

City of Excelsior

Minutes

Special Planning Commission Meeting

Monday, March 26, 2012

1. Call to Order

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

2. Roll Call

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

Commissioners Absent: Wright

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

3. Continued Public Hearing - 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, Site Plan Review for the Redevelopment of the Properties, and Setback Variances for 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 stated that the Planning Commission considered these applications at their meeting on March 6, 2012. At that meeting the Planning Commission opened the public hearing, provided direction to the applicants, and continued the matter to a special meeting on March 26, 2012. The applicants submitted an application for front and rear setback variances on March 7, 2012. That application was deemed complete by the City on March 14, 2012.

Richards reviewed the changes to the revised plans. He noted that the changes to the site plan include a reduction in the number of parking stalls of 122 to 120. A new dumpster enclosure is provided for the 400 Water Street building at the north corner of the lot. The plans show that the 400 Water Street building is setback 10 feet from the front property line and a patio area is shown in this area. An accessible ramp replaces the steps at the south corner of the 400 Water Street building.

The size of the 400 Water Street building has changed. The previous building was 64 feet x 161 feet, 4 inches; the new building is 68 feet 8 inches (at its widest point) x 152 feet. Two entrances have been added to the two corners of the building adjacent to Water, and access will be provided to Water and George at these two corners as well as two more prominent

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entries on George Street. A step down in the building height has been provided along the building length in order to break the roof line. The portion of the stepped down façade on the George Street side will feature a service door. The service door will access the rear portions of the retail tenants on that end of the building. In addition, Spandrel glass will now be used only on the windows nearest the access to George Street and not along the entire length of the George Street façade.

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. As indicated, the property at 348 George Street is designated for commercial land use.

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. 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 of three feet at the rear property line. The applicants have applied for a variance from the setback requirements and a public hearing was scheduled for the March 26, 2012 meeting.

The Design Standards also indicate "Except for public parking lots, no parking areas shall 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.

Richards said that 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. Both variances are subject to the criteria specified in Article 6 of Appendix E. The City of Excelsior has not yet amended Appendix E to be consistent with the statutory language on variances. The City Attorney has provided a memo explaining the criteria that should be reviewed for the variances. The applicants have also provided a narrative providing their explanation of the justification for the variances.

In addition to the points made by Paul Tucci, the Planning Commission should also consider whether the variance is (a) in harmony with the purpose and intent of the ordinance, and (b) is consistent with the comprehensive plan. Also, the City Council and Planning Commission need to remember that "economic considerations alone" do not create "practical difficulties". The project as designed will comply with the performance criteria found within Appendix E. The Planning Commission will need to make a

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determination if the project meets the Design Standards criteria. The development is consistent with the Comprehensive Plan in terms of land use and it achieves one of the major goals of providing a grocery business in Excelsior.

Additionally the Planning Commission will need to determine if practical difficulties are created by the fact that the development will be constructed around the current constraints of the site such as the location of the existing Mason Motors building.

The applications for a rezoning, preliminary and final plat, design standards and site plan review were received on February 6, 2012 and deemed complete on February 21, 2012. The application for variances was received on March 7, 2012 and deemed complete on March 14, 2012. On March 15, 2012, the City sent a letter to the applicants extending the timeline for review to 120 days which will end on June 19, 2012.

Staunton said that the Heritage Preservation Commission (HPC) discussed this application at their meeting on March 20, 2012. He noted that the HPC ultimately authorized the demolition of the two historic buildings. The HPC had a two step review process. The first step was to apply the demolition criteria for the two homes along George Street. The second step was to review the new construction criteria. The HPC had an extensive discussion on the applications. The HPC added one condition to the approval that requires that the project receive all City approvals before any demolition occurs.

Mark Macpherson, HPC Liaison, said that the HPC reviewed the applications at three meetings. An issue the HPC continually struggles with is the demolition of historic structures. The HPC did vote to conditionally approve the demolition. The approval was contingent on four changes to the plans. The HPC required the addition of glass on the rear portion of the building, the extension of the brick pilaster with a course or two of brick, changing the metal panel to brick in the middle section of the building, and the addition of the dumpster enclosure. Approval was contingent on all City approvals being met before a demolition permit can be issued.

