

City of Excelsior

Planning Commission Meeting

Minutes

Tuesday, October 2, 2012

1. CALL TO ORDER

Chair Gaylord called the meeting to order at 7:02 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  
Planner Braaten

3. APPROVAL OF MINUTES

a. Planning Commission Meeting of September 5, 2012

Busch asked for one small revision to the September 5, 2012 meeting minutes as proposed.

Commissioner Craig moved, Commissioner Wallace seconded, to approve the Planning Commission Minutes of September 5, 2012 with the revision discussed. Motion carried 7/0.

4. PENDING ISSUES/PROJECTS

a. Appoint Liaison to City Council (October 15, 2012)

Commissioner Wallace will be the Planning Commission Liaison to the October 15, 2012 City Council meeting and Chair Gaylord will be the alternate.

5. PUBLIC HEARINGS

a. Conditional Use Permit to Utilize Annual Parking Impact Fee Per Article 19 of Appendix E for a Proposed Restaurant at 28-30 Water Street, P.I.D. # 34-117-23-11-0057 – Roger Burks, Lago Tacos

Richards reported that Roger Burks would be moving into the building spaces previously inhabited by Yumi's and a salon located at 28 and 30 Water Street. The applicant was requesting a conditional use permit to utilize the Parking Impact Fee for one parking space. The 72 seat restaurant was approved by the HPC at their previous meeting for the proposed changes to the exterior of the building. Richards recommended approval of the application with the conditions stated in the staff report.

5. PUBLIC HEARINGS

- a. Conditional Use Permit to Utilize Annual Parking Impact Fee Per Article 19 of Appendix E for a Proposed Restaurant at 28-30 Water Street, P.I.D. # 34-117-23-11-0057 – Roger Burks, Lago Tacos – (continued)

Roger Burks, Lago Tacos, stated that the vision for the project was tacos and burritos with freshly made margaritas. Mr. Burks stated that the condition requiring a trash enclosure for the dumpster had been worked out with the property owner as part of their lease agreement.

Busch asked if Lago Tacos was a chain restaurant. Mr. Burks stated that this restaurant was not a chain. In response, Chair Gaylord asked Mr. Burks why he had chosen Excelsior for this venture. Mr. Burks responded that he lived just outside of Excelsior and considers it home and he loves the town.

Commissioner Jensen moved, Commissioner Wright seconded, to continue the public hearing to the City Council meeting and recommend approval of the conditional use permit to utilize the parking impact fee with the conditions stated in the staff report and the condition to enclose the trash receptacles. Motion carried 7/0.

- b. Conditional Use Permit and Site Plan Review to Allow for Construction of Kitchen and Multipurpose room at 441 Oak Street, P.I.D. # 34-117-23-14-0032 – Minnetonka Public Schools

Richards introduced the application. The applicants are proposing construction of a multiple use addition to the existing elementary school. The property is zoned R-2 and is not located within the historic downtown district so the project will not require approval from the HPC. Richards asked that the Commission discuss the trash enclosure requirement. Richards gave a favorable recommendation for the project.

Mike Condon, Minnetonka School District, further explained the project. The addition would include a new kitchen, cafeteria, and gymnasium for a school district that has been steadily increasing in attendance. Mr. Condon informed the Commission that they were also discussing a small classroom addition and depending upon the cost they were planning to construct this addition also. They were asking for approval of the classroom addition just in case the construction bids came back favorable.

Chair Gaylord stated that he was surprised that the proposed addition was all brick. Mr. Condon replied that they wanted the new addition to be complimentary to the old 1929 school building because of the height and visibility of the structure.

David Maroney, ATS&R, stated that the design of the project would be complimentary to the existing structures. The brick used would be similar, but not an exact match to the 1929 structure. He informed the Commission that there would be no rooftop mechanical. All of the mechanical would be on the

5. PUBLIC HEARINGS

- b. Conditional Use Permit and Site Plan Review to Allow for Construction of Kitchen and Multipurpose room at 441 Oak Street, P.I.D. # 34-117-23-14-0032 – Minnetonka Public Schools – (continued)

interior of the structure. Mr. Maroney stated that the design overall was to be complimentary and not exactly match the existing buildings on site.

Richards inquired about the amount of proposed impervious surface on the property with the addition of the cafeteria/gymnasium and the additional classroom and drop-off area. Ron Spoden, ATS&R Landscape Architect, replied that the plans show a decrease in the impervious surface when really there will be an increase. Mr. Spoden stated that the proposed impervious surface will be approximately 45.8%, but he would have the number updated to reflect the actual impervious surface on the lot with the proposed improvements. Craig asked if the 45.8% impervious surface calculation included the alternate classroom/vestibule. Mr. Spoden replied that 45.8% impervious surface calculation did include the possible classroom/vestibule addition.

Chair Gaylord commented that the project exceeded the 35 % allowed in the R-2 zoning district. Richards explained that the Ordinance allowed up to 50% impervious surface coverage for schools in the R-2 zoning district, so the proposed plan of 45.8% would meet the standards.

Jensen commented that the proposed plan looked fantastic. He questioned what the price difference was between the elaborate brick design versus another more simple design. Mr. Maroney replied that brick was a good long term material and that the brick detailing was not as elaborate as the existing building. He stated that they looked at all options and the price difference between the brick design and a more simple design was not very significant. Mr. Condon added that the decision to go with the current design took into account the total cost of ownership over the life of the building and the brick design was the most cost effective.

Chair Gaylord opened the public hearing at 7:35 PM. With no comments from the public Chair Gaylord closed the public hearing at 7:36 PM.

Craig commented that she liked the fact that the new addition would be constructed of brick and would be complimentary to the existing structures on the site. Chair Gaylord agreed with Commissioner Craig that the brick was a nice feature.

Richards asked the Commission to discuss the requirement to enclose the trash receptacles. Chari Gaylord stated that based on the proposed location of the dumpsters and trash cans that they would be hidden from view anyway. Wallace had concerns that they might face the playground and wondered if they should not just be enclosed to keep children out of them. The Commission left the decision to enclose the trash receptacles up to the School District.

The Commission discussed the proposed conditions of approval stated in the

5. PUBLIC HEARINGS

- b. Conditional Use Permit and Site Plan Review to Allow for Construction of Kitchen and Multipurpose room at 441 Oak Street, P.I.D. # 34-117-23-14-0032 – Minnetonka Public Schools – (continued)

staff report. Gaylord asked if the pipe in the drainage plan would be enlarged with the additional impervious surface. The applicants replied in the affirmative. Jensen asked that the plans be updated to show the correct impervious surface calculations. The applicants stated that they would correct the plans and submit them to the City for review.

Commissioner Jensen moved, Commissioner Busch seconded, to continue the public hearing to the City Council meeting and recommend approval of the conditional use permit and site plan review to allow for construction of kitchen and multipurpose room with the conditions provided in the staff report and the additional condition to update the plans to show the correct impervious surface on the property. Motion carried 7/0.

6. UNFINISHED BUSINESS

- a. Revised Plans for Two-Car Garage at 531 Third Street – MTK Properties II, LLC

Braaten introduced the topic informing the Commission that the applicant MTK Properties II, LLC had been given approval of a variance at the previous Planning Commission meeting. Based on comments made by the Commission at the meeting the applicant had revised the design of the structure and was looking for approval of the new design and configuration. Braaten informed the Commission that the structure would not be located any closer to the rear lot line than the previous application, but the garage would be a little bit larger and the roof configuration would change.

Gaylord commented that the revised plans were much improved over the previous design that was submitted and approved. The Commission agreed that the revised plans were a much better alternative.

Wallace requested that the applicant get the Certificate of Survey updated prior to the City Council meeting. Discussion followed regarding the requirement of the survey prior to construction or after the construction has been completed.

Commissioner Craig moved, Commissioner Duyvejonck seconded, to continue the variance revision request to the City Council meeting and recommend approval of the changes and to require the Certificate of Survey be updated to show the proposed improvements prior to the City Council meeting. Motion carried 7/0.

- b. Design Standards for 50-foot Setback Requirement on Water Street (Continued to the November 7, 2012 Planning Commission meeting)

Richards explained that this agenda item would be moved to a future meeting with a lighter agenda.

6. UNFINISHED BUSINESS

- c. Impervious Surface Coverage Regulations – Green Technology Subcommittee (Continued to the November 7, 2012 Planning Commission meeting)

Richards explained that this agenda item would be moved to a future meeting with a lighter agenda.

- d. Formula Business Regulations (Franchises) (Continued to the November 7, 2012 Planning Commission meeting)

Richards explained that this agenda item would be moved to a future meeting with a lighter agenda.

7. NEW BUSINESS

- a. Parking Update – Implementation

1. Parking Counts Summary

Richards informed the Commission that the Parking Counts Summary was being completed by staff and would be provided at a later meeting.

2. Parking Options for Water Street

Richards informed the Commission that the City Council asked that the Commission take a second look at this agenda item and discuss it in further detail. Staunton stated that the Commission should look at the topic in regard to the 50 ft. setback and what tools are available to bring the non-conforming lots within the downtown district into compliance with the Ordinance. Should there be a policy or ordinance in place to encourage the development of these lots to bring the structures up to a zero lot line setback on Water Street.

Commission discussion followed regarding parking and incentives for development.

Judy Mueller asked the Commission why they would give incentives for property owners who are planning to remove parking spaces within the community. Richards explained that based on the parking count information there was not a shortage of parking spaces in the City as once believed.

Staunton commented that the parking is currently retarding the development of the non-conforming parcels. The question is how to fix this problem and have it fit with the concept for Water Street.

Discussion followed regarding parking, parking impact fee and the development of Water Street.

7. NEW BUSINESS

a. Parking Update – Implementation – (Continued)

3. Shared Parking Consequences

Richards explained that the current shared parking standard may have some unintended consequences. Many of the buildings on Water Street are beginning to use the shared parking model to reduce the amount of money to be paid as a parking impact fee. Based on this many of restaurants that share office space cannot open until 5 PM.

Discussion followed regarding shared parking and the possible unintended consequence of this policy.

4. Water Street Angled Parking Options

Richards explained that the City Engineer reviewed the possibility of installing angled parking stalls along Water Street and found that you cannot get angled parking along both sides of the street. The City Engineer also stated that with angled parking installed along one side of the street there would be a loss in parking spaces in the downtown area.

The Commission decided to put the issue to rest based on the comments provided by the City Engineer.

Discussion followed regarding parking and parking meters in the City.

b. Dates for Additional Work Session(s)

Additional dates for work sessions were not scheduled, but the Commission did discuss possible special meeting dates for the upcoming hotel application.

8. COMMUNICATIONS & REPORTS

a. Next Planning Commission Meeting – Wednesday, November 7, 2012

9. MISCELLANEOUS

a. Recent City Council Actions

Staff updated the Commission on recent City Council actions.

10. ADJOURNMENT

Commissioner Craig moved, Commissioner Busch seconded, to adjourn the meeting at 8:47 p.m. Motion carried 7/0.

Respectfully submitted,

Lane L. Braaten  
City Planner