

City of Excelsior
Planning Commission Meeting
MINUTES
Wednesday, July 6, 2011
Council Chamber, City Hall, 339 Third Street
7:00 P.M.

1. CALL TO ORDER

City Planner Richards called the meeting to order at 7:06 p.m.

Commissioner Busch moved, Commissioner Duyvejonck seconded, to appoint Jensen to serve as Acting Chair. Motion carried 4/0.

2. ROLL CALL

Commissioners Present: Busch, Craig, Duyvejonck, Jensen, Wallace (arrived at 7:36 p.m.), Wright, and Chair Gaylord (arrived at 7:36 p.m.)

Commissioners Absent: Craig

Also Present: City Attorney Staunton, City Planner Richards, City Planner Fuchs, and City Clerk Johnson

It was noted that the items listed under Item 5 are new public hearings, so they should be listed under Item 6.

Commissioner Busch moved, Commissioner Duyvejonck seconded, to amend the agenda to move items (a), (b), (c), and (d) under Item 5 to Item 6, new public hearings. Motion carried 4/0.

3. APPROVAL OF MINUTES

a. Planning Commission Meeting of June 7, 2011

Acting Chair Jensen asked if anyone had any additions or corrections to the Minutes. A correction was submitted to change Busch to Craig as the Commissioner who motioned to approve the Planning Commission's Minutes for April 28 and May 3, 2011.

Commissioner Duyvejonck moved, Commissioner Wright seconded, to approve the Minutes of the Planning Commission meeting of June 7, 2011 as amended. Motion carried 4/0.

4. PENDING ISSUES/PROJECTS

a. Appoint Liaison to City Council (July 18, 2011)

Commissioner Busch will serve as the Planning Commission liaison to the July 18, 2011 Council meeting and Commissioner Duyvejonck will be the alternate.

5. PUBLIC HEARINGS - (Continued)

a. None

6. PUBLIC HEARINGS

- a. Ordinance to Amend Articles 2, 50, 51, 52, 53, 54, and 55, Pertaining to Zoning Regulations and Uses Allowing Micro Breweries as a Conditional Use in Business Districts

Richards reported that at the June 7, 2011 Planning Commission meeting, the Commission discussed potential amendments to Appendix E as it relates to microbreweries in Excelsior. The Commission discussed which zoning districts were appropriate for microbreweries, conditions for allowing microbreweries, and parking standards. It was agreed among the Commissioners that microbreweries should be allowed in the B-1, Central Business District; B-2, General Business District; B-5, Central Business District Motor Fuel Stations; and the B-6, Highway Office, Retail and Residential District as a conditional use.

After researching other cities regulations, it was suggested that the definition include microbrewery, micro-distillery, and micro-winery.

The Planning Commission also discussed parking standards for microbreweries, micro-distilleries and micro-wineries. Commissioners indicated that the retail portion of the business should comply with the retail requirement, the restaurant or tasting portion comply with the restaurant, cafes, bars, taverns and night club requirement, and the production portion comply with the warehouse, storage and handling of bulk goods requirement.

Acting Chair Jensen asked if there were regulations with regard to a microbrewery being close to a school. Richards said he was not aware of any regulations.

Acting Chair Jensen asked if the requirement of 50% of the total floor space in the front half of the building needing to be dedicated for sales, tasting, and restaurant purposes would be too restrictive. Richards said no.

Acting Chair Jensen opened the public hearing at 7:22 p.m. Hearing no comments, Acting Chair Jensen closed the public portion of the meeting.

Fuchs asked Commissioners if microbreweries, micro-distilleries and micro-wineries should be included in the B-3 and B-4 Districts. Richards said that the Commission discussed leaving these districts out due to their proximity with residential areas.

Commissioners discussed that if an applicant came forward wanting to establish a microbrewery, micro-distillery, or micro-winery in one of the B-3 or B-4 Districts the ordinance could be amended at that time.

Busch said as she read through the minutes from the last Planning Commission meeting, the comments suggested that microbreweries, micro-distilleries and micro-wineries be allowed in all business districts. Duyvojunck said she agreed and would support including these types of businesses in all business districts.

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- a. Ordinance to Amend Articles 2, 50, 51, 52, 53, 54, and 55, Pertaining to Zoning Regulations and Uses Allowing Micro Breweries as a Conditional Use in Business Districts – (Continued)

Duyvejonck moved, Busch seconded, to continue the public hearing to the City Council's July 18, 2011 meeting and forward the recommendation to the City Council that the Zoning Code be amended to include a conditional use permit provision in each of the business districts with the conditions as outlined in the staff memo. Motion carried 4/0.