Chair Gaylord asked what the HPC's vote was. Macpherson said the vote was unanimous, but one commissioner had to leave before vote was taken.

Chair Gaylord asked if all four items had been changed on the plans that the Planning Commission is reviewing. Macpherson said that the brick, glass, and pilasters seem to be addressed in this presentation. He noted that the developer has been more than willing to work with the HPC those points. At this point, those design criteria have been met.

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Chair Gaylord asked Macpherson if he any personal thoughts he would like to share. Macpherson said one of the criteria the project meets, and he is anxious to see, is that it will bring a grocery store to Excelsior. This is a positive for the project. The design features of the new building are interesting and in keeping with historic details from the downtown. He, as well as other HPC members, had wished that the building could be turned but he thinks the HPC as a whole decided that this is something that the Planning Commission and the Council need to decide whether this meets the criteria. He said there were as many opinions as there are HPC members.

Wallace asked when does the demolition permit get issued. Staunton said it will probably be issued in conjunction with the building permit. He said the HPC has demolition and new construction criteria, which need to work part and parcel in their analysis.

Paul Tucci, Oppidan, the applicant, provided an overview of the updated plans. He noted they have listened to the HPC and the Planning Commission and worked hard to address their concerns. There was a comment to add more landscaping, they've added more landscaping. A dumpster enclosure has been added. It is large enough to handle two six yard dumpsters; if the enclosure needs to be larger for the tenants it will be made larger.

Tucci said at the last Planning Commission meeting there was considerable discussion regarding the orientation of the building and holding the corner on Water Street. Since that meeting, the front of the Water Street building has been pushed back and a patio seating area has been added along Water Street. Pilasters and metal fencing has also been added. They have talked with the grocery stores and confirmed that parking and site lines are issues that are non-negotiable. If the building is turned there would be a number of engineering issues created with the two foot difference in the floor elevation. A retaining wall would need to be placed in the middle of the parking lot. It makes it hard to address stormwater issues and to meet ADA standards. They understand the comments regarding turning the building and hope they have adequately addressed why that can't be accomplished.

Tucci said that the HPC asked them to look at the storefronts. In response to this, they recessed the entryway about 3 feet along George Street. Throughout the downtown there is a mix; some buildings are recessed and some are flat. They tried to get as much of a storefront look as possible along the George Street side. Another comment was to make sure there was pedestrian connectivity. In response, they created a crossover. The other items the HPC requested have been completed.

Craig said the corner doors provide a lot more presence, but she thought she heard that depending on the tenant this might not be what it looks like.

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Tucci said the two doors on the corner of Water Street will not change, but the two along George Street might change. There will still be a recess, he is just not sure if the recess will be 3 feet or 1 ½ feet.

Chair Gaylord said he is confused with the elevation change. Why couldn't the site be regraded to address that issue. Tucci said there is about a 5 foot drop and a street that's coming down. If you change the elevation, there will have to be retaining walls all along the site.

Chair Gaylord said there could be water retention in the parking lot. Tucci said there would still need to be a retaining wall, a three foot difference in grade between the front and back access points, and parking would be lost.

Duyvejonck asked about the grades. Tucci said the difference in grades range from 2 feet to 5 feet as you go along George Street.

Wallace said the City has a difference in grades in the municipal parking lots. Richards said yes.

Chair Gaylord said the grocery wants a street presence but yet the entry is away from the street. Tucci said there will be signage out on the street.

Chair Gaylord said signage can be placed on Water Street, back side of the building, plus on the corner, so he is still struggling with and he doesn't understand why this site plan allows visibility for the grocery. Tucci said they are trying to get the grocery to come here. If this is the site layout the grocery wants, then this has to be the site layout. The more road blocks that are put up, the less likely the grocery is to come here. They showed the grocery the alternate plan and they were not interested and it's not possible to convince them otherwise. He said they've tried to address everything else that the City has requested.

