



Planning Commission Special Meeting

Wednesday, June 4, 2025, 5:30 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/9397263854?omn=85771061218>

Meeting ID: 939 726 3854
One tap mobile
+16469313860,,9397263854# US
+19292056099,,9397263854# US (New York)
Dial by your location
• +1 646 931 3860 US

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

AGENDA

1. Call to Order
2. Roll Call
3. Minutes of the Preceding Meeting(s)
4. Discussion Items
 - A. Planned Unit Development (PUD) Ordinance Training, Mary Tietjen, City Attorney
5. Communications and Reports
6. Miscellaneous
7. Adjournment

Planned Unit Development Districts

Mary Tietjen & Cristina Cruz-Jennings

City Attorneys

Article 65 of the Excelsior City Code

- Purpose of PUD
 - Accommodate developments that don't comply with zoning district standards that result in PUBLIC BENEFITS.
 - The decision to approve a PUD is a **public policy** decision for the Council in its legislative capacity.
 - Decision is based on criteria outlined in 65.2

Decision Criteria

- **MAY** approve plan **IF** it meets criteria outlined in Sec. 65-2.
- Commission has the discretion to determine whether the plan meets the criteria
- Mix of applying criteria and legislative decision making.

65.2 Decision Criteria

(a)The planned unit development is consistent with the comprehensive plan; and

(b)The planned unit development accomplishes, by the use of permitted flexibility and variation in design, a development superior to what would result if the property were developed under existing conventional zoning regulations. In determining whether a development is superior to what would result under conventional zoning, the city council shall evaluate and apply the following criteria, as are applicable, to determine with findings whether the proposal:

- (1)Includes structures that have the appropriate mass and scale relative to surrounding properties; and
- (2)Interconnects usable interior or exterior open space; and
- (3)Conserves or improves natural features such as public views, trees, wetlands or open space; and
- (4)Provides additional aesthetic features and harmonious design; and
- (5)Provides recreation, or other public facilities; and
- (6)Includes an energy efficient site design or building features; and
- (7)Uses low impact development techniques; and
- (8)Includes sprinkler or other fire suppression systems in structures not otherwise required to have them.

(c)The planned unit development provides one or more

public benefits such as free public parking, public spaces, preservation of public views or long-term affordable housing units; and

(d)The planned unit development results in no greater burden on present and projected public utilities and services than would result from development under existing conventional zoning regulations and the planned unit development will be served by adequate public or private facilities including streets, fire protection, and utilities; and

(e)The perimeter of the planned unit development is compatible with the existing land use or property that abuts or is directly across the street from the subject property. Compatibility includes but is not limited to size, scale, mass, setbacks, building height and architectural design of proposed structures; and

(f)Landscaping within and along the perimeter of the planned unit development is superior to that required by this Code, and enhances the visual compatibility of the development with the surrounding neighborhood; and

(g)At least one major circulation point is functionally connected to a public right-of-way and the number of required parking spaces are met or exceeded on the site; and

(h)Open space, where provided to meet the requirements of this Code within the planned unit development is an integrated part of the project rather than an isolated

element of the project; and

(i)The design is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity; and

(j)Roads, parking lots, street lamps, parking lot lighting, off-street loading areas, trash receptacles, landscaping, fencing, outdoor storage, signage, and streets, whether public or private, within and contiguous to the site comply with city guidelines for construction and any applicable design standards or guidelines set forth by the design standards manual or preservation design manual; and

(k)Streets and sidewalks, existing and proposed, are suitable and adequate to carry anticipated traffic within the proposed project and in the vicinity of the proposed project; and

(l)Each phase of the proposed development, as it is planned to be completed, contains the required parking spaces, open space, recreation space, landscaping and utility area necessary for creating and sustaining a desirable and stable environment; and

(m)The project, if within the Downtown Historic District or a designated historic landmark, is reviewed, approved, and complies with all city historic requirements as defined by existing City Code.

Determining Public Benefit

- What constitutes a Public Benefit?
 - No set definition. PC must determine whether the PUD bestows a public benefit.
 - Should be somewhat related to PUD project and property.
 - Room for creativity.
- Examples:
 - From 65-2: free public parking, public space, preservation of public views, long-term affordable housing.
 - Other examples: city infrastructure improvements including streets and sewer, playgrounds, restoration and/or preservation of historic properties.



Modification of Zoning Requirements

- 65-1. The purpose of the PUD, Planned Unit Development District, is to accommodate development that may be difficult to carry out under conventional zoning district standards, that results in public benefits as outlined in [section 65-2](#), and provides comprehensive procedures and standards intended to allow more flexibility in the development of residential and/or non-residential areas. This flexibility should result in a development that is better planned and contains more amenities than one produced in accordance with conventional zoning ordinances and subdivision controls.
- 65-5. Building height, density including public space, type and design of housing units and physical characteristics of site, building setbacks, parking, and building coverage.

Sec. 65-6 Process

- Pre-application conference with zoning administrator.
- Preliminary Plan- reviewed by Heritage Preservation Committee (if in historic district), Planning Commission, approved or denied by Council. (*Sec. 65-7 – submission criteria)
- Final Plan, Development Agreement, Rezoning
 - Occur concurrently
 - Approved or denied by City Council



City of Excelsior

Zoning Map

March 2022



Legend

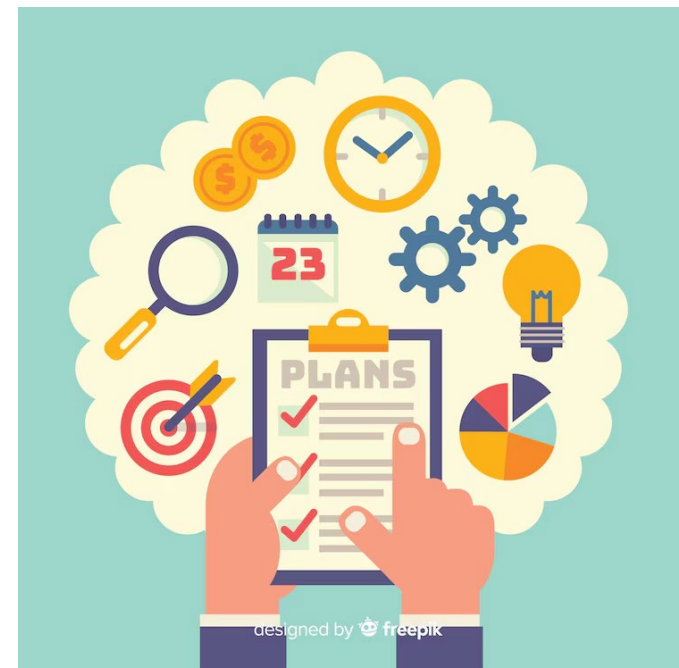
- Zoning Districts**
- R-1, Single Family Residential
 - R-2, Single and Two Family
 - R-3, Medium Density Residential
 - R-4, High Density Residential
 - DC, Downtown Commercial
 - CC, Cottage Commercial
 - MU, Mixed Use Commercial
 - GC, General Commercial
 - P, Public Park
 - PI, Public Institutional
 - PUD, Planned Unit Development
 - Excelsior Boundary

Adopted by Excelsior City Council, March 7, 2022



Preliminary Plan

- Name is deceiving, nothing “preliminary” about it! Critical step.
- Should be comprehensive and ready for implementation as a “final plan”
- Is final plan in substantial conformity with the approved preliminary plan? (*Sec. 65-8 criteria)



Questions and discussion