- b. Ordinance to Amend Article 24, Signs, Pertaining to Informational and Directional Signage, Sandwich, or Portable Signs and Noncommercial Temporary Signs

Richards reported that at the June 7, 2011 Planning Commission meeting, the Commission determined that a public hearing be scheduled for the July 6th meeting to consider amendments to the sign regulations with regard to directional and informational signage, noncommercial signage located offsite, and the distance that sandwich boards be placed from an entrance of a business.

Directional and informational signage is normally allowed in commercial areas to direct customers or deliveries to the appropriate entrance. Currently, there is no provision for directional, informational, or identification signage in the sign regulations. The City is not allowed to regulate the content of signage, so the Ordinance will need to be amended to allow a specified number of small signs per lot. Staff would recommend that provision be added to Section 24-5, Permitted Signs Requiring No Permit, so it does not impact the allowable advertising signage permitted each business. Staff has suggested allowing three signs, not exceeding 8 square feet each.

Busch said the new bead store on Second Street has a sandwich board at the corner of Second and Water Street; how would that business fit with the proposed regulations. Fuchs said under the current code, a sandwich board must be placed within 5 feet of the front door of the business. Richards said the proposed regulations would not change that requirement and he would not recommend allowing sandwich boards being placed that far from a business.

Jensen asked if it would be possible for a business to get a temporary sign permit to place a sandwich board offsite. Fuchs said no, that would require a variance.

Jensen said if the City is going to allow sandwich boards the sandwich boards need to be taken in at night when the business closes. Richards said that the code only allows sandwich boards to be out when the business is open.

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- b. Ordinance to Amend Article 24, Signs, Pertaining to Informational and Directional Signage, Sandwich, or Portable Signs and Noncommercial Temporary Signs – (Continued)

Richards provided a description of what might be placed on a directional sign. He said the City cannot regulate content, only the size and number of signs.

Duyvejonck and Fuchs said that they thought 4 square feet should be adequate for a directional sign.

Jensen asked why a business would need more than one directional sign. Fuchs said a corner business may need more than one sign.

Jensen asked if it was possible to add wording to address this type of situation. Richards said they could say only one directional sign per street side, but he would recommend that they not regulate that aspect of it.

Richards said that City Staff is often asked if noncommercial entities can place temporary signage advertising an event off premises, such as a church rummage sale, school concert, etc. The sign regulations currently do not adequately address this situation. Staff would suggest adding a provision to Sec. 24-6, Temporary Signs, to require an administrative permit for off-premises temporary signs limited to non commercial entities. He suggested allowing the temporary signs for up to 72 hours or 3 days.

Busch said that the Excelsior Fire District currently has a banner on a fire truck at the Excelsior Elementary School advertising the annual fireman's dance. Would the proposed amendment prohibit the Excelsior Fire District from putting the signage out for more than 72 hours? Richards said this is something the Commission should discuss.

Acting Chair Jensen passed the gavel to Chair Gaylord at 7:43 p.m.

Commissioners and staff discussed the differences between community sponsored events versus non-profit entities.

Richards said that staff will use the Commissioners input and work on the language to bring back to the August meeting.

Gaylord asked staff to provide the entire sign section with the proposed changes incorporated.

Richards said that the Design Standards require sandwich or portable signs to be located within five feet of the entryway to a subject business. This is appropriate for the Downtown Business District, but is very limiting for the Highway 7 and general commercial areas where the distance to the street and

6. PUBLIC HEARINGS

- b. Ordinance to Amend Article 24, Signs, Pertaining to Informational and Directional Signage, Sandwich, or Portable Signs and Noncommercial Temporary Signs – (Continued)

sidewalks from the business entry is considerably further. He asked Commissioner for comments regarding the Design Standards provision with regard to sandwich boards.

Duyvejonck asked if there would be a setback for signage along Highway 7. Fuchs suggested adding language that the signage cannot block traffic sight or block the entrance of another business.

Chair Gaylord opened the public hearing at 7:43 p.m. Hearing no comments, Chair Gaylord closed the public portion of the meeting.

Commissioner Jensen moved, Commissioner Busch seconded, to continue the public hearing to the August 2, 2011 Planning Commission meeting. Motion carried 6/0.

- c. Conditional Use Permit and Site Plan Review for Outdoor Classroom on Property Located at 441 Oak Street – Minnetonka Public Schools

Richards reported that Mike Condon, on behalf of Minnetonka Public Schools, has submitted an application for a Conditional Use Permit amendment (CUP) and Site Plan Review to allow for the addition of an outdoor classroom space at Excelsior Elementary. The school is located at 441 Oak Street. The site is zoned R-2, Single and Two Family and public educational institutions are permissible by conditional use permit in this district.