Chair Gaylord asked what the grocery stores sites look like in other urban areas. Tucci said that Aldi, Trader Joes, and Lakewinds have all tried to come into urban areas. He gave a brief overview of some of the sites where the stores were located. The predominance is that each one wants parking close for their customers.

Jensen said Lakewinds is a good example, because they have landscaped two tiered parking. The biggest issue they had to deal with was how to handle the grocery carts. One-third of the parking is one the same level and two-thirds of the parking is underground. That's one example of the difficulties when dealing with elevation changes.

Craig said there isn't a tenant sign shown on the plans. Tucci said they do

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not have any tenants signed. It's hard to sign a tenant without knowing who the tenant will be. They have worked to promote a design, incorporate changes requested by staff and advisory commissions, and blend that with the desires of the tenant to get everything to come together.

Craig asked if the Planning Commission approves this and then the grocery does not come, then what happens. Richards said approval could be granted and the applicants will have a year to move ahead with the project. Staunton said it may be possible to put a condition on the use or tenant.

Duyvejonck said the grocery is driving the project, so wouldn't that give the City the ability to place a condition on approval that there be a grocery. Richards said the Comprehensive Plan designates this area as a commercial use, but it doesn't designate it as a grocery.

Chair Gaylord said the 440 building does not show where the signage will be. Tucci said the thought is that there would be signage somewhere close to the entrance and also on the Water Street frontage. They would also like a sign on the back of the building, but there probably isn't enough square footage allowance for that sign. Richards said that the 440 Water Street building can have up to 250 square feet of signage.

Wallace asked if they would be removing the windows on the Oak Street side of the 440 Water Street building. Tucci said yes.

Wallace asked if the new roof would be guttered? Jon Monson, Landschute, the architect, said yes the roof will have gutters.

Chair Gaylord said the architectural changes and detailing are what the advisory commissions wanted. He said there is a general feeling in the City that a grocery store would be good, but does it fit within the City's variances.

Chair Gaylord opened the public hearing at 7:58 p.m.

Lynn Walker, 351 George Street, said she likes the changes to the building. She would much prefer to look at some trees and bushes on the George street side. She appreciates the changes that have been done with the plans.

Bill Mason, owner of the properties, said he lost his tenant over 1½ years ago for the 470 Water Street building. After that he received many proposals for the property, but none of the uses were good for the City. He turned down numerous opportunities until Jon Monson approached him last fall. His family has been in this community for generations, and the last thing he would do is allow something to go into that space that wasn't good for the City. About

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45 days after agreeing to sell the property to Monson, Monson asked him if he would be willing to sell the whole property. His family lost their Chrysler franchise about a year ago. He talked it over with his family and everyone wanted something that would be good for Excelsior. The intent was to build a grocery store, which he feels would be good for Excelsior. This is a gateway into the City. He will guarantee that if it does not have a grocery store, the property will not be sold. In all his years, he has never seen the level of excitement as he's seen with the prospect of having a grocery store. He is receiving 20 to 30 calls per day from people wanting to know what is going to go onto the site. The City needs to look at how it can make this work.

Chair Gaylord asked what will be going in the 470 Water Street building. Tucci said that building sits on its own parcel. The intent is to retrofit the building. Plans for refacing the building is in process. They are currently working with a possible tenant, one he would consider to be an anchor tenant, who is looking to expand its business in the general area.

Tim Brandow, 21 West Lake Street, 406 Second Street, said that Excelsior has done a great job with the design standards and the City shouldn't follow or behold to what a potential tenant wants. Stores come and go. He loves the idea of a grocery store, but he is very much against the design. He does not like parking lots along Water Street. This should be gateway with a canyon of buildings along Water Street. Mound's development is unsightly; there is no pedestrian walkway, no usage, and no entry. The focus is from the parking lot. The sidewalk is narrow sidewalk and there are no trees. The orientation of this building is wrong. He's a designer and knows the orientation can be changed. When he attended the HPC meeting last week, he handed out pictures of storefronts of good and bad developments. He handed out copies of the pictures for the Planning Commission.

