	
TYPE OF APPLICATION (check all that apply)		
☐ Sketch Plan	☒ Residential Review Permit	
PROJECT INFORMATION		
Street Address: 349 West Lake Street		Zoning District (R-1 or R-2): R-2
Property Identification Number(s) (PIN #s):		3411723210042
Legal Description (attach if necessary):		see attached survey
Description of Proposal (attach additional information if needed):		build new single family residence
Reason(s) to Approve Request (attach additional information if needed):		see attached
		refer to variance narrative

APPLICANT'S STATEMENT

This application should be processed in my name. I have completed all of the applicable filing requirements and, to the best of my knowledge, the documents and information I have submitted are true and correct. I agree to reimburse the City of Excelsior for the costs of professional Engineers and other Consultants hired by the City to review and inspect this proposal when the City is unable to do so with existing in house staff.

Signature: _____

Date: 31 July 26

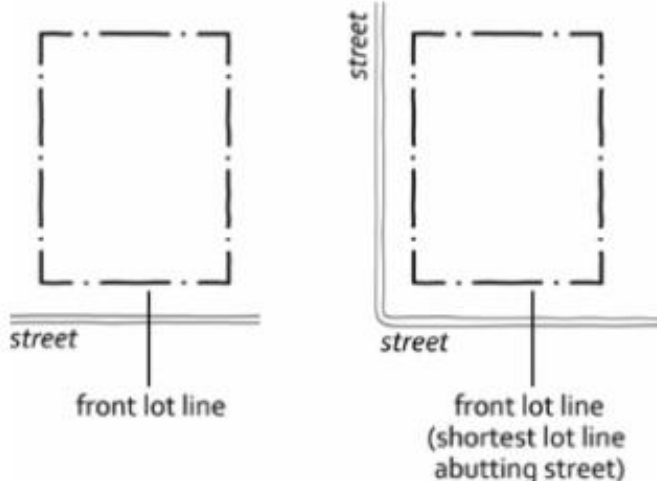
OWNER'S STATEMENT

I am the owner of the above described property and I agree to this application.

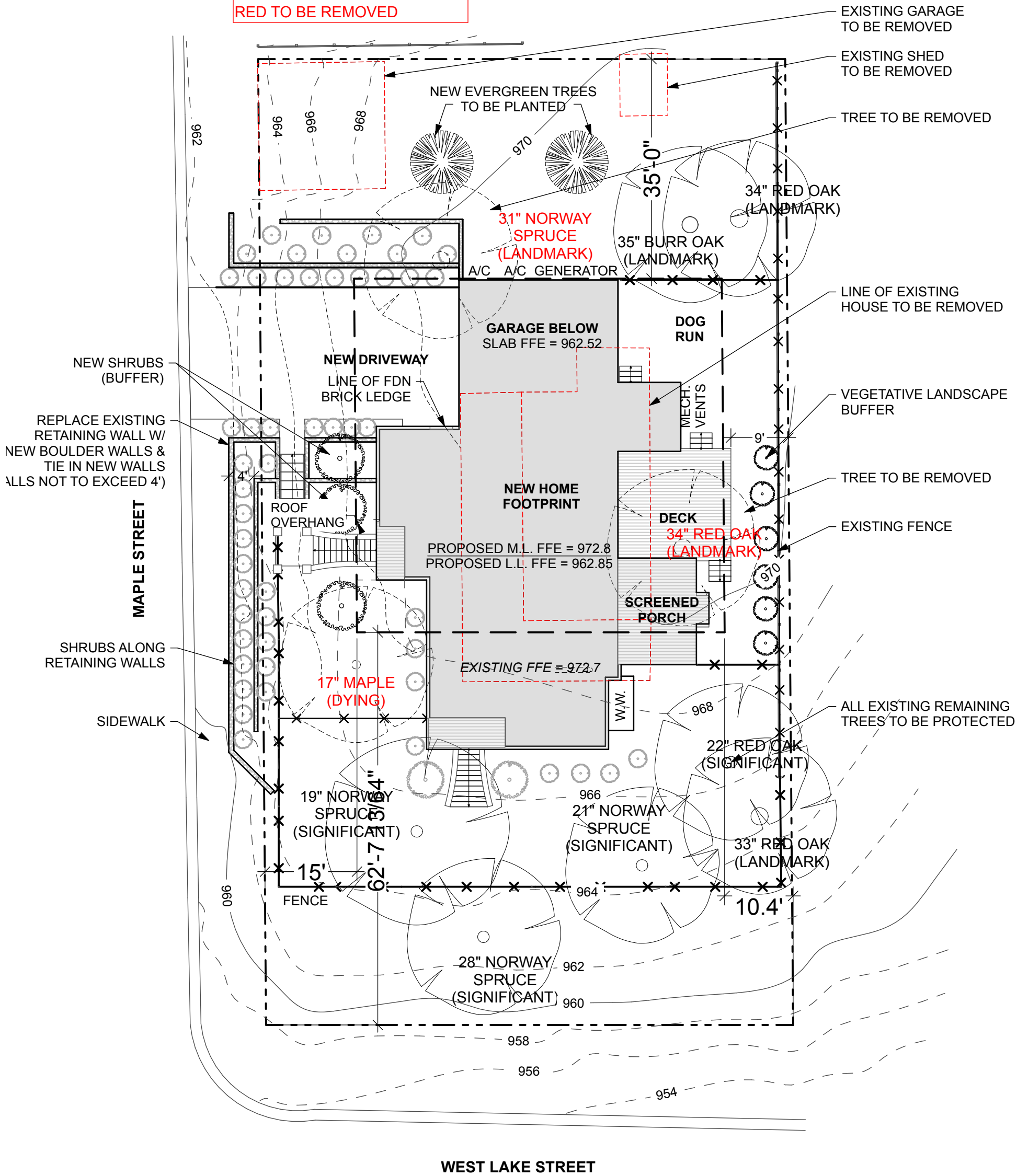
Signature: _____

Date: 7-31-26

Please see the attached checklist(s) for a list of plans and other information that must be submitted with this application and for other important information. The checklist must be submitted with the application and the required submittals.

SITE & ZONING INFORMATION				BUILDING FRONT REQUIREMENTS		TREE PRESERVATION						© 2026				
ZONING DISTRICT: R-2, SINGLE & TWO FAMILY				SEC. 2-2 DEFINITIONS LOT LINE, FRONT. A LOT LINE ABUTTING A STREET ON THOSE LOTS WHICH ABUT LAKESHORE THE FRONT LOT LINE SHALL BE THE LAKESHORE. ON A CORNER LOT, IT SHALL BE THE SHORTEST DIMENSION ON A PUBLIC STREET; IF THE DIMENSIONS ARE EQUAL, THE FRONT LOT LINE SHALL BE DESIGNATED BY THE CITY. ON A DOUBLE FRONTAGE LOT, THE FRONT LOT LINE SHALL BE THE STREET FROM WHICH THE ADDRESS IS ASSIGNED.  SEC. 41-10 DESIGN STANDARDS FOR SINGLE FAMILY AND MULTIPLE FAMILY CONTAINING UP TO FIVE UNITS (b) ENTRANCES. PRIMARY ENTRANCES ON PRINCIPAL STRUCTURES SHALL FACE THE FRONT LOT LINE AS DEFINED BY ARTICLE 2 OF THIS APPENDIX E. SECONDARY ENTRANCES MAY BE ORIENTED TO A SECONDARY STREET OR PARKING AREA. PRIMARY ENTRANCES SHALL BE CLEARLY VISIBLE AND IDENTIFIABLE FROM THE STREET, AND DELINEATED WITH ELEMENTS SUCH AS ROOF OVERHANGS, RECESSED ENTRIES, LANDSCAPING, OR SIMILAR DESIGN FEATURES. LAKESHORE PROPERTIES ARE EXEMPT FROM THIS REQUIREMENT.		TREE DESIGNATIONS*		MIN. DBH	LIMITATION ON REMOVAL				 202 Water Street, Suite 202 Excelsior, MN 55331 952.470.7416 landschute.com		COPYRIGHT NOTICE All ideas, designs, plans and specifications are the property of The Landschute Group, Inc. This copyrighted plan is an instrument of service to be used only by Landschute as it constructs the project for its client. Any other use is unauthorized and strictly prohibited (without Landschute's express written permission) and subject to copyright protection under Section 102 of the Copyright Act, 17 U.S.C., as amended December 1, 1990, known as the Architectural Works Copyright Protection Act of 1990. Protection includes but is not limited to overall form as well as the arrangement of spaces and details of the design. Under such protection, unauthorized use of these plans, or works resulting from these plans, can result in the termination and loss of such construction as well as fines up to \$100,000 per offense.	
SIGNIFICANT TREE		8"	MAY BE REMOVED IF MINIMUM TREE DENSITY IS MET OR NO REASONABLE ALTERNATIVE SITE DESIGN COULD BE APPROVED													
LANDMARK TREE		30"	MAY NOT BE REMOVED UNLESS DEEMED HAZARDOUS													
		*EXCLUDES BOX ELDERS, POPLAR, WILLOW, SILVER MAPLE, BLACK LOCUST, & MULBERRY														
PRESERVATION REQUIREMENTS																
MINIMUM TREE DENSITY						2 SIGNIFICANT TREES/5,000 S.F.										
REQUIRED NUMBER OF SIGNIFICANT/LANDMARK TREES						4 (VERIFY)										
REPLACEMENT REQUIREMENTS																
DECIDUOUS						CONIFEROUS										
SIZE OF TREE REMOVED		REQ'D NEW 4 1/2" CAL. TREES				SIZE OF TREE REMOVED		REQ'D NEW 8' TALL TREES								
DBH MIN.	DBH UP TO, NOT INCLUDING	# REQ'D TREES				HEIGHT MIN.	HEIGHT UP TO, NOT INCLUDING	# REQ'D TREES								
8"	15"	2				8'	20'	2								
15"	20"	4		20'	NO LIMIT	4										
30"	30"	6														
												Kain & Domholt Residence New Home				
PROJECT ADDRESS				349 West Lake Street Excelsior, MN 55331												
NOT FOR CONSTRUCTION																
PRINTED DATE: 8/3/26																
SHEET NAME																
Zoning Review																
A01																

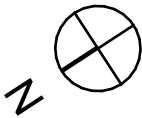
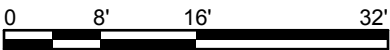
NOTE: TREES INDICATED IN RED TO BE REMOVED



1

Site Plan

SCALE: 1/16" = 1'-0"



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**Kain & Domholt
Residence**
New Home
349 West Lake Street
Excelsior, MN 55331

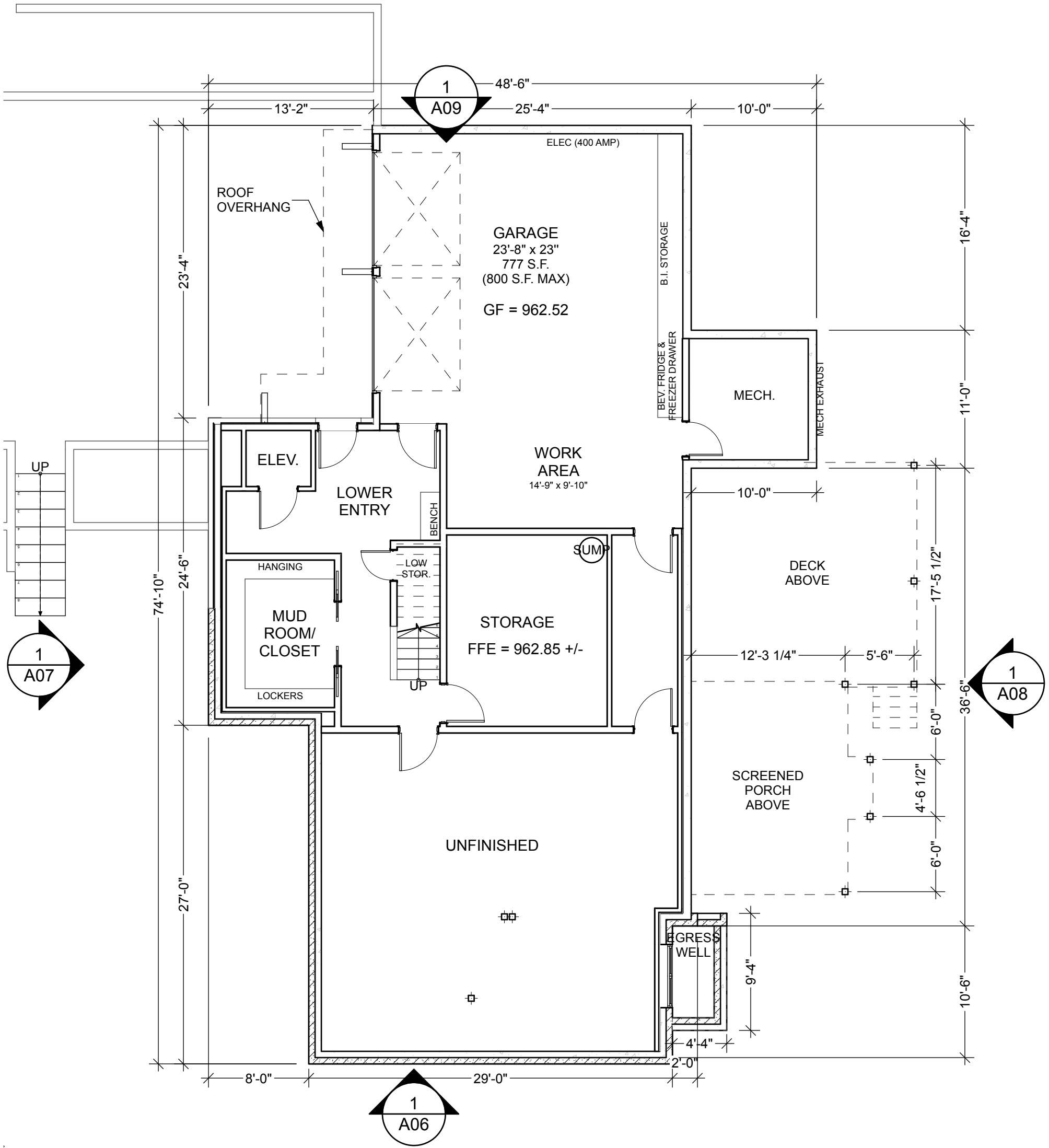
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Site Plan

A02

8/3/26

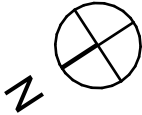
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1

Lower Level Floor Plan

SCALE: 1/8" = 1'-0"



BUILDING AREA	
FINISHED AREAS	
LOWER LEVEL	470 S.F.
MAIN LEVEL	2,309 S.F.
SECOND LEVEL	1,261 S.F.
TOTAL	4,040 S.F.
UNFINISHED AREAS	
GARAGE	777 S.F.
MECH.	239 S.F.
UNFINISHED & STOR.	1,107 S.F.