The outdoor learning classroom space will provide students and teachers with an opportunity to study the environment around the school in a more natural location, teachers with a space to read and write as well as present lessons in an outdoor environment, allow students to engage in art activities outdoors, and provide students with a space at recess time to play a game of chess or spend time in quieter play with friends.

The classroom will be located on the west side of the property where there is an existing basketball court. The outdoor classroom will only take a portion of the court with the rest remaining as a play area. The dimensions of the classroom will be 14 feet by 14 feet. It will be an open structure that can be enclosed with roll down doors. The site plan indicates that the structure will not be located completely on the existing basketball court while the engineering plans show that it does. The applicant will need to clarify this.

The proposal is consistent with the Comprehensive Plan, which guides the subject site for future public/semi public uses. Schools are listed as a

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- c. Conditional Use Permit and Site Plan Review for Outdoor Classroom on Property Located at 441 Oak Street – Minnetonka Public Schools – (Continued)

conditional use in the R-2 Zoning District. Any substantial changes to the site, such as those being proposed, are subject to an amendment of the existing conditional use permit.

The outdoor classroom is considered an accessory building and is required to have a side yard setback of two feet and a rear yard setback of three feet. The structure will be set back from the side yard 22.9 feet and a significant distance from the rear yard.

The R-2 District allows for up to 35 percent impervious surface coverage on the site. The site has a total area of 408,157 square feet and currently contains 141,925 square feet of impervious surfaces for a total impervious surface coverage of 34.8 percent. If the classroom is placed on the existing basketball court, the proposal complies with impervious surface requirements.

Schools are required to have at least one parking space per classroom plus one additional parking space for each 400 student capacity. The subject site currently has 99 parking spaces and 11 bus parking spaces. With 46 existing classrooms, the one new outdoor classroom, and an enrollment of approximately 560 students, the parking requirement is 48 spaces.

The plans for the building do not indicate any lighting of the building or immediate area. If any lighting is installed on or in the building it will need to be a fully cut off and subject to review and approval of City staff.

The Floor Plan and the building elevations indicate the addition of landscaping. A landscape plan outlining the types of plants, size at planting and planting details will need to be provided subject to review and approval of City Staff.

The applicant has submitted plans for drainage, turf restoration, and erosion control. The structure will be placed at-grade with little or no grading on site. The City Engineer does not see any issues with the placement of the structure at this location. All drainage and erosion control matters will be subject to review and approval of the City Engineer as well as the Minnehaha Creek Watershed District.

Richards said that conditional use permits are to be reviewed against the criteria listed in Section 4-3(E) of the Zoning Ordinance. The proposal is consistent and complies with all of the criteria as outlined in the staff report.

The site is within a residential zoning district, so it does not require a Design Standards review. The building will be constructed of natural stone columns, aluminum fascia and soffit, and a standing seam metal roof. Cedar fencing

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- c. Conditional Use Permit and Site Plan Review for Outdoor Classroom on Property Located at 441 Oak Street – Minnetonka Public Schools – (Continued)

and arbors will also be incorporated within the site. The height of the structure will be approximately 11 feet or 4 feet less than the 15 foot height limit. The structure, at 200 square feet is well within the maximum requirement of 800 square feet. The proposed structure meets all of the requirements for accessory buildings found in Article 19 of Appendix E.

Chair Gaylord asked the applicant if they had any comments.

Lee Drolet, Principal, Excelsior Elementary School, said with regard to the landscaping plan, there will be a rain garden around the classroom. The water will be collected from the roof and directed toward the rain garden. She noted that the intent will be to use the outdoor classroom extensively throughout the school day.

Richards said that there is a discrepancy in the location for the outdoor classroom between the engineering drawings and the site drawings. He asked the applicant to clarify the location.

Paul Vogtstrom, the architect for the project, said they are proposing to take out approximately 100 square feet from the basketball court for the outdoor classroom. The outdoor classroom will be totally contained within that area, so there will not be any increase to the impervious surface area.

Duyvejonck asked what will happen to the basketball court. Vogtstrom said that the basketball court will remain, it will just be smaller.

Duyvejonck asked if the basketball court will still be usable. Vogtstrom said yes.

Jensen asked how many hoops the basketball court currently has. Vogtstrom said two and both hoops will remain.

Wright asked if there are any plans to have lighting. Drolet said that there's been some discussion about having solar panels, but nothing with electricity.

Jensen asked if the basketball court will lose its functionality. Vogtstrom said it's not currently a full court; it will be a half court after construction.

Jensen asked if the lighting is proposed to be inside or outside. Drolet said the lighting is proposed to be on the inside.

Jensen asked for clarification on where the rain garden will be placed. Vogtstrom showed on a drawing where the rain garden would be placed.

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- c. Conditional Use Permit and Site Plan Review for Outdoor Classroom on Property Located at 441 Oak Street – Minnetonka Public Schools – (Continued)

Richards said that the rain garden will need to be approved by the City Engineer.