John Anderson, 200 George Street, said he is very excited about the project and knowing what can happen. He had some concerns with having to look at the back side of the building along George Street. The applicant heard the concern and improved the façade along George Street. It is still the back side of the building, but it is the service entrances and where people have to make deliveries and take their trash out. It helps to have the interior hallway. It is a very difficult property to work with. Anything that can be done for the many people who drive past this site every day would be appreciated. The building will be an improvement, but he hopes that George Street doesn't become a loading zone. He is very dedicated to the City and extremely excited about this development. He thanked the developers for listening and making the changes.

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Linda Murrell, Executive Director, South Lake Excelsior Chamber of Commerce, said she has been to the meetings and watched the progress. She thinks the architect and developer have done a good job of listening to the comments and concerns. The Chamber did a survey about 4 years ago and a grocery store was the number 2 answer of what people wanted in Excelsior. She knows the architect and developer and if they say they'll do something they will. If the use doesn't stay a grocery store changes can always be made for another use. This is an improvement over the parking lot that is there now. Grocery stores have done studies and want to do what's right for their business. She thinks it would be a very positive thing for Excelsior. It will be excellent for the community and a great addition for the downtown. She said the Chamber supports this project.

Scott Klein 373 George Street said this will be a positive change for the downtown. He asked if the entrances on George Street will be public or service entrances. Tucci said that the tenant will need to make that decision.

Klein said it would be beneficial to have the entrances along George Street be points of entry for the public. He asked why the entrances can't be raised so they would not need to be recessed. This would allow the tenant to have signage and have a public entrance along George Street. Half of the building could also be raised up so all tenants could have entrances on that side. He said he is excited about the proposal.

Bob Bolles, 229 George Street, said he wants to comment and address the public infrastructure along George and Water Streets. With this size of development the sidewalks will get torn out. The City has historically improved the public right-of-way with sidewalks, street lighting, trees, etc. He would like the Planning Commission to consider requiring one or two new trees on Water Street. Along George Street he would ask that the City add curb and gutter, one or two streetlights with a single globe, and increase the width of the sidewalk.

Chair Gaylord asked Bolles if he supports the site orientation. Bolles said this is something that the Planning Commission will need to grapple with. He's heard all of the arguments and thinks the developer has a point. He would like to see a grocery store there and tenants do gravitate to what they feel is a good situation for running their business. There are a lot of places that businesses can go.

Rick Meyer, 600 Pleasant Street, suggested putting in pilasters with a rod iron fence to make it look more attractive.

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Klein said he understands there will be water and sewer lines installed in George Street. Could that project be done in conjunction with this project, and possibly regrade as part of this project

Charles Babcock, 369 George Street, said he supports the idea of a grocery store but not just any grocery store. He would like to know which grocery store will be going there. He noted that the developer has done a great job of adding more greenery along the parking lot and street so that the site gradually blends between the residential and commercial area. Anything that can be done to help screen the area will make a big difference.

Brian Duggan, 361 George Street, asked if there are any requirements that the doors along George Street be locked or can there be a requirement that the doors be open. Staff noted that the fire code may address this.

Babcock said it was stated that the entrances along George Street may not be recessed. He said the recessing is important to have the shadowing so it looks like multiple buildings versus one long building.

Dan Roden, 141 Maple Street, said the HPC struggled with this application. The HPC approved the applications but it still was not comfortable with the orientation of the building. The City is missing a great opportunity if it allows the building to be oriented along George Street. This is basically a strip mall, similar to what you see at Highway 7 and 41. The stores are in the parking lot and you don't know the stores are there until you are in the parking lot. There is a good chance the stores along George Street won't have access along the street side. This project does not fit well on the property. He doesn't understand why the change in elevation is an issue or why the grocery store won't allow a different site plan. The Trader Joe's in St. Louis Park doesn't have a parking lot in front of the store, it is behind the store. He thinks the issue with the grades is overstated.