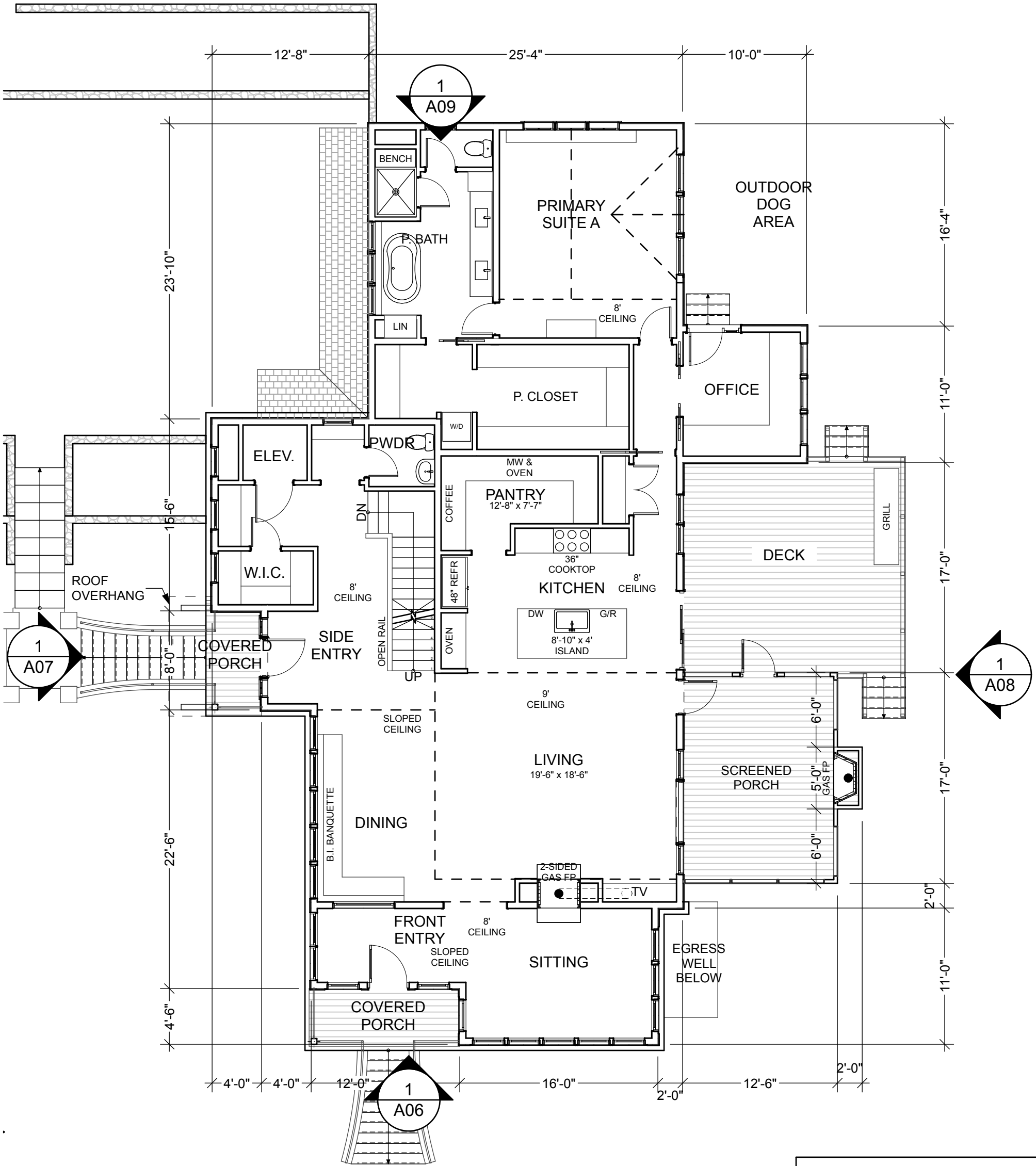
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Floor Plans
A03

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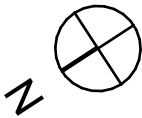
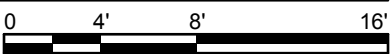


BUILDING AREA	
FINISHED AREAS	
LOWER LEVEL	470 S.F.
MAIN LEVEL	2,309 S.F.
SECOND LEVEL	1,261 S.F.
TOTAL	4,040 S.F.
UNFINISHED AREAS	
GARAGE	777 S.F.
MECH.	239 S.F.
UNFINISHED & STOR.	1,107 S.F.

1

Main Level Floor Plan

SCALE: 1/8" = 1'-0"



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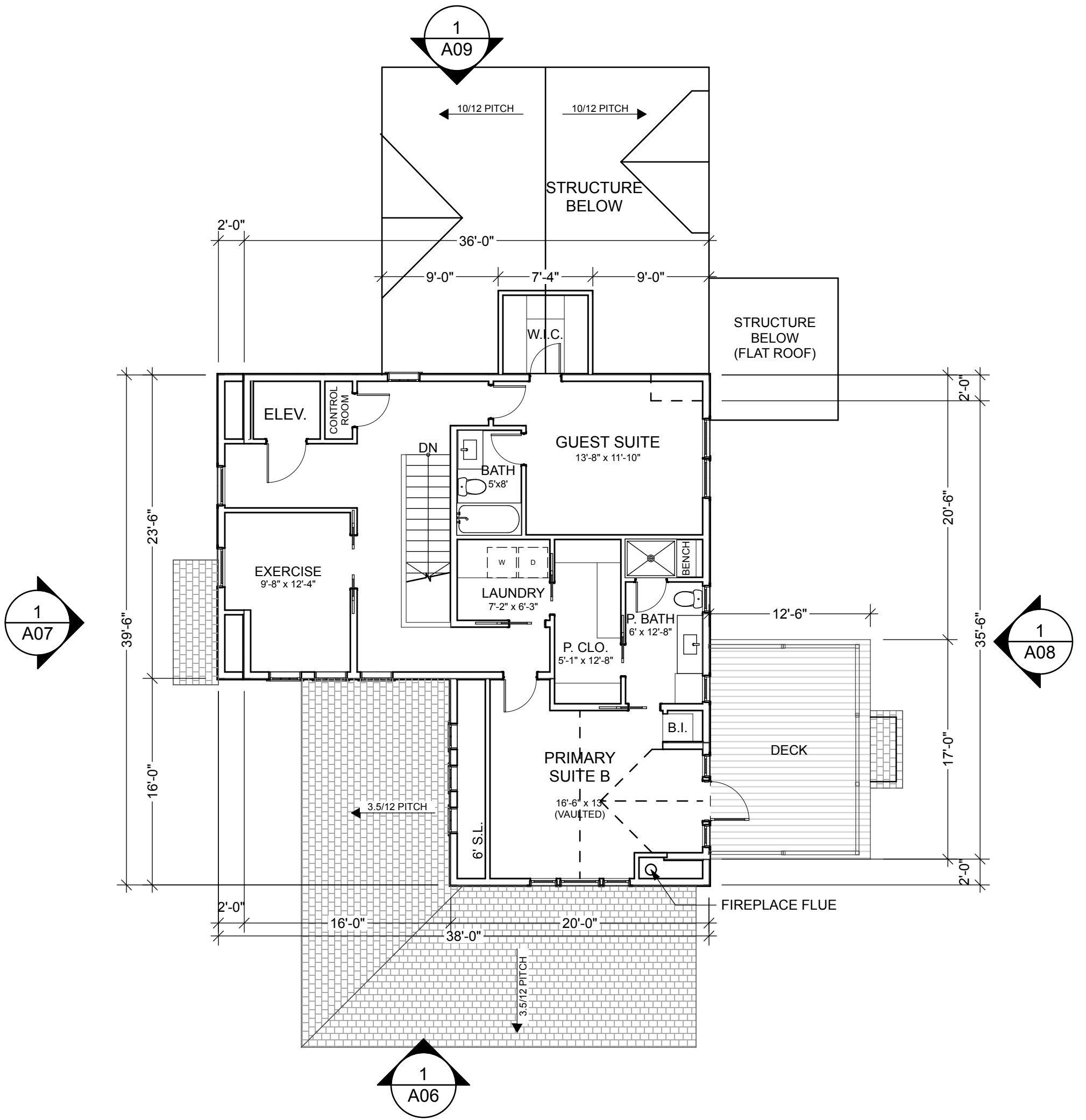
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Floor Plans
A04

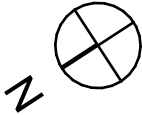
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1

Second Level Floor Plan

SCALE: 1/8" = 1'-0"



BUILDING AREA	
FINISHED AREAS	
LOWER LEVEL	470 S.F.
MAIN LEVEL	2,309 S.F.
SECOND LEVEL	1,261 S.F.
TOTAL	4,040 S.F.
UNFINISHED AREAS	
GARAGE	777 S.F.
MECH.	239 S.F.
UNFINISHED & STOR.	1,107 S.F.

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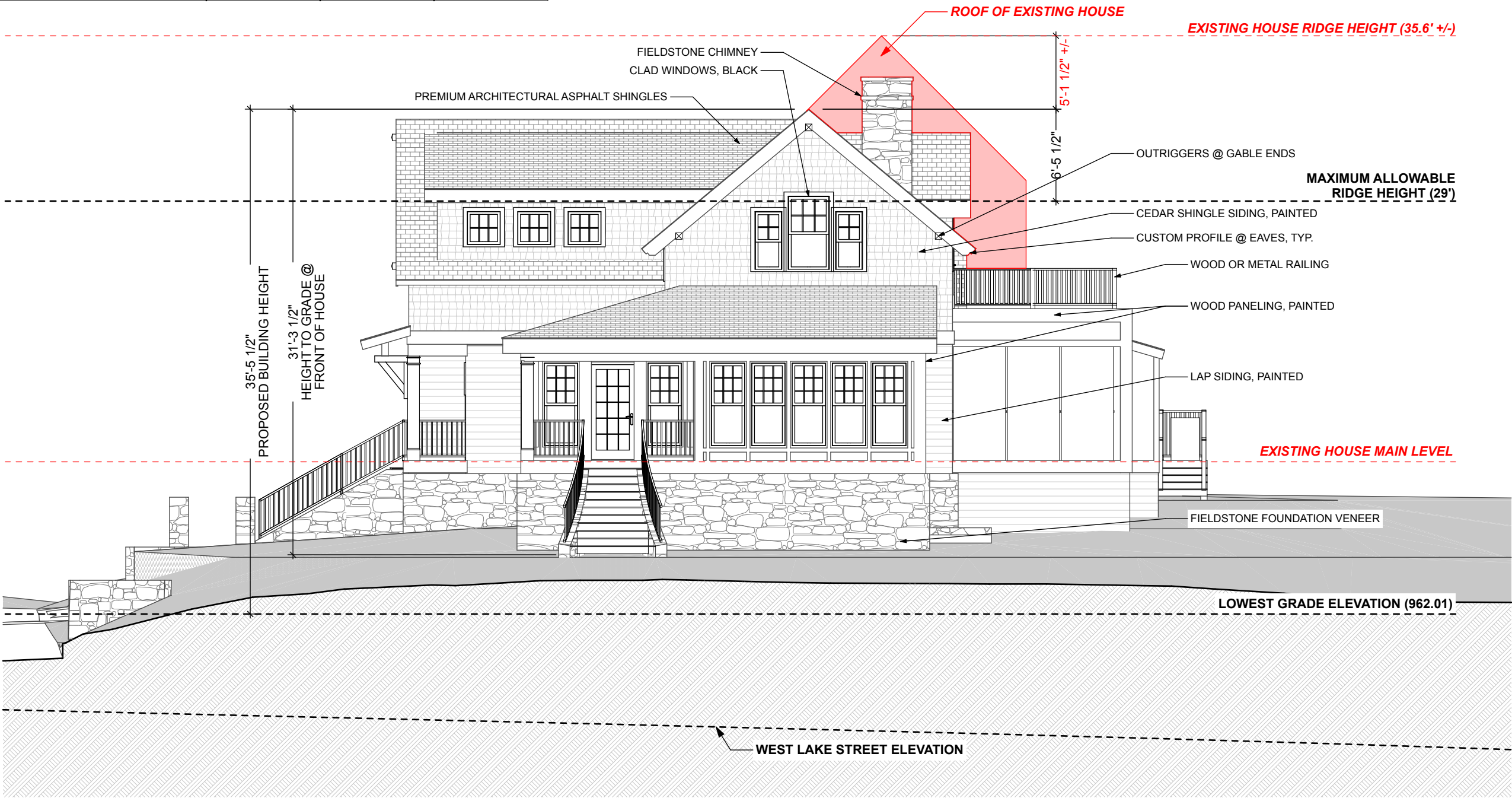
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Floor Plans
A05

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WINDOW & DOOR OPENING CALCULATION

SIDE	WINDOW & DOOR AREA (S.F.)	WALL SURFACE AREA (S.F.)	PERCENTAGE OPENINGS
FRONT (W. LAKE ST.)	179	1,009	17.7%
SIDE ROW (MAPLE ST.)	241	1,568	15.4%
REAR	110	1,046	10.5%
SIDE	391	1,373	28.5%
ADDITIONAL SURFACES	0	118	0%
TOTAL	921	5,114	18%



1 NW Elevation (West Lake Street)

SCALE: 1/8" = 1'-0"

0 4' 8' 16'



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Kain & Domholt
Residence
New Home

PROJECT ADDRESS

349 West Lake Street
Excelsior, MN 55331

NOT FOR
CONSTRUCTION

PRINTED DATE: 8/3/26

SHEET NAME

Elevations

A06



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Kain & Domholt
Residence
New Home

