

City of Excelsior  
Hennepin County, Minnesota

Minutes  
Planning Commission

Tuesday, October 7, 2014

1. CALL TO ORDER

Chair Craig called the meeting to order at 7:02 p.m.

2. ROLL CALL

Commissioners Present: Busch, Chair Craig, DiLorenzo, Duyvejonck, Wallace, and Wilson

Commissioners Absent: Honzl

Also Present: City Planning Consultant Richards, City Planner Smith, City Attorney Staunton

3. APPROVAL OF MINUTES

a) Planning Commission Meeting of September 3, 2014

Commissioner DiLorenzo moved, Commissioner Duyvejonck seconded, to approve the Planning Commission Minutes of September 3, 2014. Motion carried 6/0.

4. PENDING ISSUES/PROJECTS

a) Appoint Liaison to City Council meeting October 20, 2014.  
Commissioner Busch volunteered if needed.

5. PUBLIC HEARINGS

a) 420 Second Avenue – Conditional Use Permit for 420 Eatery, 420 Second Street – Parking Impact Fee, PC No. 14-09

City Planner Smith introduced the item. Applicants are applying for a CUP for the Parking Impact Fee for 5 parking spaces. Kay Nguyen and Craig Holtz, owner of 420 Eatery stated that they hope to be open middle of January or February. Duyvejonck moved, DiLorenzo seconded, to recommend approval of the CUP for the 420 Eatery subject to the conditions listed in the staff report. Motion carried 6/0.

6. PUBLIC HEARINGS – (Continued)

a) None

7. NEW BUSINESS

- (a) Design Standards and Site Plan Review for 420 Second Street, PC No. 14-09

Smith introduced the item. Tim Brandow, the property owner, is proposing exterior improvements to his building located at 420 Second Street.

Duyvejonck asked if the light is proposed on the southeast elevation is to be tube light, where others were goose neck light. Mr. Brandow mentioned that is a misprint and they will all be gooseneck lights. Wilson asked about removing hazardous material. Mr. Brandow stated that EPA reviewed the building and did not require any remedies. Wallace asked if they were planning to have three tenants. Mr. Brandow said they are planning a general storage space for his offices next door and realize that any other use would require a parking impact fee. He plans to install a new stairway from the rear to the bicycle shop in the basement. There is access to the storage from the front and rear. The Commission is comfortable with the Design Standard requirements for signs. DiLorenzo could support the proposed sign plan. Wilson cautioned about approving more signs than what is allowed in the Design Standards. Richards stated that a variance would be required for more signs than what is allowed in the Design Standards. Craig stated that a variance would be needed if the applicant wanted to move forward with the proposed sign plan.

Duyvejonck asked about the ramps. Smith stated they are in the ROW and will need a ROW agreement. City Engineer has reviewed the plans.

Wilson moved, Busch seconded, to recommend approval of the Design Standards and Site Plan Review for 420 Second Street, subject to the conditions listed in the staff report. Motion carried 6/0.

- (b) Design Standards and Site Plan Review for 436 Second Street, PC No. 14-11

Smith introduced the item. Steve Pint, the new owner of 436 Second Street, is proposing exterior improvements to his building. Duyvejonck asked about accessibility. Mr. Pint stated that at the rear of the building there is a new tenant. The building official stated that no new requirements are needed for accessibility. DiLorenzo asked about the brickwork. Mr. Pint stated that the cinder block would remain and probably would be painted. Busch asked which businesses would be accessed through the new front door. Mr. Pint said the two double doors would assess the space to the left as viewed from Second Street. There are five offices on the second floor. Offices spaces on second floor would stay the same. A reclaimed door at Bauer Brothers may be used. If not, a new double door with transom windows would be used.

Duyvejonck moved, Wilson seconded, to recommend approval of the Design Standards and Site Plan Review for 436 Second Street, subject to the

7. NEW BUSINESS

- (b) Design Standards and Site Plan Review for 436 Second Street, PC No. 14-11 - *Continued*

conditions list in the staff report and two conditions from the HPC special meeting on October 2, 2014. Motion carried 6/0.

Mr. Pint stated that the structure proposed to hold up the monument sign is now 9' tall and 11 feet wide. The Commission was comfortable with the size and idea of the sign and mural. Mr. Pint stated his original plan was to paint a historic photo graph of Second Street on the mural. He would like to start construction in November.

8. UNFINISHED BUSINESS

- (a) Design Standards and Site Plan Review for Second Floor Addition to 212 Water Street (Martin's Women Apparel Building) – City Planning Consultant Richards introduced the item. The Council has already upheld staff's appeal of the Site Alteration Permit. Wallace stated that the Planning Commission has not reviewed the proposal so it is difficult to recommend denial. Duyvejonck asked if there was any other option rather than denying the application. City Attorney Staunton stated that the Planning Commission and City Council need to act on the application prior to the 60-day requirement. Wilson moved, Wallace seconded, that because the fact that the Council overturned the SAP, thus making the project moot, the Planning Commission recognizes this is a procedural vote and without reviewing the plans, recommends denial of the Design Standards. Motion carried 6/0.
- (b) Parking Update – Implementation
- i. Parking Counts –Smith completed the counts. Staff will prepare the Year-end summary for the Planning Commission.
  - ii. Parking Map
  - iii. Parking Management – Richards stated that the City's Finance Director needs to incorporate the cost of violations into the review.
- (c) Parking Options for Water Street/Design Standards for 50 foot Setback Requirement on Water Street – Richards introduced the item. Looked at areas zoned B2 should be rezoned to B4. Need to reach out to property owners to see if they had any comments on the rezoning. Wallace asked what if one property owner disagrees. Richards stated that the City would take that into consideration. Wilson asked if the City needs to talk to the property owners first. Richards stated that staff is looking for direction. Drive in, drive up and drive thru were needed to be clarified. Richards will look at the Design Standards as well. Craig asked if staff could bring this back to the Planning Commission next month so its fresher to the Commission. Wilson recommended laying out the proposed changes from B2 to B4 for the property owners.

8. UNFINISHED BUSINESS

- (d) Food Trucks – Richards introduced the item. Many of the small cities do not have food truck regulations but license them through a peddler’s license. Wilson stated Food trucks along Water Street could add to congestion and take up parking spaces. Planning Commission thought better spaces would be closer to the Commons, near the tennis courts and concessions building. The food trucks would pay for the parking spaces while parked, if those spaces were metered. Richards stated that the Commission should discuss limitations on food trucks on private property (library, grocery store, brewery, parking lots in front of office buildings). Water Street should be prohibited except for special events. Craig asked if a food truck came to a private party in the residential district, would it just be considered a caterer. Wilson suggested that the homeowner get a permit for food trucks on a temporary basis. DiLorenzo stated that locating them in the east and west lots would make sense. Wallace asked if located in the east and west parking lot would result in more pedestrian and automobile conflict. Richards will look into St. Paul’s ordinance.

Duyvejonck stated that taking up parking spaces was one reason the Commission was recommending allowing them closer to the Commons. Commission favored eliminating them from Second and Third streets. Businesses would be able to get a permit for food trucks on private property. Would not be confined to any specific zoning district.

Wilson is concerned about the noise of generators along the Commons in the morning. Craig stated that the parking lots wouldn’t be a problem for the noise. Di suggested 8am – 10pm. Commission agreed. Residential would be limited to certain number of hours.

- (e) Set special meeting to consider amendment to the PUD for Kowalski’s and the 400 Water Street building. October 23 is the date that was chosen at 6:30 p.m.

9. COMMUNICATIONS and REPORTS

- (a) Next Planning Commission Meeting – Wednesday, November 5, 2014

10. MISCELLANEOUS

- (a) Recent City Council Actions

Staunton and Smith gave the recent City Council action. Council gave final approval for the Kowalski’s/Oppidan PUD. Council approved Sunday sales for the Excelsior Brewery. Council approved the Design Standards for 478 Second Street. Council upheld staff’s appeal of the Site Alteration Permit for 212 Water Street. Tabled the discussion on parking of boats and recreational vehicles because only three council members were at the meeting until the second meeting in November. Approved the construction management ordinance and liked the idea of moving the construction hours back from 8pm to 7pm. Discussed the Special Moratorium Steering Committee. The Steering Committee

10. MISCELLANEOUS

(a) Recent City Council Actions - *Continued*

consists of Wallace and Craig from the Planning Commission, Schmidt and Macpherson from the HPC and chaired by Mayor Gaylord.

11. ADJOURNMENT

Commissioner Wilson moved, Commissioner DiLorenzo seconded, to adjourn the meeting at 9:52 p.m. Motion carried 6/0.

Respectfully submitted,

Patrick Smith  
City Planner