Wright suggested that the horizontal bars next to the structure be taken out as it would encourage kids to climb up on the structure.

Gaylord asked why the structure was proposed to be placed where the basketball court is currently. Drolet said that this is the only area that would not be affected if the school decides to expand in the future. Vogtstrom said that it also provides an easy access from the school.

Busch asked if there would be basketball playing going on during classes. Vogtstrom said it is possible and that is why the plans are to do some screening between the two.

Wright asked if the classroom would be used throughout the day. Drolet said yes, the intent is to provide an opportunity to bring teachers and students to the outside to discuss nature items and study the environment while being outside. Once the classroom is operational, the hope is to come up with other ideas for using the space.

Duyvejonck said she loves the idea and design, she only wishes there was another location so that a portion of the basketball court is not lost. The physical activity aspect of school is constantly being affected due to decreased budgets, so she hates to see those areas limited. Vogtstrom said he doesn't think it will adversely affect the functionality of the basketball court.

Busch asked approximately how much of the basketball court will be taken up. Vogtstrom said approximately 1/6 of the basketball court.

Wallace said that the plans don't show any green space. Vogtstrom said that unfortunately there is a discrepancy in the drawings. The classroom will be about 7 feet over from the west side of the existing asphalt. Richards said if the structure encroaches into that area, the proposal may not be able to meet the impervious surface requirement. Vogtstrom said there is green space around the classroom to offset that. Richards said that revised engineering plans will need to be submitted to show the green space and the correct placement of the classroom.

Wallace asked what direction the roof slopes. Vogtstrom said that the rain garden is shown on the left side and the roof slopes to the south.

Richards asked Commissioners if they had any comments or concerns with the design. Commissioners stated that they had no issues with design.

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- c. Conditional Use Permit and Site Plan Review for Outdoor Classroom on Property Located at 441 Oak Street – Minnetonka Public Schools – (Continued)

Richards reviewed the conditions outlined in the staff report.

Chair Gaylord opened the public hearing at 8:19 p.m. Hearing no comments, Chair Gaylord closed the public portion of the meeting.

Commissioner Wright moved, Commissioner Busch seconded, to continue the public hearing to the City Council's July 18, 2011 meeting and forward the recommendation to the City Council that it approve the amendment to the Conditional Use Permit for Excelsior Elementary School to build an outdoor classroom with the following conditions:

1. Grading, drainage and erosion control plans are subject to the review and written approval of the City Engineer and the Minnehaha Creek Watershed District.
2. The impervious surface coverage of the site and adjacent School District property shall not exceed 35 percent as required by the Zoning Ordinance. The applicant will need to clarify the location of the classroom to determine if the impervious surface coverage will be affected.
3. All lighting plans and light fixtures shall be subject to review and approval of City staff.
4. A landscape plan shall be submitted for approval by City Staff.
5. All applicable permits are applied for by the applicant with all supporting documentation and issued prior to the start of construction.
6. The structure and site improvements shall be considered in accordance with plans approved by the City Council.
7. Should any issues and costs arise with existing and proposed improvements, they shall be resolved by the applicant/owner and reviewed by the City.
8. All indirect costs with the building permit, review, final plans and the certificate of occupancy associated with any costs shall be paid by the applicant/owner.
9. All final plans shall be submitted to the City in an electronic format acceptable to City staff.

Motion carried 6/0.

6. PUBLIC HEARINGS

- d. Planned Unit Development Concept Plan to Construct a Retail Boat Sales Office and Minor Service on Property Located at 712 and 734 Galpin Lake Road, Excelsior, MN – Joe and Pam Mueller, d.b.a. Minnesota Inboard

Richards reported that Joe and Pam Mueller of Minnesota Inboard Water Sports have made application for a Concept Plan review for the properties at 712 and 734 Galpin Lake Road. The applicant has proposed removing the structures and redeveloping the site as a new location for MN Inboard. The property at 712 Galpin Lake Road, the Sickler/Newman/Seifert House, is designated as a contributing historic structure, so the Heritage Preservation Commission must consider a Site Alteration Permit and a demolition permit of the existing structures on this site. The Planning Commission will need to consider redevelopment by Planned Unit Development (PUD). The PUD process is three stages, Concept Plan being the first stage in which this application is being considered.

The Heritage Preservation Commission reviewed a sketch plan for this project at their March 22, 2011 meeting, the Planning Commission discussed it at their April 5, 2011 meeting, and the City Council reviewed the sketch plan materials at their April 18, 2011 meeting.