PROJECT ADDRESS

349 West Lake Street
Excelsior, MN 55331

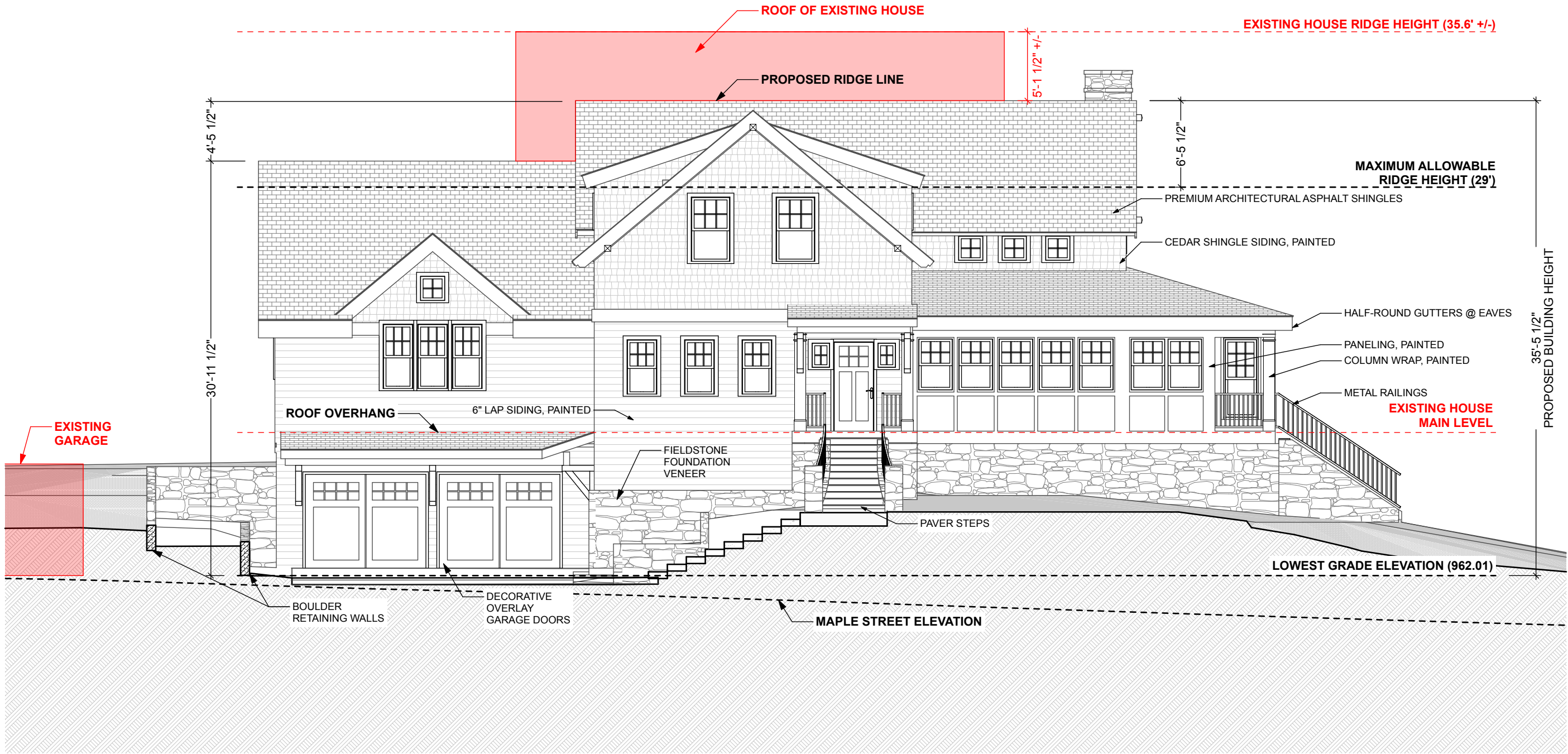
NOT FOR
CONSTRUCTION

PRINTED DATE: 8/3/26

SHEET NAME

Elevations

A07



1

NE Elevation (Maple Street)

SCALE: 1/8" = 1'-0"





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Kain & Domholt
Residence
New Home

PROJECT ADDRESS

349 West Lake Street
Excelsior, MN 55331

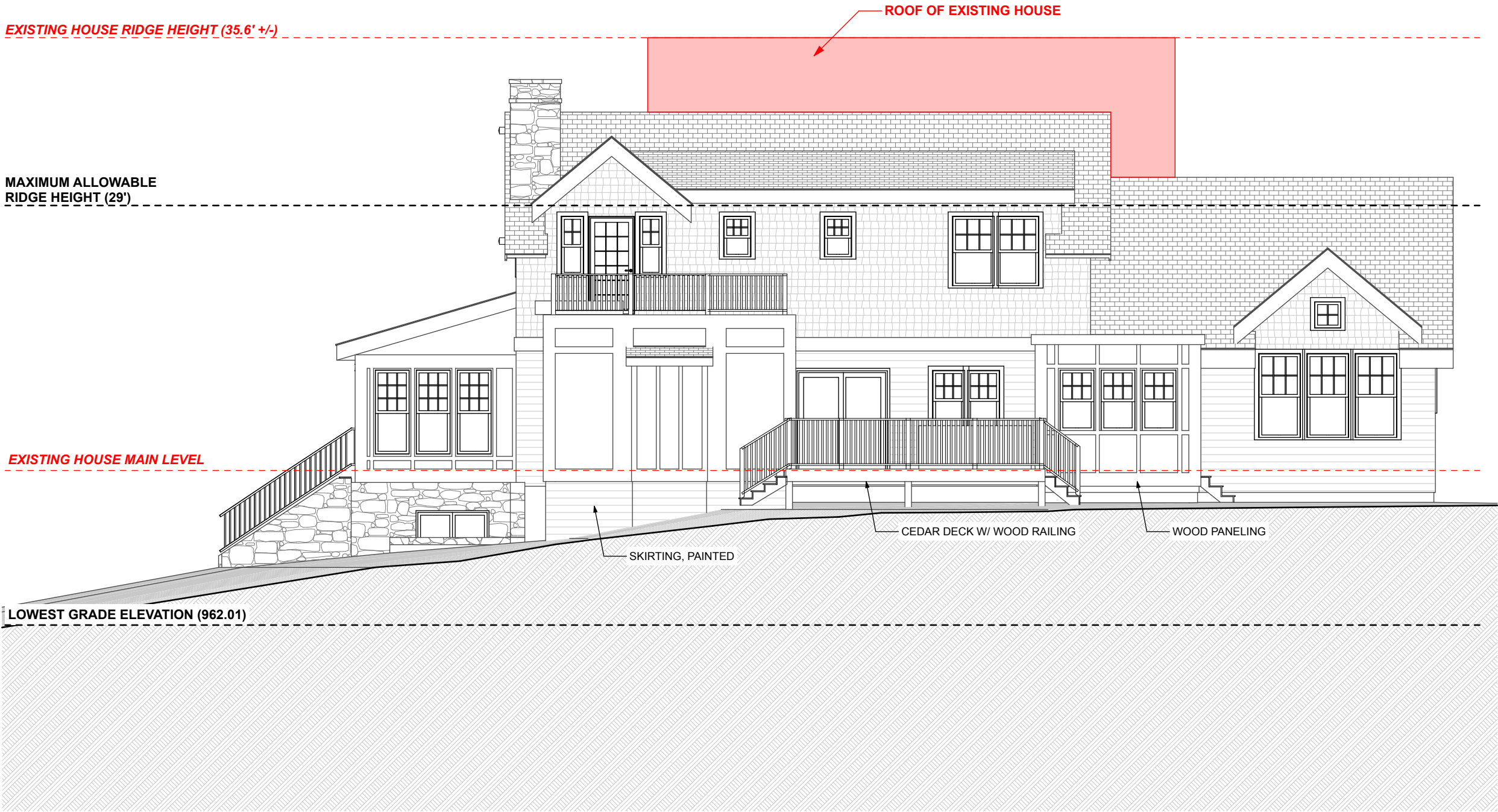
NOT FOR
CONSTRUCTION

PRINTED DATE: 8/3/26

SHEET NAME

Elevations

A08



1

SW Elevation (Side)

SCALE: 1/8" = 1'-0"





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Kain & Domholt
Residence
New Home

PROJECT ADDRESS

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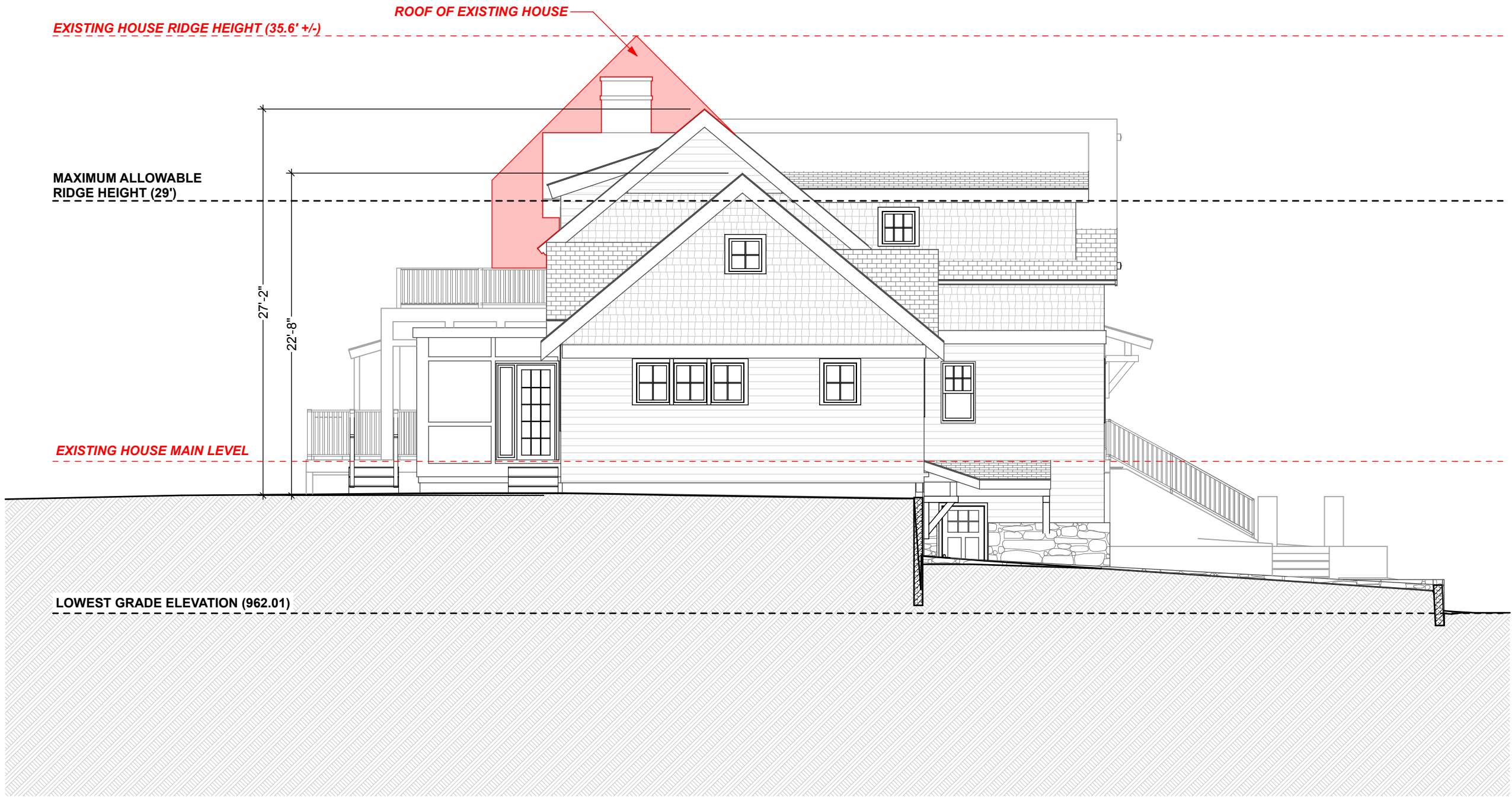
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PRINTED DATE: 8/3/26

SHEET NAME

Elevations

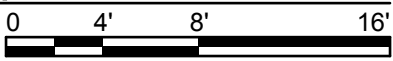
A09



1

SE Elevation (Rear)

SCALE: 1/8" = 1'-0"





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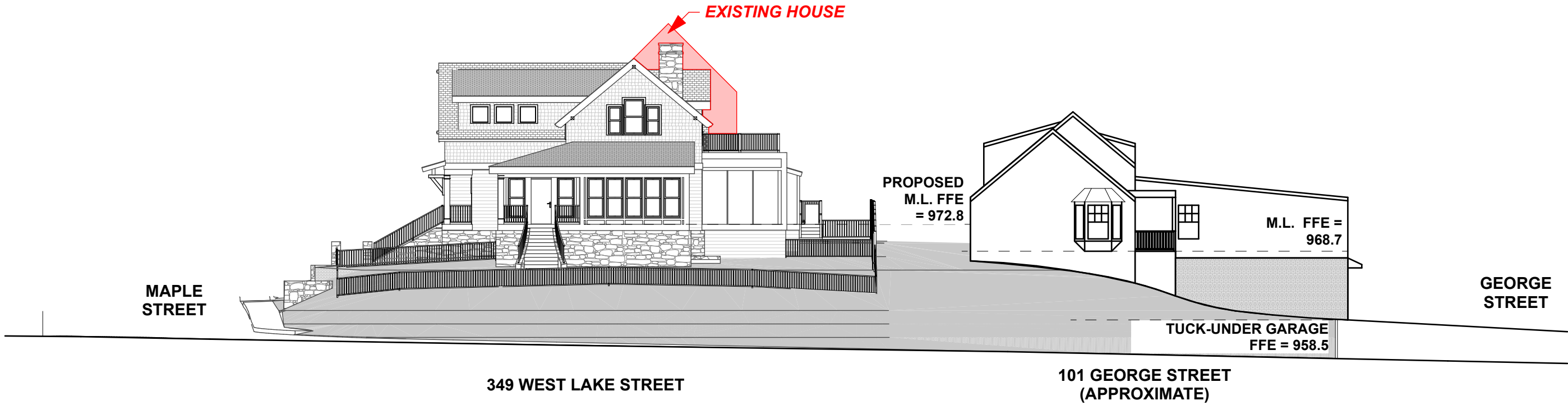
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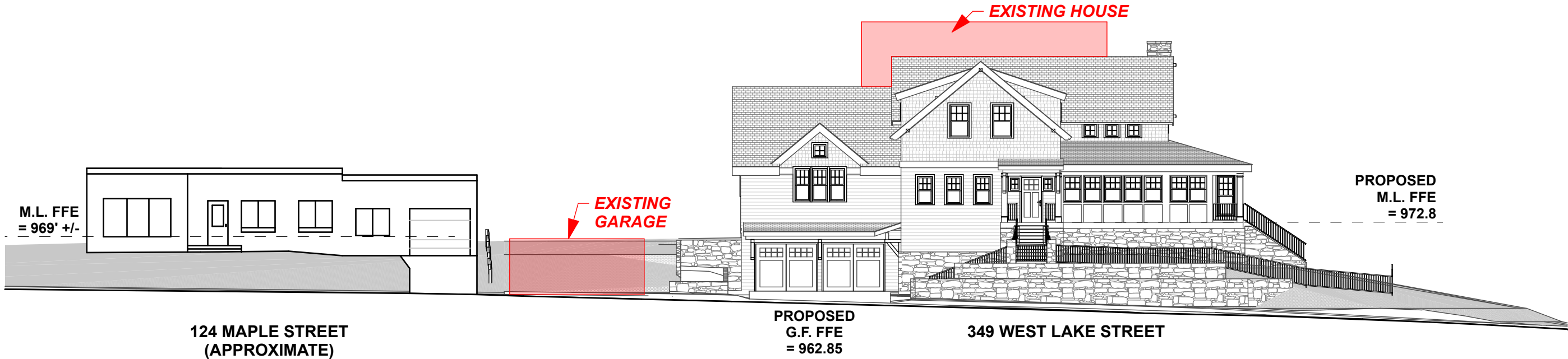
SHEET NAME

