

City of Excelsior

Planning Commission Meeting

Minutes  
Tuesday, March 6, 2012

1. CALL TO ORDER

Chair Gaylord called the meeting to order at 7:03 p.m.

2. ROLL CALL

Commissioners Present: Busch, Craig, Duyvejonck, Jensen, Wallace, Wright,  
and Chair Gaylord

Commissioners Absent: None

Also Present: City Planner Richards, City Attorney Staunton, City  
Engineer Dawley, City Planner Stockman, and City  
Clerk Johnson

3. APPROVAL OF MINUTES

a. Planning Commission Meeting of February 8, 2012

Chair Gaylord asked if anyone had any additions or corrections to the Minutes.

Commissioner Busch moved, Commissioner Jensen seconded, to approve the minutes from the Planning Commission February 8, 2012 meeting as written. Motion carried 7/0.

4. PENDING ISSUES/PROJECTS

a. Appoint Liaison to City Council (March 19, 2012)

Commissioner Busch will be the Planning Commission Liaison to the March 19, 2012 City Council meeting and Commissioner Craig will be the alternate.

5. PUBLIC HEARINGS - (Continued)

a. None

6. PUBLIC HEARINGS

a. Variance from the City's Impervious Surface Coverage Requirement Appendix E, Article 36 - Stormwater Management and Article 60 - Shoreland Management and Variance from Appendix E, Section 17-11 to Allow for Demolition of Existing Residential Home Prior to Issuance of Building Permit for Property Located at 151 First Street, P.I.D. #27-117-23-44-0006 - Rebecca and Larry Lembrich

Stockman reported that Larry and Rebecca Lembrich, owners of the property at 151 First Street, have requested variances from the City's impervious surface coverage requirement in Appendix E, Article 36, Storm Water

6. PUBLIC HEARINGS

- a. Variance from the City's Impervious Surface Coverage Requirement and to Allow for Demolition of Existing Residential Home Prior to Issuance of Building Permit for 151 First Street - Rebecca and Larry Lembrich - (Continued)

Management and Article 60, Shoreland Management and Appendix E, Section 17-11 to allow for the demolition of the existing residential home prior to the issuance of a building permit for a new structure.

The applicants wish to demolish the existing home and build a new home on the property. The lot is 7,287 square feet. The new house and attached 2-car garage encompass 1,301 square feet and 450 square feet, respectively. The size of the new home is consistent with other newer homes constructed in the City. The existing home has a failing foundation and basement water issues that are caused by the site drainage.

The applicants wish to construct a driveway of pervious pavers to aid in the control of storm water on their property. The site contains a significant slope across the property and stormwater flow across the driveway has created some erosion control problems in the past, as a significant amount of storm water comes from the property to the southeast.

The allowable impervious surface area is 2,550 square feet; the impervious surface area with this proposal is at 2,925 square feet or 40%. It was determined that the requested variance from the City's impervious surface limitation would not solve the site's drainage issues. The applicants have decided to revise the overall grading and drainage plan to collect a portion of the roof runoff and redirect the stormwater to a catch basin beneath the driveway. By proceeding in this manner, a variance is no longer needed. The applicants have withdrawn their request for a variance request from the City's impervious surface requirements.

The applicants would still like to proceed with the second variance to allow for the demolition of the existing home prior to the issuance of a building permit. The applicants have provided plans and are working with reputable builder.

Duyvejonck asked if the applicants have submitted building plans already. Stockman said yes, but the issues still have to be worked through with regard to the stormwater drainage plans.

Duyvejonck asked when the plans were submitted. Stockman said some time ago; the plans have been reviewed with regard to the zoning requirements. She noted that the applicants want to be environmentally sensitive in handling the drainage issues.

Chair Gaylord said he finds it interesting that the applicants could avoid the need for a variance by cutting back the square footage of the driveway and house. Stockman said not necessarily depending on the soils.

6. PUBLIC HEARINGS

- a. Variance from the City's Impervious Surface Coverage Requirement and to Allow for Demolition of Existing Residential Home Prior to Issuance of Building Permit for 151 First Street - Rebecca and Larry Lembrich - (Continued)

Chair Gaylord asked if the proposed hardcover is 40%. Stockman said the site is over by 375 square feet, which is just shy of 40%.

Chair Gaylord said the zoning ordinance allows some added impervious surface coverage provided the 60% green space is maintained. Stockman said yes, that has been the precedence.

Chair Gaylord asked if the City is requiring the stormwater management or is this something that the applicant wants.

Dawley said the stormwater management that the applicant is proposing is not a requirement, but it does follow precedence. Just recently, the Shelby property exceeded the City's stormwater management requirements. This provides an opportunity for the applicant to exceed the impervious surface requirements and still meet stormwater requirements. There is a very good probability that the applicant will be able to meet past precedence and meet the ordinance requirements.

Craig questioned the impervious surface calculations that were provided on the survey. Stockman said that the calculations have been corrected.