The proposed project involves the demolition of the two unoccupied single family homes at 712 and 734 Galpin Lake Road. A portion of Galpin Lake Road will be vacated and utilized as part of the driveway and parking area for the project. The proposed site will include a 7,250 square foot building, 15 parking stalls for vehicles, and additional space for boat display and parking. The building is proposed to be centered on the property with paved access completely around the structure.

Minnesota Inboard has been in existence in Excelsior for a long time. The business currently leases space. The owners are proposing to purchase the property and relocate their business to this location. A long term existing business in Excelsior is proposing to purchase the property, build its own building, and relocate their business there. This location will act as a showroom for sales and provide some minor service for customers in the service bay at the rear of the facility.

The site area is proposed to be 45,678 square feet. The building will be 7,250 square feet and the driveway and parking areas will be 19,354 square feet. For office and clinic uses in the R-3 District the impervious surface coverage maximum is 60 percent and 40 percent green space. The site with the vacated area is 45,678 square feet. The proposed hardcover is 26,604 square feet (58 percent) and the open space is 19,074 square feet (42 percent). The height of the main building is proposed to be 17'6", the entrance 21'6", and the rear service area 14'0".

6. PUBLIC HEARINGS

- d. PUD Concept Plan for Property Located at 712 and 734 Galpin Lake Road, Excelsior, MN – Joe and Pam Mueller, d.b.a. Minnesota Inboard – (Continued)

The property is zoned R-3 in which this type of retail and service business is not allowed. The applicants would be eligible for PUD in that it is a use that is not allowed in the R-3 District and there are two uses proposed, one the retail use and second the service use.

The Comprehensive Plan guides the subject site as medium density residential. The Ridgeview Medical Clinic is also guided in this way. In that clinics are allowed in the R-3 District as a conditional use, the land use designation of medium density residential for the clinic has been appropriate. The R-3 District lot requirements, setbacks, building height, and impervious surface requirements will be applied when reviewing the PUD.

The PUD process is a three stage review consisting of Concept Plan, General Plan of Development, and Final Plan. The Concept Plan allows for an applicant to discuss land use and basic site design issues with the City prior to making a full application with all of the required details of a General Plan. The Final Plan stage is a rezoning, possibly a subdivision, and finalization of the development agreement. The applicants for MN Inboard plan to request that the General Plan of Development and the Final Plan stages be combined. The City Council will need to agree to this as part of the Concept Plan review.

As part of General Plan of Development, the applicant will need to provide a subdivision submittal that would combine the two lots and replat the area. In that this is a simple combination of lots into one lot, staff would recommend that the preliminary/final plat be considered at the same time. The plat should also include the vacated right-of-way from Galpin Lake Road.

The applicant has proposed a street vacation for that portion of Galpin Lake Road adjacent to the subject property. The area to be vacated is approximately 6,500 square feet. Half of the right-of-way is within Excelsior, the other half is in Shorewood. The City of Shorewood would need to vacate its portion of the right-of-way prior to the City taking action on the vacation and plat. Easements will need to be retained for the utilities within the vacated right-of-way.

The proposed building meets all front, rear, and side yard setback requirements of the R-3 District. The parking section of the Zoning Ordinance specifies that a setback of 15 feet is required for parking and driveways adjacent to a street. The driveway adjacent to Highway 7 is proposed to be set back at a minimum of three feet. The City may consider this setback distance as part of the PUD approvals.

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- d. PUD Concept Plan for Property Located at 712 and 734 Galpin Lake Road, Excelsior, MN – Joe and Pam Mueller, d.b.a. Minnesota Inboard – (Continued)

The parking section also specifies a 15 foot setback for commercial parking adjacent to a residential use/district. The parking on the west side of the site, adjacent to the apartment building is set back 20 feet. On the north side, adjacent to the Ridgeview Medical clinic, the set back is proposed at eight feet. Although the Ridgeview Medical Clinic is a commercial use, the property is zoned R-3 requiring the 15 foot setback. The City may consider this setback distance as part of the PUD approvals.

The building is centered at the middle of the site with driveways and parking completely surrounding the building. During the sketch plan review, the Planning Commission and City Council members questioned whether the building could be moved forward on the site with green space in front and place the parking and driveways on the side and rear of the structure. The Planning Commission should discuss this during the Concept Plan review.

Access for the site shall be via Galpin Lake Road. The applicant will be required to provide a traffic study for the proposed use as part of the General Plan of Development stage.

The required parking for this proposal is 16 parking spaces. The plans indicate 15 stalls in designated parking stalls and significant other areas for vehicle and boat parking. All of the parking stalls and drive aisles will meet the dimensioning requirements of the Zoning Ordinance. For every 25 stalls, one landscaped island of at least 100 square feet is required. The site is provided with adequate landscape island areas.