Neighbor
Elevations

A10



1 Neighbor Elevation - 101 George Street



2 Neighbor Elevation - 124 Maple Street



1 Location Map - 101 George Street



2 West Lake Street Perspective (Front)



3 George Street Perspective (Side)

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1 Location Map - Maple Street Block



3 140 Maple Street



2 124 Maple Street



4 152 Maple Street

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SHEET NAME
Surrounding Homes
A12



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SHEET NAME

Existing House
Historic Photo

A13



1

Existing House - Historic Photo (c. 1950s)



1

Existing House - Historic Photos (c. 1950s)



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SHEET NAME

Existing House
Historic Photo

A14



1

Existing House - Maple Street Perspective



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SHEET NAME

Existing Image -
1

A15



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SHEET NAME

Proposed Image
- 1

A16



1 Proposed Design - Maple Street Perspective



1

Existing House - Driveway Perspective

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2
A17



1

Proposed Design - Driveway Perspective



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Proposed Image
- 2

A18



3

Existing House - Front Perspective



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3
A19



1

Proposed Design - Front Perspective

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Proposed Image
- 3
A20

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1

Existing House - Rear Side Perspective



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Existing Image -
4

A21



1

Proposed Design - Rear Side Perspective

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New Home

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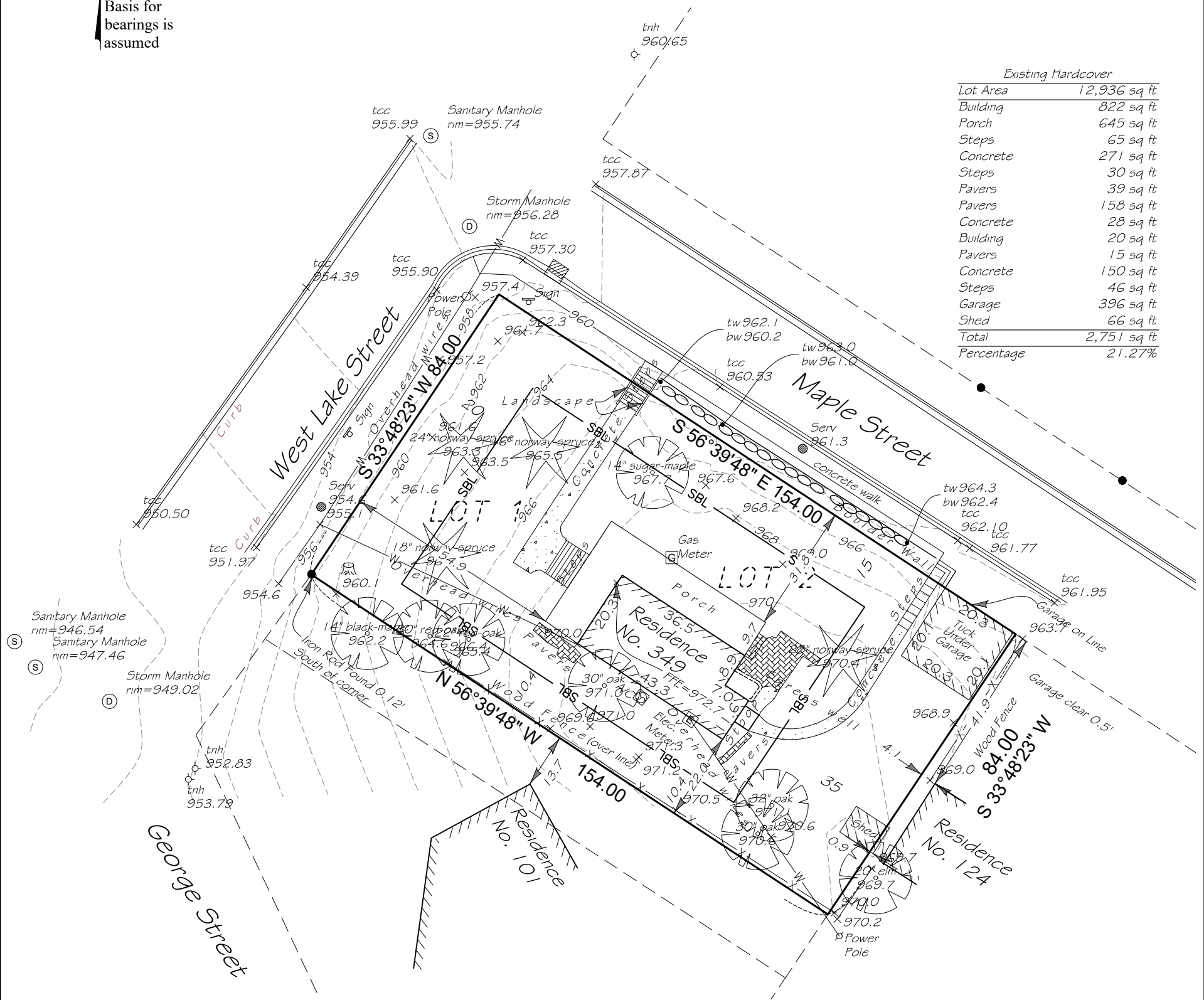
Proposed Image
- 4
A22

Surveyors Certificate
Existing Conditions Survey For:

TERESA KAIN

Property located in Section
34, Township 117, Range 23,
Hennepin County, Minnesota

Basis for
bearings is
assumed



Existing Hardcover	
Lot Area	12,936 sq ft
Building	822 sq ft
Porch	645 sq ft
Steps	65 sq ft
Concrete	271 sq ft
Steps	30 sq ft
Pavers	39 sq ft
Pavers	158 sq ft
Concrete	28 sq ft
Building	20 sq ft
Pavers	15 sq ft
Concrete	150 sq ft
Steps	46 sq ft
Garage	396 sq ft
Shed	66 sq ft
Total	2,751 sq ft
Percentage	21.27%

Property Zoned As: R-2 Single and Two Family Residential
Setbacks:
Front: 20' (See Note)
Side Interior: 10.4' (See Note)
Side Corner: 15'
Rear: 35'

Legal Description

The northeasterly 84 feet of Lots 1 and 2, Block 3, "SHELDON'S SUBDIVISIONS OF LOTS 56 TO 60 IN THE VILLAGE OF EXCELSIOR AND OF LOTS 1 TO 5 AND 24 TO 27 AND 57 IN SNELLS ADDITION TO EXCELSIOR & OF THE TRACT BETWEEN THESE LOTS AND LAKE MINNETONKA" Hennepin County, Minnesota.

- SBL — Denotes Building Setback
- Denotes Found Iron Monument
- Denotes Iron Monument
- Denotes Wood Hub Set for excavation only
- Denotes Existing Contours
- ~ Denotes Proposed Contours
- x000.0 Denotes Existing Elevation
- 000.0 Denotes Proposed Elevation
- Denotes Surface Drainage

NOTE: 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 from the front property line. In the case that 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 is greater than 30 feet, the front yard setback of the propose principal structure shall be 30 feet. Principal structures on corner lots or next to only one existing principal structure shall match the front yard setback of the adjacent home.

NOTE: For lots 70 feet wide or greater, the interior side setback is 10% of the lot width, plus an additional 2 feet

NOTE: The only easements shown are from plats of record or information provided by client.

Project No. 91412

Scale: 1" = 30'

F.B.No.

-

Drawn By

RJR

Address: 349 W Lake Street
Excelsior, MN

rev

06/12/2026 SBL/FFE

RJR

I certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota
Surveyed this 4th day of June 2026.

Signed

Gregory R. Frasch, Minn. Reg. No. 24992

DEMARC

LAND SURVEYING & ENGINEERING

7601 73rd Avenue North
Minneapolis, Minnesota 55428

(763) 560-3093
DemarcInc.com

Surveyors Certificate
Site Plan Survey For:

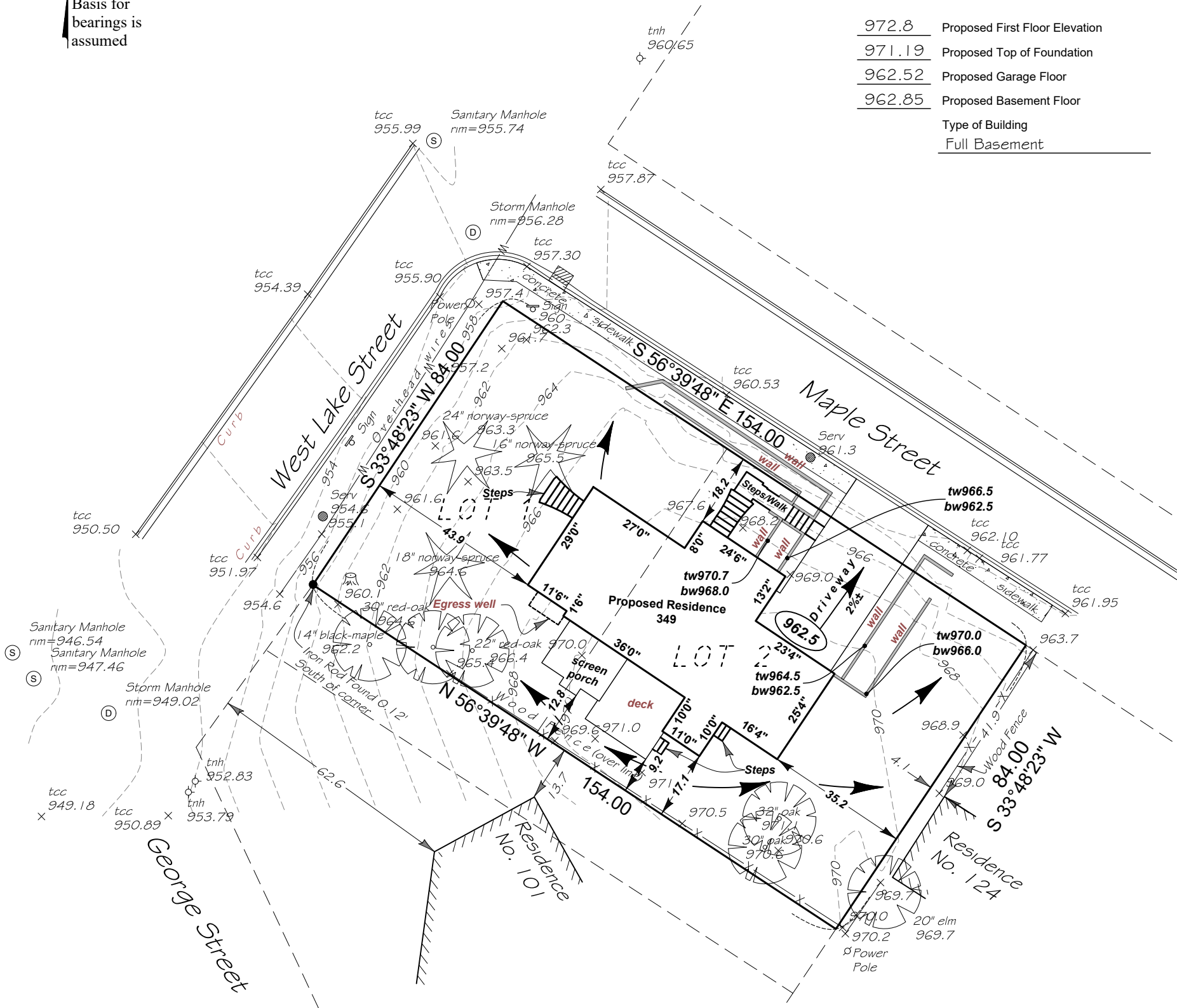
LANDSCHUTE GROUP

Property located in Section
34, Township 117, Range 23,
Hennepin County, Minnesota

- Denotes Found Iron Monument
- Denotes Iron Monument
- Denotes Wood Hub Set for excavation only
- ~ Denotes Existing Contours
- ~ Denotes Proposed Contours
- x000.0 Denotes Existing Elevation
- (000.0) Denotes Proposed Elevation
- Denotes Surface Drainage

Basis for
bearings is
assumed

972.8	Proposed First Floor Elevation
971.19	Proposed Top of Foundation
962.52	Proposed Garage Floor
962.85	Proposed Basement Floor
Type of Building	
Full Basement	



Property Zoned As: R-2 Single and Two
Family Residential
Setbacks:

Front: 20' (See Note)
Side Interior: 10.4' (See Note)
Side Corner: 15'
Rear: 35'

Legal Description

The northeasterly 84 feet of Lots 1 and 2, Block 3, "SHELDON'S SUBDIVISIONS
OF LOTS 56 TO 60 IN THE VILLAGE OF EXCELSIOR AND OF LOTS 1 TO 5
AND 24 TO 27 AND 57 IN SNELLS ADDITION TO EXCELSIOR & OF THE
TRACT BETWEEN THESE LOTS AND LAKE MINNETONKA" Hennepin
County, Minnesota.

Existing Hardcover	
Lot Area	12,936 sq ft
Building	822 sq ft
Porch	645 sq ft
Steps	65 sq ft
Concrete	271 sq ft
Steps	30 sq ft
Pavers	39 sq ft
Pavers	158 sq ft
Concrete	28 sq ft
Building	20 sq ft
Pavers	15 sq ft
Concrete	150 sq ft
Steps	46 sq ft
Garage	396 sq ft
Shed	66 sq ft
Total	2,751 sq ft
Percentage	21.27%

Proposed-Hardcover	
Lot Area	12,936 sq ft
Prop-Building	2,453 sq ft
Prop-Screen-Porch	223 sq ft
Prop-Pad(s)	19 sq ft
Prop-Steps	55 sq ft
Prop-Steps/Walk	159 sq ft
Prop-Driveway	675 sq ft
Total	3,584 sq ft
Percentage	27.71%

NOTE: 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 from the front property line. In the case that 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 is greater than 30 feet, the front yard setback of the propose principal structure shall be 30 feet. Principal structures on corner lots or next to only one existing principal structure shall match the front yard setback of the adjacent home.