Duyvejonck asked why the applicants want the variance for demolition prior to the issuance of a building permit. Stockman said the applicants want to get going on the site as soon as possible and they weren't sure how long it would take to work through the stormwater issues. She noted that the City Engineer and Public Works Superintendent are agreeable with the demolition provided the site is graded, seeded, and silt fencing is in place.

Chair Gaylord said that the findings and conditions for granting the variance on the demolition are developed based on the site plan and the site plan is not complete. When do the applicants expect to have the site plan? Stockman said that the Commission could have a condition that the demolition permit not be issued until the final plan is reviewed and approved by City staff and the City Engineer.

Richards said if the Commission does not have the information that is needed to consider the variance request for the demolition, he would suggest that the Commission continue this item to the April meeting.

Chair Gaylord opened the public hearing at 7:16 p.m. Hearing no comments, chair Gaylord closed the public portion of the meeting.

Commissioner Craig moved, Commissioner Wright seconded, to continue this agenda item to the April 3, 2012 meeting. Motion carried 7/0.

6. PUBLIC HEARINGS

- b. Rezoning of 348 George Street (P.I.D. #34-117-23-13-0012) to B-2 General Business District and Preliminary and Final Plat, Design Standards, and Site Plan Review for the Redevelopment of the Properties Located at 440 Water Street (P.I.D.#34-117-23-13-0063), 348 George Street (P.I.D. #34-117-23-13-0012), 368 George Street (P.I.D. #34-117-23-13-0064), and 374 George Street (P.I.D. #34-117-23-13-0062) - KTJ 207 LLC

Richards reported that Paul Tucci, representing KTJ 207, LLC, has made application for a rezoning of 348 George Street to B-2 General Business District, preliminary and final plat, Design Standards and site plan review for the redevelopment of the Mason Motors site at 440 Water Street and for construction of a new retail building at 348, 368 and 374 George Street.

The site is currently developed with the Mason Motors building and the two structures at 368 and 374 George Street. The property at 348 George Street is currently parking lot and zoned R-2 - Single and Two Family District. The remaining property is zoned B-2 - General Business District. The adjacent building at 470 Water Street is a separate parcel and will be considered for Design Review at a later date.

The project consists of an addition to the Mason Motors building at 440 Water Street to accommodate a retail grocery store. The building will be expanded to a total of 14,570 square feet. A second building will be constructed at the corner of Water and George Streets totaling 10,030 square feet. The building at 470 Water Street is on a separate lot and will also be renovated. A separate application for Design Review will be submitted at a later date.

The application includes a request to rezone the property at 348 George Street from R-2 Single and Two Family District to B-2 General Business District. This would be consistent with the Comprehensive Plan. The 2008 Comprehensive Plan Land Use Plan designates the properties for commercial use, including the property at 348 George Street that is zoned R-2 District. The properties at 440 Water; 368 and 374 George Street are zoned B-2, General Business District. If the property at 348 George Street is rezoned to B-2, the proposed uses would be consistent with the zoning classification.

The applicants have proposed subdividing the existing lots into one block and two lots as part of Snells 2<sup>nd</sup> Addition. All easements as required by Chapter 30 of the City Code shall be dedicated as required by the City. The subdivision shall be subject to review and approval of the City Engineer and City Attorney. No park dedication will be required as a result of this subdivision.

The access points to the site will be changed. Two accesses are proposed on Water Street and one access is provided on George Street.

6. PUBLIC HEARINGS

- b. Rezoning of 348 George Street, Preliminary and Final Plat, Design Standards, and Site Plan Review for the Redevelopment of 440 Water Street and 348, 368, and 374 George Street - KTJ 207 LLC - (Continued)

Richards said the B-2 District requires a 10-foot front yard setback for buildings and no side and rear yard setbacks unless adjacent to a residential district. The existing and proposed buildings will all comply with the rear and side yard setbacks. The 440 Water Street building was constructed within two feet from the front property line. The 400 Water Street building is proposed to be constructed at the property line. While the B-2 District requires a 10 foot setback, the Design Standards specify that "Continuous build-out at the front building line is important for the architectural concept in the downtown area." Additionally, Appendix E and the Design Standards indicate that if the provisions contained within the Design Standards are in conflict with Appendix E, the Design Standards shall apply.

For the parking lot, side and rear yard setbacks are required to be 10 feet if adjacent to a residential district. The rear of the development is adjacent to the R-2 District. The parking lot plan indicates setbacks less than 10 feet at the rear property line. The plan will need to be revised to accommodate this setback. The applicants have indicated that their preferred option is to apply for a variance from the setback requirements.

The Design Standards also indicate that parking areas shall not be located within 50 feet of Water Street unless screened by a building. This is not a requirement in the B-2 District of Appendix E but is required in the B-1 District. The front parking area is proposed at 12 feet from Water Street. The applicants could redesign the parking lot to comply, or request a variance under the Design Standards

The B-2 District allows for an impervious surface coverage maximum of 90 percent and 10 percent green space. The impervious coverage for Lot 1 which includes 440 Water Street is 88.5 percent. The impervious coverage for Lot 2 which includes 400 Water Street is 88.8 percent.