Jon Monson, Landschute, the architect, said it's interesting how the critical mass has come down to George and Water Streets. When he went to Joe Ryan at Oppidan, he explained the project and Ryan kept him on as the architect. Monson said he loves Excelsior and Water Street and he would not want to do something that is not good for Excelsior. There are various reasons for keeping the Mr. Mason's building on the site. The building is too small for the entire site. As they looked at other suggestions for the site, one thought was to enlarge the dealership building and put a building in back, which would truly be a strip mall effect. His first inclination was to put the building on Water Street. If he thought it should be facing Water Street the building would be there. The building isn't sited this way just because this is how the grocery and engineers want it. There are other considerations. He looked at how Excelsior was originally developed. It

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shouldn't be a canyon of buildings. It would be disingenuous to continue a length of old buildings that won't look like they belong. He thinks this plan provides a better transition to the residential neighborhood.

Monson said if the building is turned to Water Street it will basically look like a strip mall and George Street will be opened to more traffic. Right now there is one driveway on George Street and two driveways on Water Street. He agrees that they can do more landscaping. Could the site be designed to drain with the building turned 90 degrees, sure but it's not going to look natural. It's hard to make a building look its best with computer generated drawings. All avenues were considered, and he hopes they achieved a reasonable resolution. He wants to respect the market, but he is not going to create the building in this manner just because that is what the market wants. A reasonable effort was made to make all parties happy.

Meyer said that the exit from Mount Calvary Church onto George Street is a right turn only. The City might want to consider requiring that for this project to keep traffic out of the residential neighborhood.

Chair Gaylord closed the public comment portion of the meeting at 8:42 p.m.

The Commission and staff reviewed the comments and concerns that were raised during the public comment.

Richards said that staff will require plans for the dumpsters and that the landscaping will be revised.

Gaylord asked why the dumpsters are located where they are shown on the plans. Tucci said it is to keep them in proximity to the storefronts. Richards said if the properties are subdivided, the City would request a dumpster on each location.

Richards said there were questions regarding the signage. He noted that there are limitations on how much signage will be allowed. He said there typically are not plans for signage provided with a development like this. The signage will be reviewed administratively and all signage will need comply with the City's requirements.

Richards said the sidewalks, street lighting, and trees were addressed in the staff report and these can be made conditions of approval.

Richards said the Planning Commission should discuss the questions on the George street doors with regard whether the entrances should be public and if the doorways should be recessed and how much.

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Richards suggested that the Planning Commission discuss the variances. Duyvejonck said from an engineering perspective the grades of the property do create some unique circumstances that aren't created by the property owner. The need for retaining walls would not be an ideal design for the building, traffic flow, or storm water. These do create a unique circumstance. From a traffic standpoint, forcing that much traffic on George Street is also not ideal. Based on this, she believes the second criteria could be met.

Busch said she agrees with Duyvejonck. Also, if the building is reoriented to Water Street the view from George Street will be a parking lot instead of a building.

Craig said this is a sticking point for her. She believes the need for the variances is being driven by the tenant.

Chair Gaylord said why not tear the buildings down and start over. He applauds the effort to reuse the building but it might solve some of the issues. Jensen said it would add an expense to the project.

Richards said it's more sustainable to save a perfectly good building. Chair Gaylord said it comes back to his argument about design; if there are constraints change the design.

Busch said there won't ever be a canyon of buildings all along Water Street. Chair Gaylord said we don't know that; the design standards imply that there will be.

Wallace said he has a bigger issue with the 50 foot setback. If this project is allowed here what will the City do if Twin City Federal and Wells Fargo want to add parking or redevelop later?

Chair Gaylord said there are discrepancies in the ordinances. The B-1 District specifies a 50 foot setback for parking, but the B-2 District does not address this. In this case, the ordinances state that the design standards override what is in the ordinance.

Richards said when the City reviewed the design standards some of the discrepancies were fixed.

Wallace said unless the City wants to change the design standards he can't support the variance request. He can't let a grocery store cloud his judiciary duty.