The plans indicate a sidewalk at the front of the building. There is no sidewalk at present along Galpin Lake Road. As part of the request for street vacation, the City should consider whether a sidewalk should be installed by the applicant along Galpin Lake Road to County Road 19.

A landscape plan and a tree inventory/replacement plan would be required as part of the General Plan of Development review. The Concept Plan shows that the west property line adjacent to the apartment building would be landscaped to provide a buffer. Rain gardens are proposed in the parking setback area along Highway 7. There are significant trees on site that will be removed; the City will require the trees to be replaced as part of the landscape plan.

The applicant has provided Concept grading and drainage and utility plans. The City Engineer has reviewed the plans and does not see any preliminary issues.

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- d. PUD Concept Plan for Property Located at 712 and 734 Galpin Lake Road, Excelsior, MN – Joe and Pam Mueller, d.b.a. Minnesota Inboard – (Continued)

The Excelsior Design Standards address the architectural, site planning, and sign elements for commercial buildings. The full Design Standard review will occur at the General Plan of Development stage.

Richards said that Article 65, PUD Planned Unit Development District of Appendix E does not provide specific criteria for review of a Concept Plan. As the Planning Commission reviews the Concept Plan he would recommend that it consider the Purpose section outlined in Article 65, Sec. 65-1.

Neil Weber, architect for project, said that this is a fairly complex property to develop. He noted that the plans are basically the same as what was provided for the sketch plan. Joe and Pam Mueller want to go from a rented facility to a property they own. The proposal not only adds a new building to the tax base, but it also keeps a business in Excelsior that has been here for 20 years.

Weber said that the project meets all zoning requirements with the exception of the parking setback along Highway 7 and the side adjacent to the Ridgeview Clinic. The parking setback is designed to buffer residential and the medical clinic is a commercial use. The main part of building would be 17½ feet tall with a service area behind. The highest point of the building would be 22½ feet. There is a 20-foot buffer between the building and the apartment building. The entrance and customer parking will be off of the Galpin Lake Road side. The reason the driveway circles around the building is because most of the customers are coming in with trailers and will function as a one way road along the Highway 7 side. The driveway circulation is laid out in this manner to be able to operate efficiently on the site. During the General Plan stage, the Commission will receive all of the technical information.

Gaylord said this is a very visible site and a gateway to the City. The building will be there long term and would question whether having the parking up front is a good idea. Weber said the parking is for customers. Gaylord said he's still not sure it's a good idea.

Weber said when you apply the City's parking requirements for retail it is high, because this is not your typical retail business and there will never be that many customers there at the same time. When the parking lot was designed, they clustered the customer parking around the entrance to free up space for circulating the boats.

Weber said he forgot to mention that the City of Shorewood has agreed to vacate the property if Excelsior approves the project.

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- d. PUD Concept Plan for Property Located at 712 and 734 Galpin Lake Road, Excelsior, MN – Joe and Pam Mueller, d.b.a. Minnesota Inboard – (Continued)

Richards suggested having the entrance and boat display up front, customer parking on the side, and the main entrance at the corner.

Bill Wolfson, Coldwell Banker Burnet, Real Estate Agent for 712 and 734 Galpin Lake Road, said this is a tight site to manage and they did not want to comingle the customer cars with the boats and trailer. The one way will help accommodate the trucks and trailers coming from their New Germany site. They also don't want the average shopper to have to drive around the back side of the building to get to the entrance. Richards said he would still challenge them to look at a new configuration.

Joe Mueller, MN Inboard, said that 60 feet is needed for a turnaround and that does not work on the site. Most of the customers aren't experienced with driving a car, boat, and trailer and having to maneuver a turnaround would be very difficult for them.

Wallace asked what the difference is with this site and the medical clinic with regard to parking; the medical clinic has parking on the Highway 7 side. Fuchs there is only parking on two sides of the building on the medical site. Wallace said he was just addressing the parking on the Highway 7 side.

Bill Wolfson said aesthetically this site will look nice and there will be a lot of green space.

Joe Mueller said as a retailer he would love to have his boats on the Highway 7 side, but it just doesn't work on this site.

Bill Wolfson said typically there aren't more than one to three customers on the weekends at the current site.

Busch asked what the distance is between the parking spaces and Highway 7. Weber said it narrows down closer to the building, but it is about 25 feet back from the Highway 7 pavement.

Busch asked about the topography. Neil Weber said the topography drops down slowly; the platform that the building sits at is 3 to 4 feet higher than Highway 7.

Busch said so the parking lot will be 3 to 4 feet above Highway 7. Weber said yes, but it grades up to it. Gaylord said that the parking lot goes uphill along the short side of the corner.

Gaylord asked how high the retaining wall will be. Neil Weber said it will be about 2½ feet tall and there will also be heavy planting along there.