The applicants have indicated that the proposed use of the buildings will be retail. Offices and other service uses would also be permitted in this district. In that the final tenants are not known at this time, the parking has been calculated for all retail use. The City will verify parking with each new tenant to determine whether adequate parking is provided for the development. Lots one has a total of 46 parking spaces, four of which are disability accessible. Lot 2 has a total of 76 parking spaces, two of which are handicap accessible. With a total of 122 parking spaces between the two lots there is more than adequate parking to comply with Appendix E requirements.

A loading dock will be added to the 440 Water Street building at its northwest side. Deliveries to the 400 Water Street Building can be made from the surface parking area or from George Street.

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- b. Rezoning of 348 George Street, Preliminary and Final Plat, Design Standards, and Site Plan Review for the Redevelopment of 440 Water Street and 348, 368, and 374 George Street - KTJ 207 LLC - (Continued)

Richards said that the applicants have provided a traffic study for the redevelopment and the City Engineer, Morgan Dawley will address.

The utility and drainage plans shall be subject to review and approval of the City Engineer. The Engineer has provided a review of the plans in a separate report that will be provided to the Planning Commission.

A landscape plan has been proposed that includes trees and plantings within the center islands of the parking lot. Trees are proposed at the edge of the property adjacent to the church property and plantings are included along Water Street. The parking lot islands will be irrigated to ensure the viability of the plant material.

The applicant has provided a tree inventory on the demolition plan. All of the existing trees on site will be removed. Of the trees on site, there are five maples and two spruce that would be deemed significant. The applicant may be required to pay tree replacement fees. This will depend on the final landscape plan and the numbers of replacement trees that will be added. Trees within the sidewalk could be added if the sidewalk is widened along the length of the property on Water Street.

The plans indicate that the existing sidewalk along Water Street and George Street are to remain. The survey shows that a portion of the sidewalk on Water Street, closer to George Street, is narrower than the portion closer to Oak Street. As part of the redevelopment, the applicants shall be required to widen the sidewalk so that it is consistent. The City Engineer should comment if any of the sidewalks adjacent to this development should be repaired or replaced. There are historic streetlights already in place along Water Street. The City Public Works Superintendent should comment about the need for additional fixtures on George Street.

The elevation plans indicate signage for individual tenants for the 400 Water Street building. Appendix E allows multiple signs for buildings that are multi-tenant, as long as the aggregate square footage of allowable signage is complied with. The allowable signage for 400 Water Street would be 330 square feet. The allowable signage for 440 Water Street would be 256 square feet. A final signage plan has not been proposed.

A lighting plan has been provided that indicates the location of fixtures in the parking lot and on the 400 Water Street building. The parking lot fixtures are not consistent with the specifications in the Design Standards for type of fixture. A King Luminaire globe with an Antique Street Lamp, Capitol Series pole that is 14.5 feet in height is required. The fixtures to be installed on the 400 Water Street building are full cut off and consistent with Appendix E

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Standards. The applicants will need to indicate if any wall fixtures are to be installed on the 440 Water Street building. The photometric plan indicates that the intensity of the lighting design will comply with Appendix E Standards.

Richards said that the appearance of the Mason Motors building will not change significantly, especially the Water Street façade. A roof overhang would be added and windows similar to what are used currently in the building will be extended to the parking lot side. The addition will be constructed of brick to match the existing structure. The roof and entry canopy would be a standing seam metal.

The building at 400 Water Street would be a dark red brick, with an anodized aluminum storefront in a bronze tone or black. Fabric awnings would be utilized on the Water Street façade and over some of the windows on the George Street and parking lot facing facades. The applicant will provide building material samples for review by the Planning Commission.

The building at 440 Water Street is currently 18 feet 4 inches. The existing building height will not be increased and the building addition will be at 15 feet 1 inch. The B-2 General Business District specifies a maximum building height of 35 feet. The proposed building at 400 Water Street will be constructed to 20 feet in height.

The plans indicate various options for a trash and recycling area. The applicants should clarify where the enclosure will be with plans for the structure and gates.

The plans do not indicate the location of mechanical equipment on or adjacent to buildings. A mechanical equipment plan will need to be provided with appropriate screening as required in Appendix E.

Richards said that the Heritage Preservation Commission (HPC) must consider a Site Alteration Permit and the proposed demolition of the two historically designated properties at 368 and 374 George Street. The properties are contributing structures and at one time were within the Downtown Historic District. The HPC, at their February 28, 2012 meeting discussed the demolition of the two structures and whether the new construction of the 400 Water building would fit the criteria for new construction under the criteria found in Section 62-3 of Appendix E.

The HPC discussed the demolition of the properties and whether they should be preserved. Overall, the HPC members were not opposed to the demolition of the property at 368 George Street in that most of the historical integrity of

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the structure has been lost with the numerous additions to the building. There was more hesitation with the 374 George Street property in that the original building is mostly intact. The HPC will review the criteria, found in Section 62-5 of Appendix E in detail. The HPC continued the discussion to a special meeting on March 7, 2012.