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Jensen said if the building is turned to orient it onto Water Street, the traffic will be pushed onto George Street. If you are coming from Oak Street to Water Street and look at the site with the buildings oriented both ways; there is not a huge difference. He is not sure it is the best thing for Water Street or George Street, but he thinks it is more aesthetically pleasing the way it is being presented. The Comprehensive Plan talks about a grocery store; the City may need to be taken this into consideration and make some allowances. The concern was raised about this setting a precedent, but what will happen when the library comes forward. Will the City hold the library to the same standards? Chair Gaylord said in the library discussions there has been talk about bringing the historical nature to downtown Excelsior.

Jensen said what about the Mill property; that has a parking lot right up to Water Street. It wouldn't be possible to put a building right up to Water Street because there would be no access to parking.

Busch said that the 470 Water Street property also has a parking lot up front which won't change.

Jensen said he thinks seeing a nice architectural building from Water Street and along George is better. Dumping more cars onto George is not the answer either. The traffic will get worse once the School District begins directing school traffic to George Street.

Chair Gaylord said if a variance is granted for this site how will the City deal with the properties across the street if they want to redevelop. The City could have that same look moving toward the central downtown area along Water Street.

Duyvejonck said she doesn't believe it would be setting a precedent. Each property and application will need to be dealt with separately and stand on its own merit. It would not mean the other properties would be granted a variance if there aren't practical difficulties with the site.

Wallace said he has a problem understanding the practical difficulties with the site when the City's east municipal parking lot has all of the same issues. Duyvejonck said she agrees that the City municipal parking lot has grade and drainage issues, but she doesn't see another development coming in, scraping down the site, and adding all sorts of retaining walls and stairs.

Craig said that the law changed and the practical difficulties test was added. If this had been presented without the idea of the grocery store tenant, it would have been easier to say reorient the building.

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Duyvejonck said the orientation of the building is driven by the parking and the grocery store, so a condition of approval would be that there has to be a grocery store. Wallace said that is not site driven, it is the owner's decision. Staunton said the State Statutes allows the City to put conditions on a variance. He hears the argument that the building orientation is caused by the need for a grocery and the Comprehensive Plan interest. This could probably be made a condition upfront, but if the grocery store fails the City probably couldn't rely on this condition into the future.

Chair Gaylord said the intention of the ordinance is to keep the parking behind the building.

Craig said if the intent is to continue frontages on Water and George Streets, could there be a condition that the entrances along George Street be public accesses.

Chair Gaylord asked how the variance, if granted, will not alter the essential character of the building. Commissioners have heard from the public that it has the appearance of a strip mall and he agrees with those comments.

Wallace said other than the individual bank buildings, this is unique but it's not unlike a lot of the other buildings. Jensen said the Mill is technically a strip mall.

Craig said this is very different; the new design is better and it has more elements and character.

Chair Gaylord said the Mill is a reuse of an existing building and it's an internal mall. He does not think it looks like this project. This project is really altering the character of the City. It's changing how the City looks at retail.

Duyvejonck said a strip mall is sort of a modern version of what the City has on Water Street. She is not applying judgment, but the City is used to having the storefronts on Water Street. A strip mall is multi-tenant retail in one building versus 4 buildings.

Craig said the professional building on Second Street also has somewhat of a strip mall look.

Chair Gaylord suggested that the Commission discuss the rear yard variance. If the 10 foot rear yard setback was met, some of the parking would be lost so he doesn't have as much difficulty granting this variance.

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Richards said this is adjacent to a residential district, but for the most part there is a strong confidence that the church will remain. It might be different if it was a residential use versus an institutional use adjacent to the site. The Commission requested that there be at least a 5 foot strip for landscaping along the rear of the property.

Wallace said he doesn't distinguish between the two variances. He goes back to his same reasons that he voiced earlier. The developer is creating the need for the variances because of the placement of the building and parking.

Chair Gaylord he is having difficulties with the variances, so maybe he can't approve this design. Jensen said he doesn't think this plan has a strip mall look; he thinks that is a moot point.

Busch said the strip mall phrase has a huge connotation. The developer has done a great job with the site and listened to the comments and made the changes.