NOTE: For lots 70 feet wide or greater, the interior side setback is 10% of the lot width, plus an additional 2 feet

NOTE: Proposed grades are subject to results of soil tests. Proposed building information must be checked with approved building plan and development or grading plan before excavation and construction. Proposed grades shown on this survey are interpolations of proposed contours from the drainage, grading and/or development plans.

NOTE: The relationship between proposed floor elevations to be verified by builder.

NOTE: The only easements shown are from plats of record or information provided by client.

Project No. 91412A

Scale: 1" = 30'

F.B.No. -

Drawn By *AL*

Address: 349 W Lake Street
Excelsior, MN

rev 08/03/2026 Client Comments

RPR

I certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota
Prepared this 30th day of July 2026.

Signed

Gregory R. Prasch
Gregory R. Prasch, Minn. Reg. No. 24992

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Variance Narrative

349 West Lake Street

August 3, 2026

Honorable Mayor, Council, and Commissioners,

The property at 349 West Lake Street currently contains a home that was likely built in the 1890s but is now beyond hope of repair. The existing structures are nonconforming. Firstly, the 2.5 story home exceeds the height requirement of 29 feet, as it is approximately 35.6'. In addition, the existing substandard detached garage abuts Maple Street and encroaches into the rear yard and side yard setbacks. The proposed design requires the request of two variances: the building height and the front yard setback. However, the design conforms to the ordinance in terms of building coverage, lot coverage, and other size requirements.

Designing a new home on the property has been met with practical difficulties. The property is characterized by a home sitting atop a tall hill, and while this large grade differential is a part of the historic character of the property, it is also a unique circumstance that creates a practical difficulty. The grade drops approximately 17 feet from the rear to West Lake Street and approximately 10 feet from the rear to Maple Street where the proposed garage is located. With the main level being set within a couple of inches of that of the existing home, the design of the proposed home necessitates a tuck-under garage, as the grade differential would otherwise create a steep driveway condition. The tuck-under garage requires cutting a driveway into the existing sloped grade for access and thus requires that the total building height be measured from the lowest point of the driveway within seven feet of the structure. As shown in the attached elevations, the proposed building height is 35'-5 1/2", with the ridge of the roof being approximately five feet lower than the ridge of the existing home.

The design has addressed a number of ways in which the effect of the height will be mitigated. Firstly, with the removal of the existing detached garage, the proposed garage will be less imposing. The tuck-under garage is designed to be recessed farther than what the ordinance requires, there is an overhang above the garage doors creating a visual buffer, the street-facing foundation walls are detailed to be fieldstone (which draws inspiration from the existing home), boulder retaining walls terrace up the grade rather than being tall, seven or eight-foot walls, and there will be several vegetative buffers along the walls and around the perimeter of the home. At the front of the house, the design takes inspiration from the existing house and creates the look of a wrap-around porch, allowing the second story to be recessed from the front and side planes of the house and the height to be mitigated. Toward the rear of the lot, the ridge line steps down at the portion of the home above the tuck-under garage where the grade is lower at the driveway. The ridge line is also oriented so that eaves of the main roof face the driveway and the slope of the roof recedes back, minimizing the impact of the height of the roof.

In addition to the height, another unique circumstance that creates a practical difficulty is the presence of nine large trees, five of which are classified as “landmark,” and four of which are classified as “significant.” The proposed design attempts to impact the least amount of trees possible with the goal of retaining the character of the property. The owners also intend to plant additional trees on the rear of the property and will work with an arborist to protect the remaining seven of the nine trees.

A variance for the front yard setback is also being requested. While the property is primarily accessed from the Maple Street side (as it has been historically), the front lot line is considered to be the West Lake Street property line. The ordinance requires a setback of 62.6’, because that is the setback of the neighboring home of 101 George Street to West Lake Street. However, being that the George Street side of the home is functionally the front of the neighbor’s home and not the West Lake Street side, which is set up high on a hill, this is a circumstance unique to the subject property and creates a practical difficulty when it comes to designing the new home. The existing home also does not meet this setback requirement. The existence of the 62.6’ front yard setback is arguably not in keeping with the intent of the ordinance, which aims to promote that new homes follow the prevailing pattern of the neighborhood. In this case, there is no prevailing pattern to be noted due to the unique location and topography of the property.

In considering alternatives, if the front wall plane was held back to be compliant with the 62.6-foot setback, the resulting design would require the garage to be closer to the street, the home to be closer to the 101 George Street property, and the overall form would be less in keeping with the character of the property that the design aims to preserve. In terms of the height, no alternative has become evident that would not require a height variance. As noted previously, even the existing home would require a height variance. If the existing home were to be preserved or rebuilt, it would not be possible to provide a conforming attached garage and driveway.

The proposed design, while being different from the existing home, attempts to provide a reasonable home with an attached garage while preserving the character of the property/locality and its context in terms of building location, architectural style, and preservation of seven of the nine large trees on the property. The existence of the sloping grade and the neighboring home location which determines the setback are unique aspects of the property not created by the property owner. The design is consistent with the Comprehensive Plan in that it is architecturally compatible with the neighborhood, retains much of the existing character of the property, and attempts to bring as much into conformance as possible, allowing for the continued use as a single-family home.

We believe that this is a reasonable request, and we thank you for your consideration.



Outlook

Re: 349 W. Lake St

From Jeff Thomas <[redacted]@excelsiormn.org>

Date Tue 8/18/2026 8:52 PM

To Jess Long <jlong@excelsiormn.org>

You don't often get email from daqtrio@gmail.com. [Learn why this is important](#)

Hi Jess,

Thank you for providing the plans for 349 W Lake St. My wife and I are very pleased with the proposed home to be built on this property. The scale of the house is very sensitive to the lot and neighborhood. We feel the variance should be granted for the height since the new home will be lower than the existing house. The tuck-under garage makes the most sense for this lot. We are more than grateful that the existing garage will be removed. We also feel the house sits far enough back on W Lake St. and the variance should be granted for that set back.

The new property owners have already shown their sensitivity to not over- building on a lot with their existing home on W. Lafayette. Landshute has also done great work around the city providing character and right-sized homes befitting of our great community. We are thankful to have people wanting to invest in making our great neighborhood even better.

Best regards, Jeff

Jeff and Tricia Thomas
140 Maple St



1. Prevailing neighborhood streetfront

setback: (Guidelines #3 and #7) W. Lake Maple

Prevailing setback on block (est.) 62.4'

Average setback on block (est.) 58.75'

Proposed new house setback 43.9'

Varies

44.7'

design character of the main house?

(Guideline #2)

New structure is compatible w/ the character of the neighborhood and existing house

2. Is the pattern of homes on in your neighborhood 1, 1 1/2, or 2 stories high?

(Guidelines #1 and #7)

Stories	1	1-1/2	2
House on right	☐	☒	☐
House on left (<u>Maple St.</u>)	☒	☐	☐
House to rear <u>Maple St</u>	☒	☐	☐
Prevailing on block	☐	☐	☒ <u>Varies</u>
Proposed new house	☐	☒	☐

6. If the proposed addition or structure location, setbacks, size or general design character does not fit prevailing neighborhood patterns, how do you propose to reduce its impact on the neighborhood and streetscape?

Vegetative buffers, architectural details on the home, and other features minimize the impact of the height. New trees will also be planted per the site plan.

3. Prevailing front porch pattern in your neighborhood: (Guidelines #1 and #5)

	Front Porch	None
House on right	☒	☐ <u>Faces George St.</u>
House on left <u>N/A</u>	☐	☐
House to rear	☐	☒
Prevailing on block	☒	☐
Proposed new house	☒	☐

7. Does the proposed addition or structure work with natural slopes and contours of the property? (Guideline #4)

- ☐ Structure sited parallel to slope
- ☐ Building designed to reduce cut and fill (minimize retaining walls)
- ☒ Landscaping incorporated into grading changes

Notes: New retaining walls will step back + contain vegetation to reduce impact, existing main level is at the same level and orientation as proposed home

4. Prevailing garage location pattern in your neighborhood: (Guidelines #1 and #2)

	1 stall garage	2 stall garage	3 stall garage
House on right	☐	☒	☐ <u>Tuck under</u>
House on left <u>N/A</u>	☐	☐	☐
House to rear	☒	☐	☐
Prevailing on block	☐	☒	☐ <u>Varies</u>
Proposed new house	☐	☒	☐

8. Will the proposed addition or structure significantly affect your neighbor's access to sunlight in adjacent yards, patios or rooms? (Guideline #7)

House to right: no

House to left: N/A

House to rear: no

Notes: new ridge height is lower than existing house, separation allows for daylight, house is north of adjacent properties

5. Is the proposed addition or structure compatible in form and detail with the

9. How will you mitigate any negative sunlight impacts on neighbors? (Guideline #7)

☒ Locate structure on lot to minimize impact

☐ Adjust building height, or portions of building, to minimize impact

☐ Other: _____

10. Will the proposed addition or structure significantly affect your neighbor's privacy? (Guideline #7)

☒ House to right: no, and additional vegetative buffer will be provided

☐ House to left: N/A

☐ House to rear: no -

11. How will you mitigate impacts on neighbors' privacy? (Guideline #7)

☐ Offset/locate windows to reduce impact

☐ Decks, balconies, and pools, as applicable, positioned away from windows of neighboring properties

☒ Use landscaping elements for screening

☐ Other: _____

12. How is the structure detailed as four-sided architecture?

☒ Solid to void ratio is related, and there is consistent detailing on all sides to those of neighboring structures.

☒ Openings are arranged to reflect traditional alignment of openings in

neighboring structures to avoid unbalanced solid wall expanses.

13. Have you spoken to your neighbors about the proposed addition or structure?

☒ Yes

☐ No



MEMORANDUM

Item 300 Water Street – Application for Variance

Re:

Date: August 24, 2026

To: Planning Commission

From: Jess Long, Planner and Julia Mullin, Community Development Director

APPLICANT/ Property Owner: Don Cheech, LLC
LOCATION: 300 Water Street
CASE NO.: PC No. 2026-09
60/120-DAY REVIEW 9/25/2026 11/24/2026
DEADLINE:

BACKGROUND

The applicant, Don Cheech, LLC, has submitted a Variance application for the construction of a new building at 300 Water Street in the downtown historic district. The parcel is 9,681 sq ft and is zoned Downtown Commercial (DC). The building is proposed to have a restaurant on the main level and either event space or office on the second level. The Heritage Preservation Commission (HPC) is reviewing a Site Alteration Permit application for the project and reviewing the building's architectural details and materials for compatibility with the Preservation Design Guidelines for new construction in the downtown historic district.

DETAILS/ANALYSIS

Standard	Required – DC District	Existing	Proposed
Minimum Lot Area	NA	9,681 sq ft	9,681 sq ft
Minimum Lot Width	NA	58.34'	53.34'
Front Yard Setback/Frontage	NA	38'	61'
Side Yard Setback	NA	1'/10.6'	0'
Rear Yard Setback	12'	90'	89'
Building Height	2 stories not to exceed 28 '	1 story	2 stories, 30'
Maximum Lot Coverage	100%	Approx. 100%	100%

Parking

The proposed survey identifies 14 parking stalls on the parcel. At preliminary review of the parking requirement for a restaurant with liquor and an office or event space, the required number of stalls is not met. The applicant may need a Conditional Use Permit for a Parking Impact Fee in order to satisfy the parking requirement. Before the building permit is issued for this project, the parking requirement must be satisfied.

Public Hearing

As required by City Ordinance *Appendix E, Section 6-6 – Procedures Variances*, the Planning Commission shall conduct a duly noticed public hearing on the Variance application at their regularly scheduled meeting on Monday, August 24, 2026.

Variance Review Criteria

The Excelsior Zoning Code, per MN Statute, requires that a variance request be evaluated according to the following criteria:

1. Is the property owner proposing to use the property in a reasonable manner not permitted by the ordinance?

The applicant proposes to construct a 2-story commercial building in the downtown historic district. The design proposes 12' ceilings on the first level and 10' ceilings on the second level. This is a reasonable use of the property.

2. Is the plight of the property owner due to circumstances unique to the property that have not been created by the landowner?

There is a 3' change in elevation on the parcel, from 950' at the front of the parcel on Water Street to 953' at the rear of the parcel. The elevation of the grade at the front of the building is 950' and at the rear of the building is 952'. At the back of the building, from grade, the height will measure 28' and at the front it will measure 30'. The proposed ceiling heights are reasonable, the space between ceiling and floor which holds framing and utilities is a reasonable height, and the parapet is designed at an appropriate scale.

3. Will the variance, if granted, alter the essential character of the area?

Conceptual plans for the proposed structure were reviewed and approved by the HPC in March. The architectural plans are before the HPC on August 25th for approval. The building as proposed is compatible with other buildings in the downtown historic district, and the 2-story 30' height will not alter the essential character of the area.

4. If a variance is granted, will the outcome be (a) in harmony with the purpose and intent of the ordinance, and (b) consistent with the Comprehensive Plan.

The intent of the height standard in the downtown commercial zoning district is to ensure buildings are compatible with the historic buildings around them, and that the overall character and pedestrian orientation of the downtown is preserved. The proposed building is two stories and elevation change on the parcel results in the rear of the building being 28' in height, measured from grade, and the front of the building 30'. The intent of the ordinance is met.

RECOMMENDED PLANNING COMMISSION ACTION

The Planning Commission shall hold a public hearing for the Variance application. Staff recommends that the Commission recommend approval to the City Council with the following conditions.

RECOMMENDED CONDITIONS OF APPROVAL

If approved, Staff recommends the following conditions:

1. The applicant shall obtain all necessary City, watershed district, fire district, and other government entity permits and approvals including but not limited to building permits, grading and erosion control plans, etc.
2. The HPC shall review and approve the Site Alteration Permit for the new building.
3. The number of required parking stalls for the two proposed uses is not met on the parcel. Prior to issuance of a building permit, the parking requirement must be satisfied.
4. The city engineer shall review the final grading and stormwater management plan.
5. The Variance application shall expire one year from the date of adoption of the resolution if not acted upon.