Richards said that in terms of the new construction, the HPC's comments regarding the 400 Water Street building were not favorable. Generally, the concerns were that the building should be turned so that the greater length of the structure is on Water Street rather than George Street, the design looks too suburban, and the façade on the George Street side does not feature enough architectural interest.

Dawley discussed the traffic study. He noted that it is consistent with what has recently been completed by the Minnetonka School District for Excelsior Elementary. He said there will be no significant impacts to the traffic from the proposed development. There is a condition of approval recommended in the traffic study for striping northbound lanes at George Street and southbound lanes on Oak Street. There are also three on street parking spaces on George Street that will need to be removed in order for the right hand turn lane to be installed. The comments regarding the truck traffic will need to be clarified. There will be less than 100 vehicles during the morning peak hour and 193 vehicles in the afternoon peak hour, and the traffic will be spread out over four different access points.

Wallace asked if the driveways will have one or two way traffic. Dawley said the driveway width is 22 feet wide and will have two way traffic. He noted that there was comments that if the trucks will be accessing the driveways onto Water Street that the accesses should be widened.

Craig said there is also a comment with regard to cut through traffic. She asked if information on truck traffic and cut through traffic will need to be addressed. Dawley said yes.

Chair Gaylord asked if there was a notation in the traffic study with regard to the traffic heading down George Street toward the residential neighborhood. Dawley said based on the counts and projections, he thinks there will be little impact to the residential neighborhood.

Chair Gaylord said with the restriping and the installation of turn lanes, how many parking spaces will be eliminated. Dawley said that he had measured the area and it will be approximately three parking spaces. He said that there is already some restriction on parking where the bus stop is located.

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Chair Gaylord said with the abundance of parking on the site plan, how will the parking be viewed with regard to public parking. Richards said that this is an issue throughout the downtown; the City has always considered all parking spaces as public.

Chair Gaylord asked the applicant if there were plans to make the lots private parking. Paul Tucci, Oppidan, the applicant, said there are no plans to sign the parking lot as private parking.

Tucci said Oppidan is working with Jon Monson of Landschute on the architectural design. He said he would like to take the opportunity to address some of the questions that have been raised. He said that there should be little impact with the elimination of the three parking spaces, as these spaces are seldom used. Also, if the shoulder on Water Street going southbound toward Oak Street is widened and corrected, the traffic will flow better. He noted that the proposed route for truck traffic will be to come in on Oak Street to Water Street and enter the parking lot from George Street. Most of the traffic will then go back to Water Street versus going out onto George Street.

The square footage of the existing Mason Motors building will be increased. He said there are discussions currently with a couple of different grocery operators for this property.

There have been reports completed on the significance of both of the historic homes on George Street. The westerly building was deemed not to have much historical significance and the other building might have some historic value. This building is narrow and the inside does not lend itself to a good reuse. Given what they are trying to accomplish with the one new building and work with the Mason Motors building, they've come up with the design before the Commission. Other designs were considered, but they did not work. He said turning the new building so it faces on Water Street does not work. The existing use of the site has been parking throughout the site, with this proposal there will be a building and green areas. They have tried to give the area more streetscape. The site currently has a single access point; with this development there will be three access points to allow cars to move through easier. The landscaping plan meets the City's requirements. The parking lot does not meet the required setbacks, but the situation is being improved from what exists today.

Tucci said that until the final users are identified, the signage cannot be determined. Signage was added to the plans just to give the Commission a sample of where the signage would be located.

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Chair Gaylord asked the applicant if he would discuss the types of tenants that will be in buildings. Tucci said the one building will have a grocery store; what will be in the other spaces has not been determined. Chair Gaylord asked if they had identified the grocery. Tucci said they are currently having discussions with two grocery stores.

Craig asked if one grocery store would be more favorable than the other. Tucci said no, both would be appropriate.

Tucci said there is a full service salon who is interested in the location. There are some office users, medical, dental, etc. who might also have some interest. They are just beginning to get into marketing the site, but believe there will be a mixture of uses. There is also the potential for a restaurant. A fitness center has expressed some interest in the corner property.

Chair Gaylord asked if the grocery will be the anchor tenant and if that is what's driving the site plan. Tucci said utilizing the existing building is driving the site plan. The goal is to use that building for a single tenant.

Chair Gaylord asked if rotating the building along George Street to Water Street will work. Tucci said it would limit the access points and move traffic away from the anchor spot. He said the majority of the tenants will park in the middle between the two buildings; if the building is rotated the parking is compromised.

Chair Gaylord said if the City does not approve this site plan, will that mean that the project will not move forward. Tucci said yes.

Craig asked why the layout of the site would matter that much. Tucci said with some of the elevation changes it would be difficult to access the building.

Wallace said that if the building faces Water Street you would not need stairs. He asked if putting the grocery store on the opposite side had been explored. Tucci said there would not be enough parking.