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- d. PUD Concept Plan for Property Located at 712 and 734 Galpin Lake Road, Excelsior, MN – Joe and Pam Mueller, d.b.a. Minnesota Inboard – (Continued)

Gaylord asked what the status was with regard to the property transaction. Bill Wolfson said the property is under contract contingent on the City approving the project.

Wright asked what the status was with regard to the property owned by the City of Shorewood. Bill Wolfson said he has spoken with Shorewood and they can give the adjacent property owner the land and if the project is approved, the transfer of vacated land will happen simultaneously.

Richards asked about the property owned by the Minnesota Department of Transportation (MN DOT). Bill Wolfson said MN/Dot is ready to vacate and deed the property over once the other areas are deeded to this property. Richards said that process will need to be outlined.

Gaylord asked if there is a Plan B for the building. Bill Wolfson said there is no Plan B. The concept is to have a 7500 square foot building approved under a PUD with numerous conditions. MN Inboard has been in business for over 20 years and is doing well. Weber said it will basically be a retail building; the only unique aspect of the building will be that it will have service doors in the back to accommodate the boats.

Gaylord said the question is what happens to this property long term. This is a very visible property.

Richards asked if there is a comfort level promoting this property for commercial use in the Comprehensive Plan. Wallace said that was discussed during sketch plan review. Richards said if there is going to be concept plan approval that there should be a consensus with allowing the Comprehensive Plan change to direct this property as a commercial use.

Bill Wolfson said the business hours and traffic with the MN Inboard business are reasonable for this site.

Jensen asked if there is any way to eliminate the drive through driveway along Highway 7. Neil Weber said not without having a turnaround. They worked with turning the building and other changes on the site and that's when they found they needed to have the one-way. They've narrowed the driveway so with Highway 7 it won't look as tight as what it is. The heaviest traffic will be in the spring and fall during short periods of time when boats are being moved in and out.

Joe Mueller said he has 12 boats on his lot right now. Customers prefer to drop off their boats in Excelsior versus New Germany and it will be easier for customers to drive around and through the lot than try to maneuver the boat into the shop.

Chair Gaylord opened the public hearing at 8:57 p.m. Hearing no comments, Chair Gaylord closed the public portion of the meeting.

6. PUBLIC HEARINGS

- d. PUD Concept Plan for Property Located at 712 and 734 Galpin Lake Road, Excelsior, MN – Joe and Pam Mueller, d.b.a. Minnesota Inboard – (Continued)

Richards asked the Commission to discuss the Comprehensive Plan land use designations for the subject property and the Ridgeview Medical Clinic property and determine whether the designation should be changed to commercial.

The Commission discussed whether to include the Ridgeview site. The consensus of the Commission was that the Ridgeview Medical Center be taken out of the discussions.

Richards asked for comments with regard to the parking setbacks on the north and southeast property lines. The consensus of the Commission was that they did not have any issues with regard to the parking setbacks.

Richards asked the Commission to comment on the proposed site plan and building location.

Gaylord said that based on the operation of the business another option does not make sense.

Jensen said this issue has come up with the Planning Commission and City Council previously, so it would be prudent to make sure we've exhausted all avenues.

Busch said it sounds like the applicant has looked at all avenues. Neil Weber said the one way cannot be eliminated.

Jensen said he just wants to make sure when it's graded that everything was considered. Joe Mueller said the reason he hired this team so he could be sure the building looks good. He understands the need for brick, etc. He suggested that Commissioners go to the MN Inboard website and look at the Baxter store. When that store was built, the City of Baxter also had requirements with regard to materials. They met the City's requirements and ended up with a very presentable looking building.

Duyvejonck asked what the radius or diameter is needed for the circle to maneuver a boat around. Joe Mueller said it's the same as a cul-de-sac. Duyvejonck suggested that it is demonstrated on the plans. Bill Wolfson said it could be overlaid on the plans. Neil Weber said that could be added before this goes to the Council.

Bill Wolfson said they have looked at providing the best setback and orientation possible.

Richards asked the Commission to comment on the need for a pedestrian access along Galpin Lake Road to Oak Street. He noted that this was a condition of approval for the previous proposal. Neil Weber said he would propose to make it conditioned on the installation of sidewalk along Oak Street rather than make it a requirement now.

Wallace said most people will probably walk through the clinic site to access this property.

6. PUBLIC HEARINGS

- d. PUD Concept Plan for Property Located at 712 and 734 Galpin Lake Road, Excelsior, MN – Joe and Pam Mueller, d.b.a. Minnesota Inboard – (Continued)

Duyvejonck said in the location where the business is now there are people who walk the trail and look at the boats, but it doesn't make sense here if it is just adjacent to this property.

The consensus of the Planning Commission was that there is no benefit to adding a sidewalk at this time.

Commissioner Wallace moved, Commissioner Busch seconded, to continue the public hearing to the City Council's July 18, 2011 meeting and forward the recommendation to the City Council that it give Concept Plan approval to the Planned Unit Development to construct a retail boat sales office and minor boat service on the property located at 712 and 734 Galpin Lake Road. Motion carried 6/0.

7. UNFINISHED BUSINESS

- a. Discuss Article 15, Non-Conforming Buildings, Structures, and Uses Amendment

Richards reported that a draft of the amendments was provided to the Planning Commission. He suggested that the Commission continue this item to the August meeting to give the City Attorney more time to research the MN State Statutes related to stormwater.

Commissioner Wright moved, Commissioner Duyvejonck seconded, to continue this agenda item to the August 2nd Planning Commission meeting. Motion carried 6/0.

- b. Parking Update

Richards said that at the June 7, 2011 meeting, the Planning Commission discussed the Parking Action Task Force recommendations and specifically the items related to a parking map on the website, a shared parking opportunities ordinance and parking counts. The Planning Commission continued the discussion to the July meeting.

Richards noted that work still needs to be done on developing a map and additional information to be added to the City website to assist visitors in finding parking. Staff will need to work with members of the Planning Commission on revising an existing map that includes the Downtown and parking areas. Jensen agreed to work with staff on this item.

Richards said that language from the Zoning Ordinance related to shared parking was provided to the Commission. He reviewed the changes that had been made based on the comments from the Planning Commission suggested at the June meeting.

7. UNFINISHED BUSINESS

b. Parking Update – (Continued)

Commissioner Duyvejonck moved, Commissioner Busch seconded, to direct staff to schedule a public hearing on the proposed amendments for the shared parking for the August 2, 2011 Planning Commission meeting. Motion carried 6/0.

Richards said this month is the first time parking counts have been taken at 6:00 p.m. on Thursdays. It was interesting to see that there were certain times of the day and certain days of the week when the parking is basically full.

Commissioner and staff discussed the parking statistics.

Wallace asked how long will the parking counts be taken. Richards said counts will be taken every month except January through April.

Busch asked how much of the street parking is included in the counts. Richards said there was a parking study done a number of years ago and the council was comfortable using the same area that was used at that time. It's surprising how many parking spaces there are besides the municipal lots.

Richards said he will send out an email for commissioners to sign up to assist in conducting the parking counts.

c. Tree Management

Duyvejonck said she would be willing to serve on the subcommittee, but she is only available to meet in the evenings around 5:00 p.m. or 6:00 p.m.

A subcommittee meeting was tentatively scheduled for Tuesday, July 12th at 5:00 p.m.

d. Residential Design Guidelines

Richards said Gaylord, Wallace, and he had met last Thursday. He noted that there had been some questions regarding the new home that the Shelby's are building. The three of them looked at the plans and they do meet the City requirements. He said what's difficult with a lot of neighborhoods is the variety in sizes, so when someone does build something new it appears much larger and out of scale. The height of the building is only 28 feet. Each lot and building is different. The subcommittee will continue to look at this. The next meeting is scheduled for July 21st at 1:00 p.m.

Gaylord discussed possible trade-offs that could possibly be looked at.

Wallace said they continue to struggle with how complicated to get with the regulations. If the regulations are too complicated, the language gets hard to follow. By looking at the Shelby house it gives them a basis for their discussions.

Jensen said that the City of Greenwood grappled with this issue for about 3 or 4 years. It is very difficult to deal with, especially when there is a cottage on one lot and a house goes up on an adjacent lot.

7. UNFINISHED BUSINESS

d. Residential Design Guideline – (Continued)

Staunton said that the City of Edina also grappled with this issue for a long time. There are so many aspects to consider, and if the regulations are too difficult it's impossible to administer.

Richards said the discussion may end up being towards impervious surface again versus design standards.

Wallace said the subcommittee even considered language similar to what was adopted with regard to porches.

Busch asked if the Planning Commission will begin discussing green technologies. Fuchs said yes, the Planning Commission will discuss this at some point.

8. NEW BUSINESS

a. Dates for Additional Work Session(s)

The Planning Commission decided to hold off on scheduling any additional Work Sessions beyond the subcommittee meetings.

9. COMMUNICATIONS & REPORTS

a. Next Planning Commission Meeting – Tuesday, August 2, 2011

Information only.

10. MISCELLANEOUS

a. Recent City Council Actions

Staunton updated the Planning Commission on recent City Council actions.

11. ADJOURNMENT

Commissioner Duyvejonck moved, Commissioner Busch seconded, to adjourn the meeting at 9:50m p.m. Motion carried 6/0.

Respectfully submitted,

Cheri Johnson
City Clerk