Attachments

1. Variance Application
2. Existing and proposed property surveys
3. Building elevations



City of Excelsior
350 Highway 7, Ste 230 • Excelsior, MN 55331
(952) 653-3674

Land Use Review Application

APPLICANT INFORMATION

Name: Don Cheech LLC Business Name: _____
Address: 300 Water St
City: Excelsior State: MN Zip Code: 55331
Telephone: 612-751-3804 E-Mail: Kirk@Kmlus.com

OWNER INFORMATION (if different)

Name: Don Cheech LLC Business Name: _____
Address: 319 BURLY AVE S # 303
City: Wayzata State: MN Zip Code: 55391
Telephone: _____ E-Mail: Kirk@Kmlus.com

TYPE OF APPLICATION (check all that apply)

- | | | |
|---|---|--|
| ☐ Comprehensive Plan Amend | ☐ Design Standards | ☐ Subdivision |
| ☐ Rezoning | ☐ Sketch Plan Review | ☐ Admin Subdivision |
| ☐ PUD - Concept Plan | ☐ Conditional Use Permit/IUP | ☐ Preliminary Plat |
| ☐ PUD - General Plan | ☒ Variance | ☐ Final Plat |
| ☐ PUD - Final Plan | ☐ Appeal of Zoning Decision | ☐ Other _____ |

PROJECT INFORMATION

Street Address: 300 Water St. Zoning District: _____
Property Identification Number(s) (PIN #s): _____

Legal Description (attach if necessary): _____

Description of Proposal (attach additional information if needed): _____

Reason(s) to Approve Request (attach additional information if needed):

Do to the grade, and to accommodate mechanicals need 30'

APPLICANT'S STATEMENT

This application should be processed in my name. I have completed all of the applicable filing requirements and, to the best of my knowledge, the documents and information I have submitted are true and correct. I agree to reimburse the City of Excelsior for the costs of professional Engineers and other Consultants hired by the City to review and inspect this proposal when the City is unable to do so with existing in house staff.

Signature: _____

Date: 5-20-2026

OWNER'S STATEMENT

I am the owner of the above described property and I agree to this application.

Signature: _____

Date: 5-20-2026

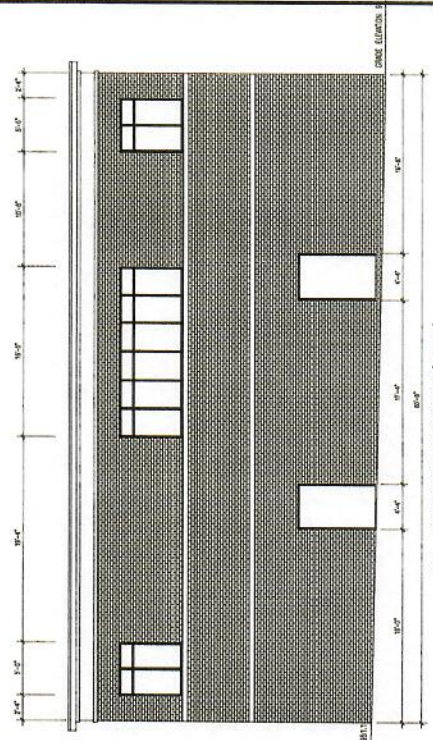
Please see the attached checklist(s) for a list of plans and other information that must be submitted with this application and for other important information. The checklist must be submitted with the application and the required submittals.

Stanley's Lake Place
300 Water Street
Excelsior, MN 55331
Jon: 952 210-8877

Paul D. Journech-Architect
328 South 3rd St., Duluth, MN 55808
(763) 972-3022
Design & Development

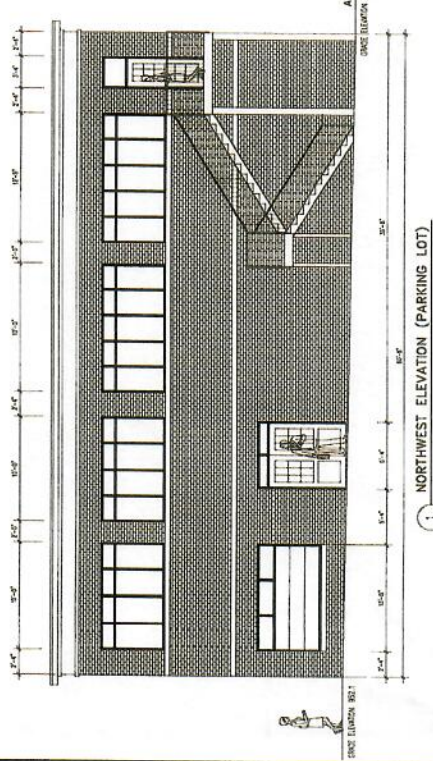
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.
Name: Paul D. Journech
Registration No. 21235
Date:

No.	Revision/Issue	Date
1		
2		
3		
4	Final/As-Built	4/1/20

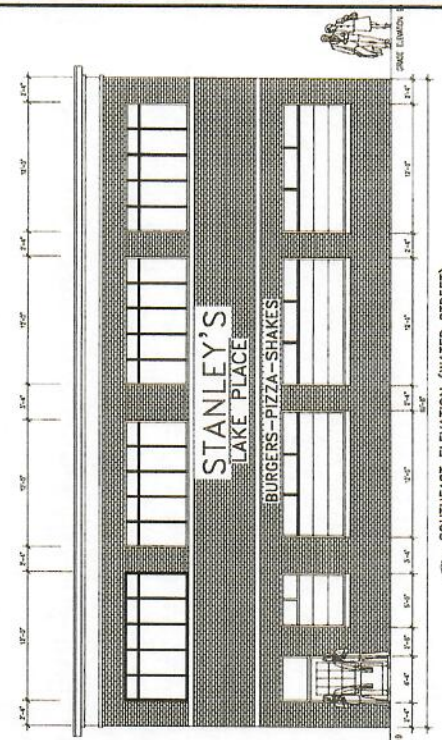


1. SOUTHWEST ELEVATION (ALLEY)

- TOP ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- SECOND ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- THIRD ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- FOURTH ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- FIFTH ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- SIXTH ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- SEVENTH ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- EIGHTH ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- NINTH ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- TENTH ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- ELEVENTH ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- Twelfth ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- THIRTEENTH ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- FOURTEENTH ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- FIFTEENTH ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- SIXTEENTH ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- SEVENTEENTH ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
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- Twentieth ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- Twenty-first ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- Twenty-second ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- Twenty-third ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- Twenty-fourth ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- Twenty-fifth ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- Twenty-sixth ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- Twenty-seventh ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
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- THIRTIETH ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"

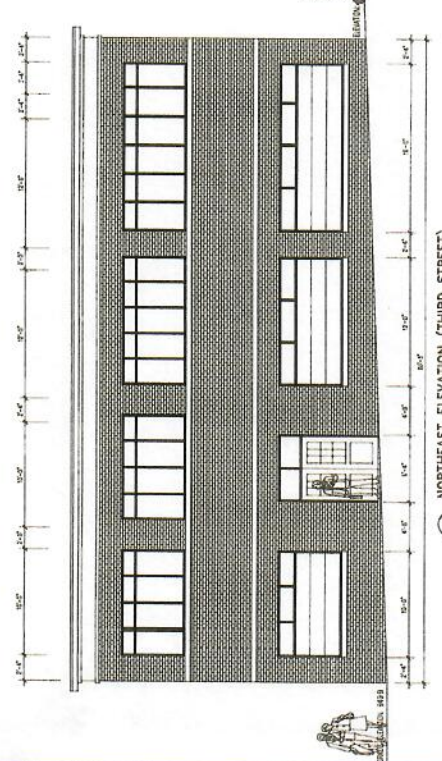


1. NORTHWEST ELEVATION (PARKING LOT)



1. SOUTHEAST ELEVATION (WATER STREET)

- TOP ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- SECOND ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- THIRD ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- FOURTH ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- FIFTH ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
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- TENTH ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- Eleventh ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- Twelfth ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- Thirteenth ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- FOURTEENTH ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- FIFTEENTH ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- SIXTEENTH ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
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- Twenty-ninth ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"
- THIRTIETH ELEVATION: 8'-0" ELEVATION: 8'-0" ELEVATION: 8'-0"



1. NORTHEAST ELEVATION (THIRD STREET)

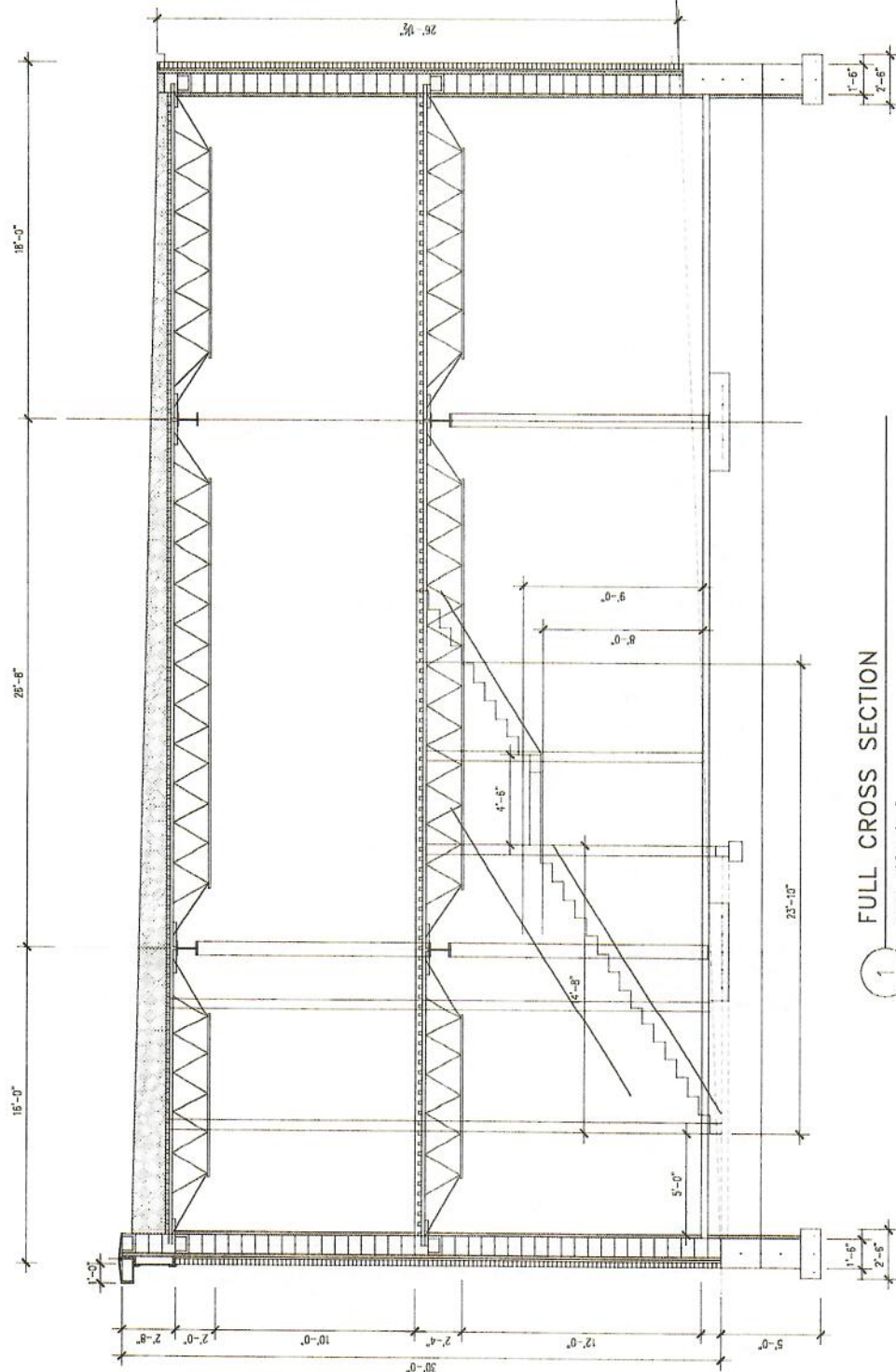
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Stanley's Lake Place
300 Water Street
Excelsior, MN 55331
Jon: 952 210-8877

Paul D. Jounch-Architect
320 South 3rd St., Duluth, Mn. 55808
(763) 972-3822
Design & Development

I hereby certify that this project—
shown, or report was prepared by me
or under my direct supervision and
that I am a duly Licensed Architect
under the laws of the State of Minnesota.
Signature: Paul D. Jounch
Registration No. 21238
Date:

No	Revision/Issue	Date
1		
2		
3		
4	Preliminary Design	4/1/28



1 FULL CROSS SECTION

SCALE: 1/4" = 1'-0"

WATER STREET

CERTIFICATE OF SURVEY
SHOWING PROPOSED BUILDING
LOCATION

LEGAL DESCRIPTION:

Lot Two Hundred Thirty-two (232) of Auditors Subdivision Number 135, Hennepin County, Minnesota, and the Southeasterly one hundred fifty (SEly 150) feet of that part of Lot Fifty (50) Excelsior, lying Northerly of the Minneapolis and St. Louis Railway Company's right of way; all of which is more particularly described as follows:

PREPARED FOR:

DON CHEECH, LLC
300 WATER STREET
EXCELSIOR, MN 55331

LEGEND:

- FOUND 1/2" IRON PIPE
- ⊗ FOUND MAG NAIL
- ⚡ POWER POLE (WITH GUY ANCHOR)
- ♣ SIGN
- ☀ LIGHT POLE
- ☑ COMMUNICATIONS PEDESTAL
- Ⓜ CATCH BASIN
- Ⓜ MANHOLE
- Ⓜ SANITARY SEWER MANHOLE
- Ⓜ COMMUNICATIONS MANHOLE

- OH — OVERHEAD UTILITY LINE
- W — WATERMAIN
- S — SANITARY SEWER LINE

- CONCRETE SURFACE
- BITUMINOUS SURFACE

NOTES:

- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE INSURANCE COMMITMENT.
- ADDRESS OF THE SUBJECT PROPERTY:
300 WATER STREET
EXCELSIOR, MN 55331
P.I.D.: 34-117-23-11-0087
- PARCEL AREA: 9,681 SQ. FT.
- BEARINGS ARE BASED ON THE HENNEPIN COUNTY COORDINATE SYSTEM.
- DATE OF FIELDWORK: 2-26-2026

SIGNED :

Travis W. Van Neste

Travis W. Van Neste, Minnesota Professional Surveyor #44109
Michigan Professional Surveyor #46695