Craig asked if an entrance could be placed on Water Street. Tucci said possibly, it will on who the tenant are. If there is a single tenant, it would be hard to have a door at the corner.

Craig said there aren't many stores that have a 64 foot presence on the street. Is it possible to make it into two or three tenant spaces? Tucci said that the parking would be an issue, because there wouldn't be easy access to parking.

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Chair Gaylord said he thinks the plan looks too suburban and does not fit within Excelsior. Tucci said he does not think the design looks suburban.

Chair Gaylord said would it not be characteristic to a strip mall. Tucci said no, if this was a clean site in a suburban setting, the building would be placed differently.

Craig said if the building can't be moved there could be more design put into the building on the corner to make it more attractive. Tucci if they could find more than one tenant for the building, they could make it look like a storefront but it may not be an operational storefront.

Busch asked if the building could be pushed back from Water Street and a sitting area added. It would make the corner more interesting and inviting. Tucci can probably do a little more design elements toward the end and there could maybe be a couple of seating areas or patio depending on who the users are.

Chair Gaylord opened the public hearing at 8:02 p.m.

Lynn Walker, 351 George Street, said that she lives in the first residential property on George Street. She is concerned with how the back of the building will look. She doesn't want to look at a plain brick building; that side of the building needs to look good. Her second concern is traffic. She doesn't believe that there will only be 5 cars per hour coming down George Street from the site. Her last concern is delivery trucks. Mason Motors had trucks unloading cars all times of the day. There needs to be time restrictions on when trucks can access George Street.

Charles Babcock, 369 George Street, said he also has concerns with the aesthetics of the back of the building; the back should have to be customer friendly. He pays commercial taxes to run a business, and he makes do with the parking that is there. He would like to see greenery on George Street between the commercial and residential. He agrees that it's time to rezone the one property from residential to commercial. He understands that there is an issue with the elevations; it would help if the building was shorter. There has been asphalt in this area for 25 years and he would welcome seeing greenery, trees, and maybe more iron fencing to fit in with the historical setting. Excelsior is a pedestrian friendly town. With the proposed building, if someone was walking down Water Street toward this site, all they will see is the back of the building and most people won't go any further.

Hearing no further comments, Chair Gaylord closed the public portion of the meeting at 8:08 p.m.

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Wallace asked how the site has been laid out with regard to the preliminary and final plat. Richards said that the site has been laid out so each lot can function independently. There will probably be cross easements for parking, but each parcel could be sold off separately. Wallace said if the City approves the preliminary and final plat, wouldn't that limit what the building layout can be.

Chair Gaylord ask why would the developer not keep everything on one lot. Richards creating two separate.

Chair Gaylord asked the applicant if the intent is to sell the lots. Tucci said not necessarily, it depends on the tenants. Oppidan currently owns some properties. If they did sell, they would probably sell the whole site as one package.

Chair Gaylord asked why this wouldn't be done as a planned unit development (PUD). Richards said timing was the biggest issue. A PUD is a three stage process. The applicant is also able to meet all of the requirements with the exception of the parking lot setbacks.

Wallace asked the City Attorney what the status is with regard to variances. Staunton said there is a practical difficulties test versus a hardship test to meet a variance request.

Wallace said he is concerned that if the City approves the plat it will create practical difficulties. Richards said the approval should be for the entire project.

Chair Gaylord asked Commissioners if they had any issues with rezoning 348 George Street from residential to commercials. Commissioners did not have an issue with the rezoning.

Chair Gaylord asked how the HPC's discussions were going with regard to the historic properties. Richards said that has not been resolved yet.

Craig asked if the site had to be split into two lots, couldn't it be one lot. Richards said if it one lot, the project would need to go through the PUD process and that would take considerable time to get through the approval process.

Chair Gaylord asked Commissioners for comments with regard to the site and orientation of the building. He said this would be a completely new precedence for the City. He is not comfortable with the orientation and overall design.

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Jensen said maybe if they worked hard at getting a retail business on Water Street and depending on the design, he likes this.

Chair Gaylord having the site developed with the tenants and providing value to the City is important. But this site is also a gateway to the community, so it should work and operate like other properties in Excelsior. Jensen said this site has been an eyesore for years.

Chair Gaylord said Landschute has done great work in the City for other products; there needs to be more creativity in this site plan.

Joseph Ryan, President, Oppidan, asked Chair Gaylord if he would define creativity. Chair Gaylord said the access to the building on George Street; it is a big wall and not pedestrian friendly. The parking layout is very suburban. He understands there may be some constraints with the grocery. Maybe look at closing the gap and putting in an "L" at the corner of George and Water Street. An entrance would be lost, but you'd gain more storefront. This plan is a radical departure from what Excelsior has.

Ryan said putting in an "L" will not work. The east side of the building on George Street can probably be dressed up. A site plan that differs from what they've presented will not work for a grocery store.

Chair Gaylord said when there are constraints, there is always a creative solution. To have more of a presence on George and Water Streets will go a long way.