Jensen asked if the conditions of approval would include the landscaping, trees, and street lighting. Richards said yes.

Craig asked how wide the columns were. Monson said he believes they are about 30 inches.

Commissioner Duyvejonck moved, Commissioner Craig seconded, to forward the recommendation to the City Council that it approve the variance from the 10 foot rear setback and the 50 foot setback for the parking, with direction to staff to draft a resolution outlining the findings-of-fact and conditions that were identified by the Commission so it can be reviewed at the Planning Commission's April 3, 2012 meeting. Motion carried 4/2, with Commissioner Wallace and Chair Gaylord voting nay.

Wallace said every condition was owner created, so he cannot conceive granting the variance.

Gaylord said he agrees with Wallace. The idea of rotating the building, although he would prefer it, may not solve the problem. He said he wants a grocery and something good for Excelsior, but maybe this isn't the right fit for this site.

Wallace said if there is a general consensus that sections of Water Street should be designed this way, the City Council should have the Planning Commission review these elements in the design standards.

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

The Commission discussed the subdivision and the rezoning applications.

Chair Gaylord said that the subdivision makes sense to him so he does not have a problem with this application or the rezoning of the site.

Wallace said if the subdivision is approved that will limit the properties to this project. Richards said that the subdivision meets the zoning requirements.

Commissioner Jensen moved, Commissioner Duyvejonck seconded, to forward the recommendation to the City Council that it approve the rezoning of 348 George Street from residential to B-2, General Business District. Motion carried 6/0.

Commissioner Busch moved, Commissioner Jensen seconded, to forward the recommendation to the City Council that it approve the subdivision. Motion carried 6/0.

Richards asked the Commission to go through the design standards criteria.

Chair Gaylord said that the 400 Water Street building is appropriately designed, but it is not oriented properly.

The Commission did not have any issues with the composition and detailing.

Richards asked if a condition should be added that both corner doorways on Water Street function for public access.

Craig said absolutely and she would include the entryways along George Street. She would also include a condition that the doorways be recessed as much as possible to have the shadow lines and that the column not be too massive.

The Commission did not have an issue with the window sill height.

Richards asked about the roofs of the buildings. Wallace said he has an issue with the water shedding off of the roof onto the sidewalk. This should be added as a condition.

Richards said he will also add a condition that the roof mechanical equipment be screened appropriately and meet design standards.

Wallace said he does not think the building should have a galvanized roof. Tucci said he will check into this.

Richards said on the rear façade of the 400 Water Street has opaque glass and spandrel glass. He noted that the HPC requested that the glass be clear. The Commission agreed with the HPC's determination.

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

The Commission asked what the plans were for dealing with the shopping carts. Tucci said he can't see having more than one or more parking stalls being taken up for parking shopping carts. Richards said this can be added as a condition.

Commissioners discussed the windows on the 440 Water Street building that face Water Street. The Commission said that the doors come be removed, but it wanted the windows to stay.

Chair Gaylord questioned whether the entryway should be perpendicular rather than at an angle. Tucci said it's angled after a couple of prototype plans for customers. Jensen said he didn't have an issue with the entryway. Wallace said it doesn't seem like the entryway should be turned away from the street. Richards said he would ask the applicant to address this.

Richards said the next item is the streetscape. He said the width of the parking islands are narrow, but they will be landscaped and they'll also be part of the irrigation system.

Wallace said he has a concern with people being able to see to turn out of parking lot.

Richards said he will add a condition about adding more trees along Water Street and possibly George Street, adding streetlights on George Street, and adding curb and gutter on George Street.

Duyvejonck said she likes the idea of extending the fence and landscaping.

Commissioner Busch moved, Commissioner Craig seconded, to forward the recommend to the City Council that it give approval to the design standards for this project. Motion carried 6/0.

4. Adjournment

Commissioner Craig moved, Commissioner Wallace seconded, to adjourn at 10:52 p.m. Motion carried 6/0.

Respectfully submitted,

Cheri Johnson
City Clerk