JOB # 2026005	03-03-2026
DRAWN BY: TWVN	REV: 7-24-2026
SCALE: 1"=20 FEET	

VAN NESTE SURVEYING
PROFESSIONAL SURVEYING SERVICES

3845 40TH AVE. SOUTH, MINNEAPOLIS MN 55406
(952) 686-3055 VANNESTESURVEYING.COM

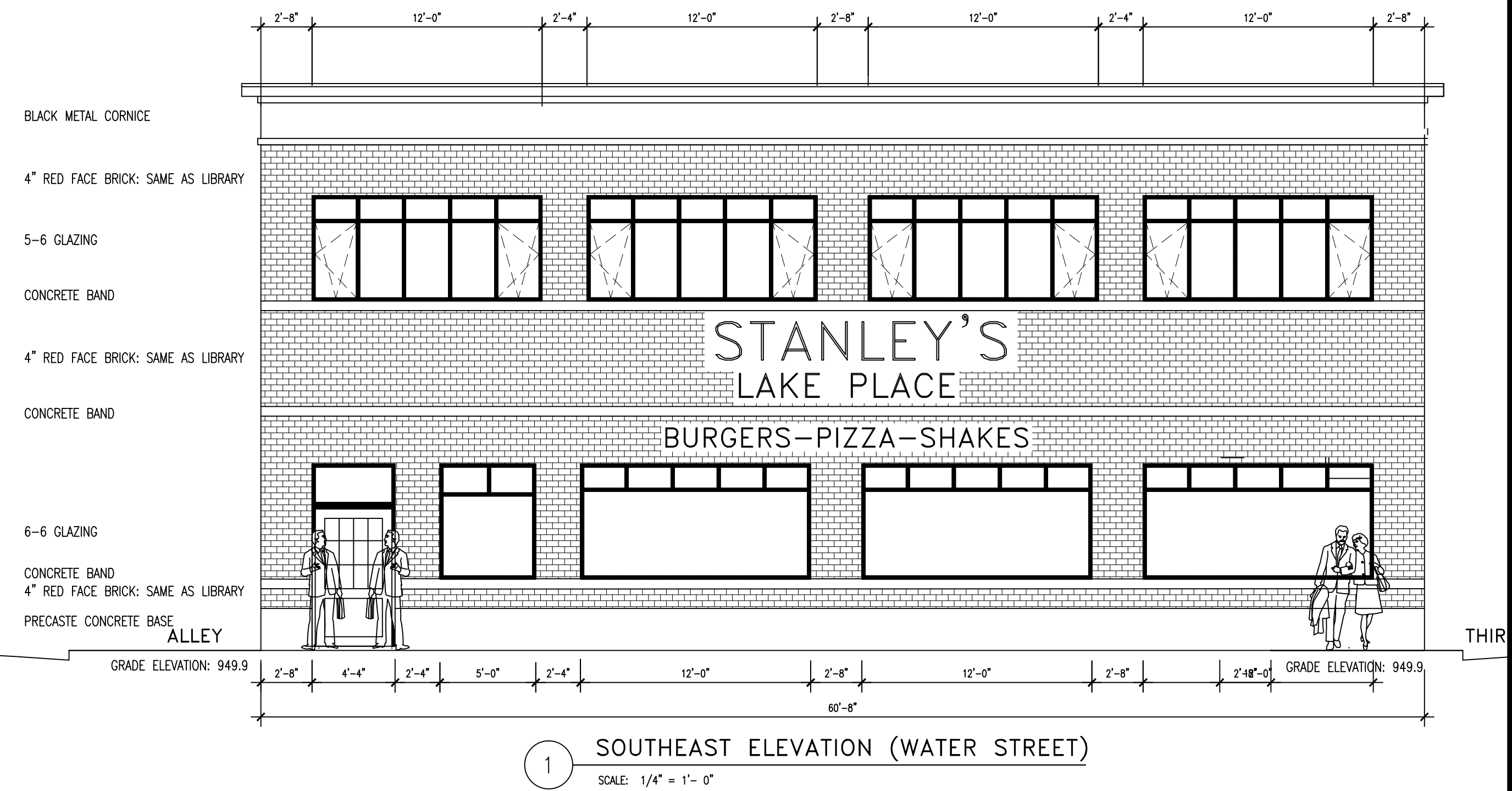
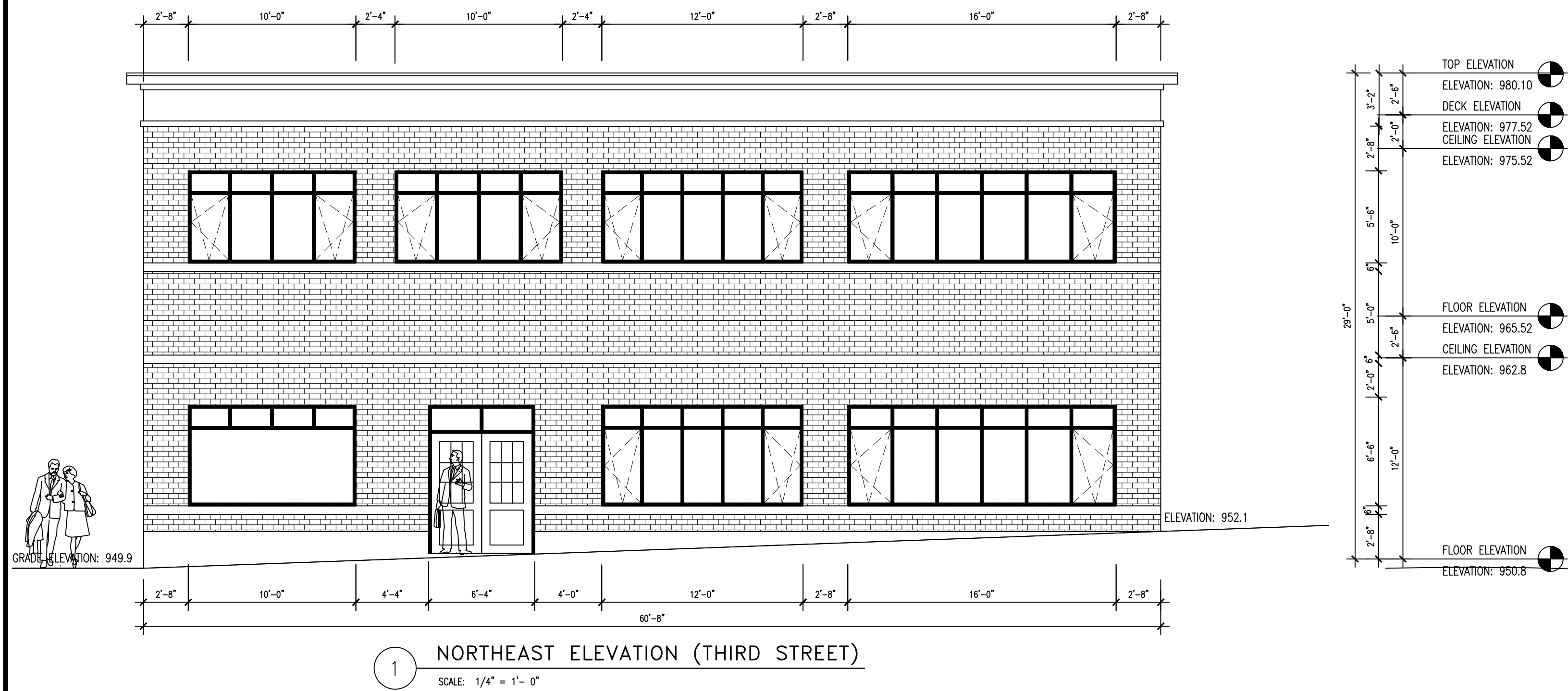
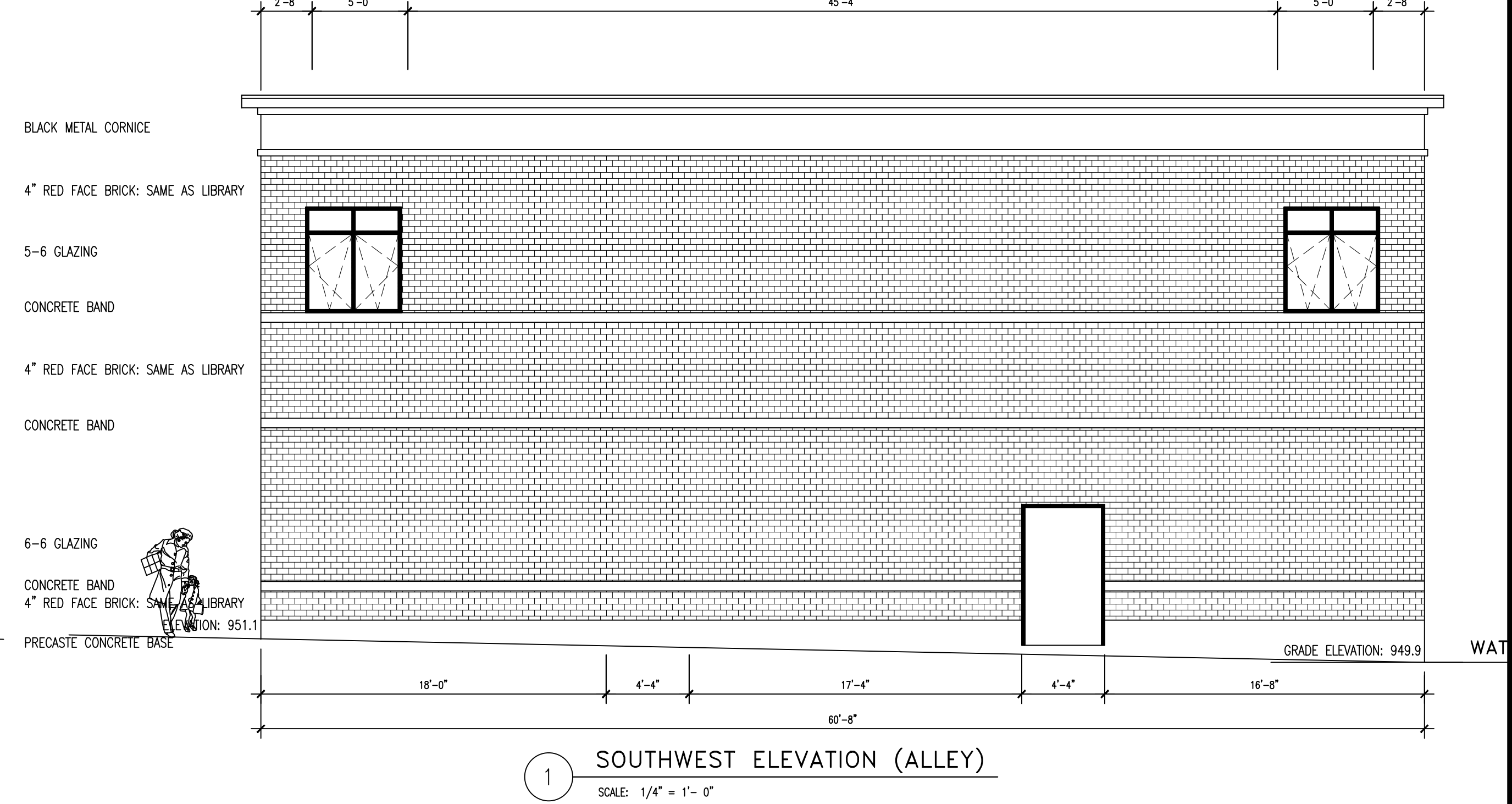
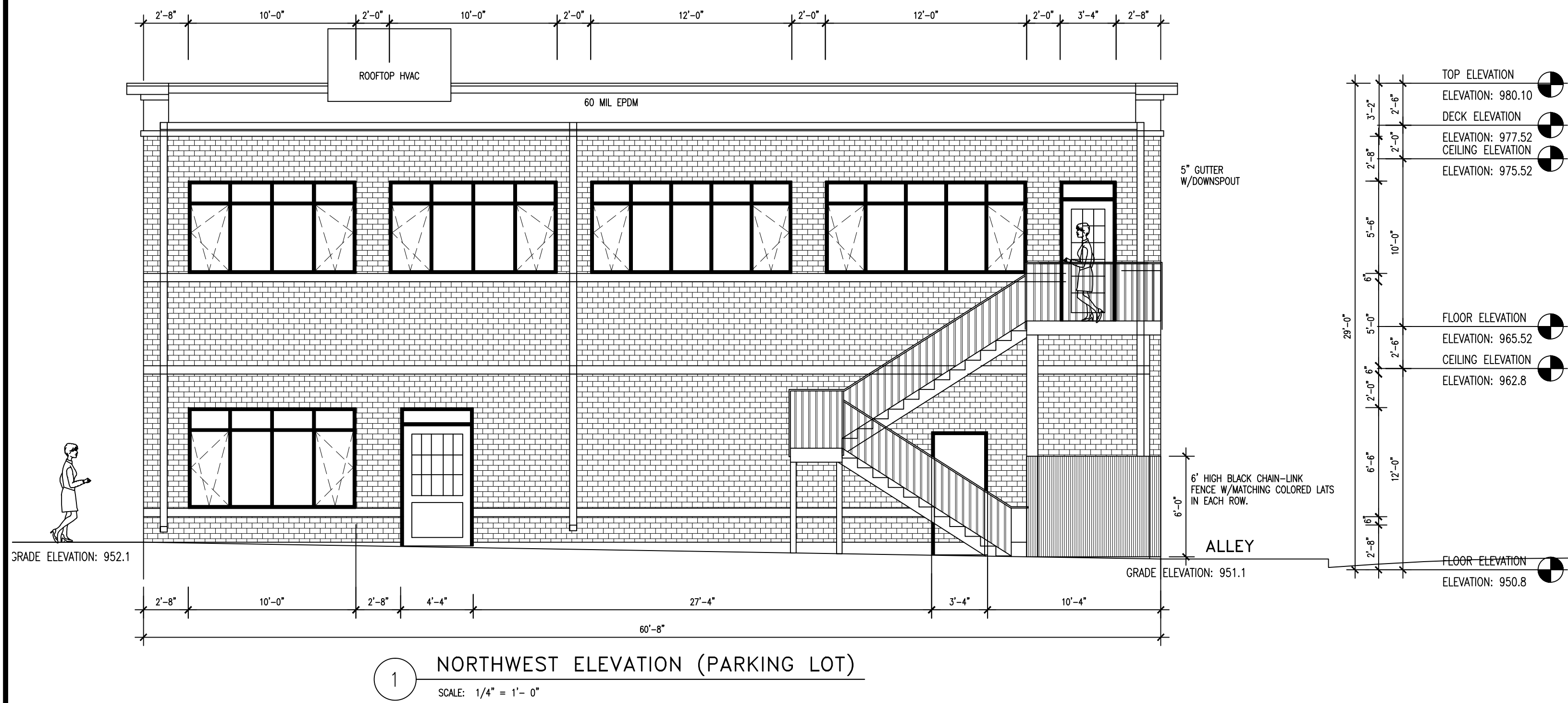


SHEET 1 OF 1

CERTIFICATION :

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the state of Minnesota.