Craig said there is plenty of parking, so maybe give some concession to make Water Street more appropriate for the City. Ryan said the site does not have enough parking; the grocery and other tenants want more parking.

Wallace asked why the grocery needs two drive aisles. Tucci said Oppidan has done 25 grocery store deals. Grocery stores want visibility and lots of parking. If the corner building is repositioned and a drive aisle eliminated, the grocery store loses visibility from Water Street and parking spaces are lost. Grocery stores want 6 parking stalls per 1,000 square feet. It will also move more cars onto George Street and into the residential area.

Tucci said they can work on the design and make that look better. If they can find the right user, an entryway on Water Street for the corner building can be accomplished. The users and buildings are what are dictating the site plan. Currently there are neighboring properties that have parking directly on Water Street. This is not in the core business area. They are getting rid of the asphalt and making it more pedestrian friendly.

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Craig said she doesn't have as much of an issue with the parking, but does have an issue with the corner and placement of the building.

Duyvejonck said according to the traffic study three parking spaces will also be lost.

Busch asked if grocery stores ever have a back entrance. Tucci said no.

Ryan said the parking is not needed for the 470 Water Street building, that property is separate. That site has 23 parking stalls and it needs all of the parking for that site.

Craig said it was mentioned that grocery stores want 6 parking stalls per 1,000 square feet; this site will only have 4+ parking stalls per 1,000 square feet.

Chair Gaylord said in working with other developers, the City has tried to push what Excelsior is. Parking lots are important, but pedestrian friendly parking is more important. The City is approaching this the same way it would the library or hotel. The proposed site plan is not what Excelsior expected.

Jon Monson, 200 Water Street, said he has been listening with interest. He wants to share his observations and why he has designed what he has. He has been driving up and down Water Street for 30 years, and his business has been in Excelsior for the last 12 years. The last thing he wants perceived is that they are not being creative or sensitive to Excelsior. There is a distinct difference between the properties between Second and Third Streets from this site. They are being extremely respectful and enhancing to this end of Excelsior, which is the gateway to Water Street.

Monson said pedestrian friendliness has been an ongoing battle, as well as whether there is enough parking. He is fortunate to be at 200 Water Street and have access to the rear municipal parking lot, and to have access from the front and back of the building. That layout is not conducive to good retail health. There are a lot of struggling tenants. By book matching the buildings with parking in between helps screen the parking. If the building is turned so it is parallel to Water Street would open up the parking lot to George Street. Granted that is what has been seen from George Street for a long time, but they can do better.

Monson said there was a suggestion that the corner be carved out. Mound did that and he has yet to see anyone use that area. Some of the buildings that have been done the last couple of years are fake buildings. He has tried to do some shadowing and other things to be creative. Maybe the drawings don't show that. Design is subjective; this is a transition point between County Road

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19 and the pedestrian nature of Water Street. He tried to come up with the best compromise possible. If parking can be brought to Water Street and terminate there and it does not go further, he thinks they've done a great service. It provides a grocery store that everyone within a 10 mile radius wants. Is it perfect no, but it is better than what exists now.

Craig said on the George Street elevation there is great detail with brick but then it ends. She asked why the design detail ended so abruptly. Monson said in an effort to be sensitive to Excelsior. He modulated the building to bring the Water Street façade to a point and then stepped it back with a little more utilitarian image and breaks it up. He would not advocate for a building that is nothing but storefronts, because that is not a true representation of Excelsior.

Craig said it is different and unique in where it is and how it is going to function. This does seem like it has two fronts.

Chair Gaylord said that if you look up Second Street it is all storefront. Monson said yes once you get past the two parking bay areas that don't have storefront.

Chair Gaylord said the George Street side is very symmetrical. Monson said he can work on that. Chair Gaylord said he is not suggesting that all of it is retail walk in, there just needs to be some variance.

Chair Gaylord said the drawings are representing big boxes with signage and it gives people an image that there will be big back lit signs. Tucci said the City only allows a certain amount of signage and the signage shown does not exceed what is allowed. There will be signs on the buildings and the signs will be designed based on who the tenants are.

Chair Gaylord said instead of having flush face mounted signage, why not have a protruding sign. Craig said a blade sign like what you see downtown would look good. Richards said a grocery might not want that type of sign.

Wallace asked what variances will be required. Richards said variances are required for the 50 foot front yard parking setback to Water Street and the 10 foot rear yard parking setback to the property line that is zoned R-2.

Craig asked if there was any discussion about having a two story building. Tucci said there have been some discussions about that, but they would need to have the right setting to get a second story tenant. Trying to do a second level brings in a whole new dynamic. If they knew for sure they could get an

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office tenant they would do a second level. Second level tenants typically want an easy access, so it's difficult to lease it out and keep it leased. Ryan said they also do not have the parking for a second level.

Wallace asked if the properties will have Water or George Street addresses. Tucci said Water Street addresses.

Chair Gaylord asked where the building would need to be located to meet the 50 foot setback for the parking. Richards showed on the drawing how far the parking would need to be moved back. Chair Gaylord said the site would lose a considerable number of parking spaces to meet the setback. Richards said yes.

Richards said if you take away seven feet in the rear to meet the setback for parking a considerable amount of parking would also be lost. The project meets the City's parking requirements; the tenants are what are driving the need for the additional parking.

Wallace why does the City have the 50 foot setback requirement. Richards said that the City did not want to see the parking in front in the core area of the downtown; it wanted the parking behind the buildings.

Chair Gaylord said the intention of the Design Standards is to have buildings front on Water Street and have the parking lots behind. Busch said the 470 Water Street property on the corner has parking lot all along Water Street.

Craig asked if the City requires the "H" islands in the parking lot. Richards said one of the first comments he made was that the islands were quite narrow and he was concerned about the trees. He noted that the islands will have watering systems. The Design Standards and other requirements require certain landscaping for parking lots. Gaylord said he is not sure the "H" is needed either.

Dawley said the "H" islands and landscaping are part of the applicant's stormwater management plan.

Richards asked if the ends of the "H" go away would it still be possible to plant trees in them. Dawley said from a storm water management standpoint, it might not be a good idea to remove the ends. He noted that the sighting of the parking lot lights may also need to be modified, but that is not a major concern.

Busch asked if the vertical portions of the "H" are part of the storm water management. Dawley said no, most of the storm water management is occurring in the horizontal section of the "H".

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Chair Gaylord asked how wide the sidewalk is on the George Street side. Richards said it is 4 feet on George Street, and 4.7 feet to about 10 feet on Water Street. He's had discussions with Public Works and the City will probably want to make the sidewalk consistent on Water Street and maybe widen the George Street sidewalk.

Chair Gaylord asked where the street lighting would be placed on George Street. Richards said staff will discuss later this week whether to carry the ornamental streetlights down George Street.

Wright asked a question about the windows along George Street.

Craig asked if they would wait to determine who the tenants will be before finalizing the design of the building. Tucci explained some of the issues with the change in grade, accesses, stairs, and egress doors.

Craig said there is not handicap accessibility along back, but there is in the front. Tucci explained what is needed in the front. Richards said they could drop that end portion to Water Street and have the entrances off of Water Street and go back to parking lot area. Tucci said the tenant that has the step will lose 10 feet of building.

Chair Gaylord said each tenant could be stepped down. Tucci asked how do you build when you don't know who the tenants are. Craig said the tenant that goes in that space may not always stay there. There will be limitations.

Tucci said the comments he's heard was to have more architectural detail along George Street, look to see whether storefronts can be placed along George Street, look into having a seating area along George Street, and carry some elements to make the site more pedestrian friendly.

Craig said if a grocery store wants to come to Excelsior it is because it will also benefit their business. Has the building oriented to Water Street been discussed with the possible tenant? Tucci said no. He noted the tenant is concerned with visibility and parking. Craig said the tenant would have visibility because Excelsior is a destination town.

Tucci said they are mirroring what the current image is coming down that block. Craig said that the City put Design Standards and requirements in place in hopes that properties will change as they are redeveloped.

6. PUBLIC HEARINGS

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Chair Gaylord said if this development goes through as it is presented this will set a precedent. The City wants the historic district to transition further down Water Street.

Monson said there was a comment about the scale of this project. If this were a suburban setting you would see a grocery store of no less than 20,000 to 30,000 square feet. What Oppidan has to do is get a top notch grocery store to come in with only half of the space that they typically have. The scale of this project is not suburban. This is a small town grocery store. Any other developer would want to scrape the site and do a project twice the size. Chair Gaylord said he agrees, but the scale of Excelsior is considerably smaller than other cities so you would expect to have a scaled down project.

Chair Gaylord asked why is this space desirable to a grocery store. Ryan said because it is an underserved market. Craig said those things work in the City's favor. Grocery stores have requirements, but so does the City.

Ryan said this is what the grocery wants; can the City accept that? To go forward with making the changes, he would like to understand whether the commission can get behind this project as the site stands?

Richards said that the Commission can't vote on this. Each Commissioner can express their opinion, but it wouldn't be binding.

Jensen said he thinks it's a reasonable request. The Commission should be able to give them some direction. If the Commission honestly feels no, then they shouldn't have to invest more time and money into this project.

Jensen said with some fine tuning, he can support this.

Duyvejonck said she could support it knowing there are many steps in the process that are needed. Biggest concern is that Excelsior is very walkable and she wants to be able to walk to these stores. She sees a lot of steps and the need to walk through a parking lot with a stroller. She thinks more can be done to make it more pedestrian friendly.

Craig said she still has many questions that need to be answered. This is the first time the project has been presented, so she cannot say yes.

Wright and Busch said they can get on board but are concerned with pedestrian friendly issues. Wright said he wouldn't say quit, but try and work in some of the things that were discussed this evening. He said everyone wants a grocery store. The plans just need a little massaging.

6. PUBLIC HEARINGS

- b. Rezoning of 348 George Street, Preliminary and Final Plat, Design Standards, and Site Plan Review for the Redevelopment of 440 Water Street and 348, 368, and 374 George Street - KTJ 207 LLC - (Continued)

Wallace said he looks more at the letter of the law and the impractical difficulties. He doesn't see how the variance can be allowed. The site design is what is creating the impractical difficulties. He would love a grocery store, but he is here to dictate the law and that is what he understands is his role. Busch said she would concur with Wallace with regard to the variance.

Wallace asked if the Commission is okay saying that it is alright to have a different vision for this section of Water Street versus granting a variance.

Chair Gaylord said the need for a variance always comes down to design. A lot of energy behind this project, but as keepers of the ordinances they need to enforce what they have to work with. The variances are driven by the design and monetary reasons. He suggested that the applicant takes some time to look at design issues and discuss some of the items brought up tonight and work with the HPC.

Ryan said thank you, it was helpful.

Commissioner Wallace moved, Commissioner Craig seconded, to schedule a special meeting for Monday, March 26<sup>th</sup> at 7:00 p.m. and continue this agenda item to the March 26<sup>th</sup> Special meeting. Motion carried 7/0.

7. UNFINISHED BUSINESS

- a. Impervious Surface Coverage Regulations

Richards said the Green Technology Subcommittee met on Monday, March 5<sup>th</sup>. Some draft language was forwarded to the Commission following that meeting. He noted that there is a lot of new technology available.

Craig asked if credits are being proposed. Duyvejonck said the proposed would put the responsibility on the homeowner to provide an engineered system.

Chair Gaylord said that there is a provision in the code that give a 5% allowance toward impervious surface coverage for decorative walkways, etc. He thinks the proposed language is a good direction, because it's impractical to building anything on the small lots.

Richards said the allowance is just for non-structural, ground level items, versus the structure.

Chair Gaylord asked about the maintenance issues. Richards said there are provisions for the green technology systems. A lot of that falls on the City

7. UNFINISHED BUSINESS

a. Impervious Surface Coverage Regulations – (Continued)

Engineer. Additional information on impervious paver systems has been provided. There is documentation and studies that show with the proper construction there is less of an issue.

Chair Gaylord said the City Engineer will not go back and inspect in following years.

Duyvejonck said the homeowner would need to be responsible for submitting documentation to the City if there is a system that needs followed up.

Jensen said there is a fair amount of expense to put in a system, so the last thing the property owner will not want to lose capacity or have a system that does not work.

Dawley said there is some movement in watershed districts to provide assistance to homeowners and businesses. It is not necessarily to inspect but to provide education, etc. The Minnehaha Creek Watershed District has not gotten involved yet, but there have been some preliminary meetings with them and there may be some partnership opportunities coming forth. The hope is to encourage these types of systems.

Richards asked for direction from the Planning Commission.

Busch suggested that the Subcommittee discuss whether there should be credit given for some items.

Commissioner Craig moved, Commissioner Wright seconded, to continue this agenda item to the April 3, 2012 Planning Commission meeting. Motion carried 7/0.

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

Commissioner Wallace moved, Commissioner Busch seconded, to continue this agenda item to the April 3, 2012 Planning Commission meeting. Motion carried 7/0.

c. Parking Update – Implementation

Richards said he and the City Engineer have discussed developing an aerial map to show the parking. The Council has discussed the parking counts and parking impact fee. The Planning Commission will be considering possible changes to the ordinances at the April 3, 2012 meeting.

Commissioner Craig moved, Commissioner Jensen seconded, to continue this agenda item to the April 3, 2012 Planning Commission meeting. Motion carried 7/0.

7. UNFINISHED BUSINESS

d. Residential Design Standards

Richards said that the Planning Commission reviewed this item at the February meeting. The Planning Commission wanted to time to look over the language before scheduling a public hearing.

Craig said there have been some new houses built on Mill Street and not one has a 4 foot garage setback. Richards suggested that Commission drive around Excelsior and look at the placement of garages and give some more thought to this provision.

Busch said she has a question with regard to the compatibility. Richards said this language was taken directly out of the allowances for accessory buildings in the Zoning Code.

Commissioner Jensen moved, Commissioner Wright seconded, to direct staff to publish a public hearing notice on the proposed ordinance for the April 3, 2012 Planning Commission meeting. Motion carried 7/0.

8. NEW BUSINESS

a. Dates for Additional Work Session(s)

The Planning Commission decided not to schedule any Work Sessions at this time.

9. COMMUNICATIONS & REPORTS

a. Next Planning Commission Meeting

The Planning Commission scheduled a special meeting for Monday, March 26, 2012 and the regular meeting is scheduled for Tuesday, April 3, 2012.

10. MISCELLANEOUS

a. Recent City Council Actions

Staunton and Johnson updated the Commission on recent City Council actions.

11. ADJOURNMENT

Commissioner Jensen moved, Commissioner Craig seconded, to adjourn at 8:27 p.m. Motion carried 6/0.

Respectfully submitted,

Cheri Johnson  
City Clerk