We are requesting a variance based upon height. It is our understanding that the allowed height in our district is 28 feet, and are requesting a variance to allow 29 feet. The reasons for such variance is that we found after review with our architects and designers, the elevations of our building site considers our building 29 feet, and that defined height is the minimum needed to support the necessary mechanicals, infrastructure, and height requirements for a modern 2 story building. Thank you for your consideration of our application.



4	Preliminary Design	4/1/26	Date
3			
2			
1			
No.	Revision/Issue		

I hereby certify that this planspecification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.

Name: Paul D. Jaunich
Signature: _____
Date: _____

Registration No. 21238

Paul D. Jaunich-Architect
assistance
in
Design &
Development

328 South 3rd St., Delano, Mn. 55328
(763) 972-3822

Stanley's Lake Place
300 Water Street
Excelsior, MN 55331
Jon: 952 210-8877

Sheet
A5.2

CERTIFICATE OF SURVEY EXISTING CONDITIONS

LEGAL DESCRIPTION:

Lot Two Hundred Thirty-two (232) of Auditors Subdivision Number 135, Hennepin County, Minnesota, and the Southeastly one hundred fifty (SE 1/4 150) feet of that part of Lot Fifty (50) Excelsior, lying Northerly of the Minneapolis and St. Louis Railway Company's right of way; all of which is more particularly described as follows:

Commencing at the Northeast corner of said Lot Fifty (50), thence running Westerly along the Southerly line of Third Street one hundred fifty (150) feet, thence running Southerly on a line parallel with Water Street, sixty-six (66) feet more or less to the Northerly right-of-way line of the Minneapolis and St. Louis Railroad, thence along said Northerly right-of-way line one hundred fifty (150) feet more or less to the West line of Water Street, thence Northerly along the said Westerly line of Water Street sixty four (64) feet more or less to the point or place of beginning;

PREPARED FOR:
DON CHEECH, LLC
300 WATER STREET
EXCELSIOR, MN 55331

LEGEND:

- FOUND 1/2" IRON PIPE
- ⊗ FOUND MAG NAIL
- ⚡ POWER POLE (WITH GUY ANCHOR)
- P SIGN
- ✱ LIGHT POLE
- ☐ COMMUNICATIONS PEDESTAL
- ⊙ CATCH BASIN
- ⊙ MANHOLE
- ⊙ SANITARY SEWER MANHOLE
- ⊙ COMMUNICATIONS MANHOLE
- OH — OVERHEAD UTILITY LINE
- W — WATERMAIN
- S — SANITARY SEWER LINE
- CON — CONCRETE SURFACE
- BT — BITUMINOUS SURFACE

NOTES:

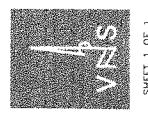
- 1) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE INSURANCE COMMITMENT
- 2) ADDRESS OF THE SUBJECT PROPERTY: 300 WATER STREET EXCELSIOR, MN 55331
P.I.D.: 34-117-23-11-0087
- 3) PARCEL AREA: 9,581 SQ. FT.
- 4) BEARINGS ARE BASED ON THE HENNEPIN COUNTY COORDINATE SYSTEM
- 5) DATE OF FIELDWORK: 2-26-2026

SIGNED :

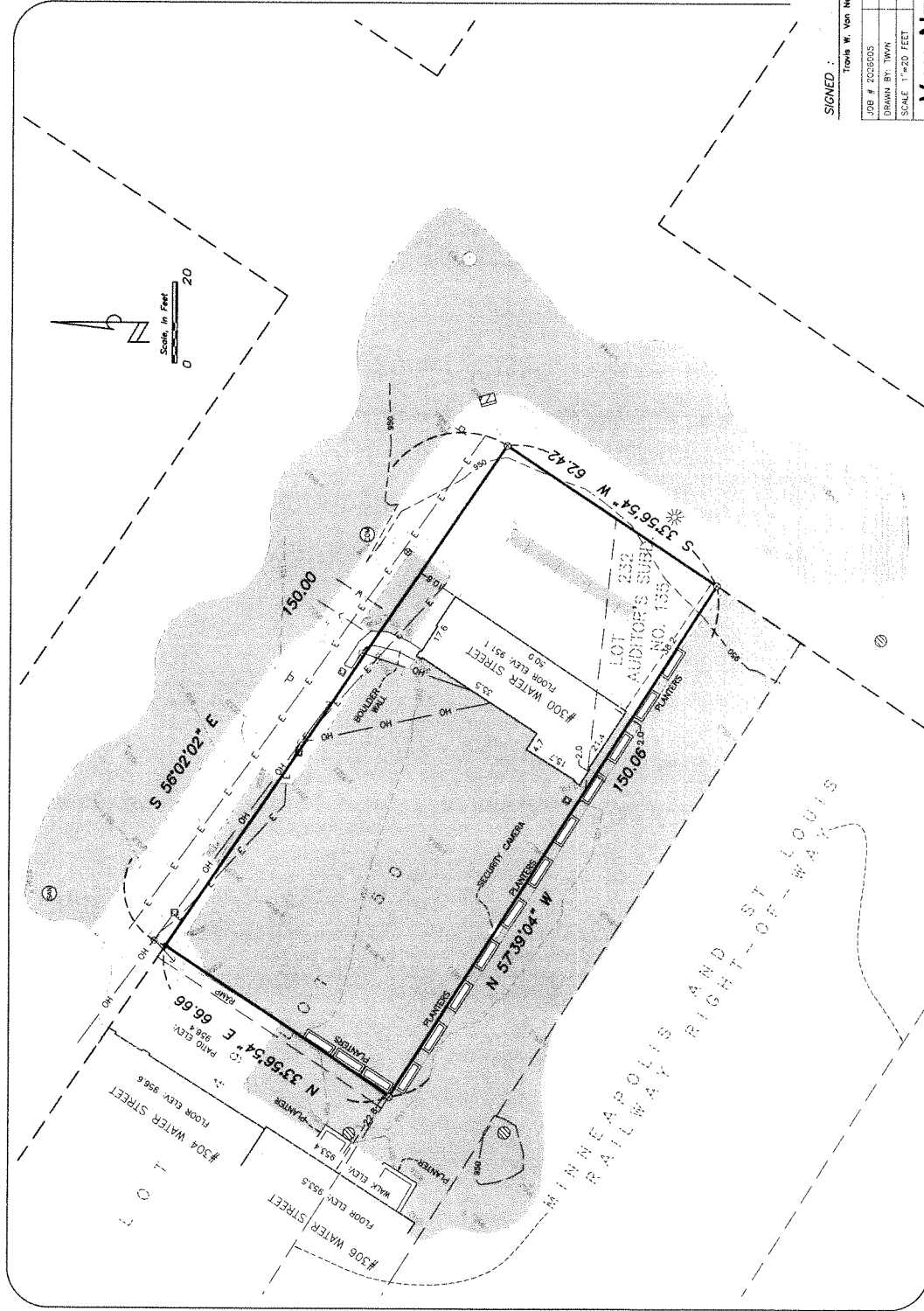
Trevia W. Van Neste, Minnesota Professional Surveyor #44109
Michael J. Peterson, Minnesota Professional Surveyor #44095

JOB # 2026005
DRAWN BY: TWIN
RE:
SCALE: 1"=20 FEET

VAN NESTE SURVEYING
PROFESSIONAL SURVEYING SERVICES
3845 40TH AVE. SOUTH, MINNEAPOLIS MN 55406
(952) 686-3055 VANNESTESURVEYING.COM



SHEET 1 OF 1



CERTIFICATION :

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the state of Minnesota.



MEMORANDUM

Item 4(d) Ordinance No. 701 Amendment to

Re: Chapter 42 Residential Review Permit Ordinance
Regarding Exemptions of Landmark Properties

Date: August 24, 2026

To: Planning Commission

From: Julia Mullin, Community Development Director

BACKGROUND

In November 2025, the Planning Commission began consideration of a proposed amendment to the zoning ordinance that would remove the exemption for Landmark properties from the Residential Review Permit application. A Landmark property is defined in city ordinance (*Chapter 20 Historic Preservation*) as: “A property (e.g. *The Commons*), site, structure or object designated as a ‘landmark’ by the city council as having a high degree of historical, cultural and/or architectural significance.” Any proposed changes to the exterior of a Landmark property are subject to the requirements of *Chapter 20* of the city code of ordinances, including review by staff and/or the city’s Heritage Preservation Commission (HPC). As you know, Residential Review Permits are required when volume is added to a residential structure, or a new structure is built in the R1 and R2 zoning districts. Currently, Landmark properties are exempt from this requirement (*Zoning Ordinance, Sec. 42-6 (b)*).

In 2025, a renovation project, including an addition, was proposed at the Landmark property, located at 262 Lake Street. As per ordinance, plans for the renovation of the existing historic structure which included the addition of an attached garage, were reviewed and approved through a Site Alteration Permit process with the Heritage Preservation Commission (HPC). The attached garage with living space above it added considerable mass to the parcel. While a zoning review was done, to ensure consistency with the zoning ordinance, no review of this proposed addition, from the point of view of compatibility with mass and scale of surrounding properties was done because the property was exempt from the RRP ordinance.

It was determined during construction that the height of the approved garage addition was not built as approved, and an after-the-fact variance application for height was reviewed by the Planning Commission and approved by the City Council. During discussions of the proposed variance, both the Planning Commission and City Council commented on the need to explore the possibility of requiring a residential review permit for renovations of Landmark properties, when those renovations result in increased massing on the parcel.

ANALYSIS

Today, *Sec. 42 Residential Review Permit Process* of the zoning ordinance requires a residential review permit for projects that propose to increase the mass and scale of a structure in the R1 and R2 zoning districts. It is a priority of the city's that the mass and scale of renovated structures be compatible with both the subject parcel and the structures around it and we apply the Good Neighbor Guidelines to make this assessment. This ordinance was enacted in 2020.

The purposes of this chapter are to:

- (1) Regulate mass and scale, bulk and orientation of new construction and remodeling;
- (2) Ensure compatibility of new construction and remodeling with existing surrounding properties;
- (3) Preserve tree canopy, green space, air and light for existing surrounding properties;
- (4) Protect and enhance the City of Excelsior's appeal and attraction to residents and visitors;
- (5) Nothing in this chapter shall be construed to regulate architectural design of new construction and remodeling unless it affects mass, scale, bulk and/or orientation.

The ordinance exempts any parcel that requires a site alteration permit from needing a residential review permit. The intent is to support Landmark property owners as they maintain and renovate their homes, keep the review of renovations of historically designated properties streamlined, and avoid burdening Landmark property owners with multiple review processes.

There are 28 locally designated Landmark properties (structures and sites) in Excelsior. The list can be found on the city website: <https://www.ci.excelsior.mn.us/186/Designation-of-Heritage-Preservation-Sit>

The HPC uses the Preservation Design Guidelines, found in the City of Excelsior Preservation Design Manual, to review proposed changes to historic properties, and those guidelines limit the additions that the HPC will approve. Generally, additions are limited to the rear elevation of a historic structure. From the Preservation Design Guidelines:

1. BEA.14 Additions to historic buildings shall be limited to the rear elevation or the most inconspicuous side of the building so not to overwhelm the original historic structure.
2. BEA.16 Additions shall not visually change the profile of an historic building or streetscape.

The HPC has reviewed several proposed additions on Landmark properties over the last few years, however, they are not common. Most alterations to Landmark properties are to the existing structure, and include proposed changes to windows, siding, etc. Removing the exemption from the Residential Review Permit requirement is unlikely to result in many more RRP applications.

RECOMMENDATION

Staff is recommending that we require a Residential Review Permit, which entails application of the Good Neighbor Guidelines, for projects on Landmark properties in the R1 and R2 districts that increase mass and scale on Landmark properties, just as it is required for all other residential structures so that we avoid additions that are incompatible with neighboring properties . Just as we concurrently review Residential Review Permit applications and Variance applications for a property, we would conduct these two reviews concurrently: the HPC would review the site alteration permit application and the Planning Commission would review the Residential Review Permit application. Approval of both applications would be required in order for the project to move forward. While RRP's and Variance applications are both reviewed by the Planning Commission and can, therefore, be done at the same meeting, the RRP and the SAP reviews would happen at two meetings, but PC meetings and HPC meetings occur the same week of every month helping streamline the process for property owners.

Staff is recommending that Chapter 42 of the zoning ordinance be amended to remove the exemption for Landmark properties. If a Landmark property owner proposes renovations that add volume to the structure, that addition would need to meet the Good Neighbor Guidelines.

RECOMMENDED ACTION

It is recommended that the Planning Commission consider Ordinance 701 removing the exemption of Landmark properties from the residential review permit requirement, hold the public hearing, and recommend approval of the ordinance to the City Council.

Attachments

Ordinance No. 701

ORDINANCE NO. 701

AN ORDINANCE AMENDING APPENDIX E, SECTION 42 OF THE EXCELSIOR CITY CODE TO REMOVE THE EXEMPTION FOR LANDMARK STRUCTURES FROM THE RESIDENTIAL REVIEW PERMIT REQUIREMENT

The City Council of the City of Excelsior hereby ordains as follows:

Section 1. Appendix E, Article 42 of the Excelsior City Code is amended as follows:

Sec. 42-6. Residential review permit—When required.

Except as provided herein, a residential review permit is required prior to making any of the following alterations to structures within the R-1 and R-2 zoning districts:

- (a) *New construction*, additions or remodels that result in the:
 - (1) Increase of volume of a principal or accessory structure requiring a building permit.
 - (2) Reorientation or change in setbacks of a principal structure or accessory structure requiring a building permit.
- (b) *Exemptions*. The following shall not require a residential review permit:
 - (1) Decks under 48 inches in height.
 - (2) Any structure not requiring a building permit.
 - ~~(3) Structures that would require a site alteration permit as outlined in chapter 20 of the Code.~~
 - (4) Street-facing, single-story porches that are more than 50 percent open at the perimeter.
 - (5) Bay windows and cantilevers not projecting more than two feet from the plane of the façade on which such projection is located.
 - (6) Any minor changes not affecting streetscape elevations or views from any neighboring property as determined by the zoning administrator in consultation with the city architect.

Section 2. This Ordinance is effective in accordance with Section 3.06 of the Excelsior City Charter.

Adopted by the Council of the City of Excelsior, Minnesota, this _____ day of _____ 2026.

Gary Ringate, Mayor

ATTEST:

Hilary Vokovan, City Clerk

Kristi Luger, City Manager

First Reading of Ordinance:
Second Reading and Adoption:
Publication of Ordinance:
Effective Date: