



**MINUTES
CITY COUNCIL MEETING
October 21, 2014**

CALL TO ORDER

The meeting was called to order at 6:34 pm.

Present: Mayor: Tim Hultmann; Council: Kurt Kaminski, Donny Chillstrom, and Liz Olson

Staff Present: City Administrator: Scott Weske; Planning Consultant: Addison Lewis; and City Clerk: Jeanette Moeller

Absent: Council: Tom Skjaret (with prior notice)

PLEDGE OF ALLEGIANCE

LONG LAKE NEWS UPDATE

Mayor Hultmann offered the following updates:

- The Long Lake Area Chamber of Commerce will be sponsoring their annual Safe Trick or Treating in Long Lake event, beginning at the Fire Station on Willow Drive. Mayor Hultmann extended his thanks to the Chamber of Commerce and the Long Lake Fire Department for partnering to host this event.
- As a reminder, when raking leaves, please bag leaves for disposal and do not rake them over the curb and into the street. Leaves in drainage ditches get into the storm sewer and negatively impact the lake as they decompose.
- On street overnight parking is prohibited year-round, but becomes especially important to adhere to during the winter months as snow plowing operations occur overnight. A reminder about the on street parking prohibition will be included in the next city newsletter.
- Mayor Hultmann provided a short history of the city's purchase of the Virginia Avenue vacant land from MnDOT and explained why previous interest in developing the site failed or was not pursued. At the October 7 work session, Beacon Interfaith development appeared to discuss their interest in acquiring and developing the site for an affordable housing project. The public's reaction thus far to this initial proposal has been negative. On behalf of the full City Council, Mayor Hultmann firmly stated that the current City Council will not take any discussions or applications from Beacon Interfaith through December 31. It is the consensus of the Council that any further discussions should not take place until after the new Council is seated in January. There have not been extensive work sessions or discussions ongoing with Beacon Interfaith.

Lastly, Mayor Hultmann continued to encourage shopping local as often as possible.

APPROVE AGENDA

Mayor Hultmann requested the agenda be amended to move Item No. 9 to Item No. 7, thereby renumbering the remaining agenda items to follow in order as listed.

*A motion was made by Chillstrom, seconded by Kaminski, to approve the Agenda as amended.
Ayes: all.*

CONSENT AGENDA

The Consent Agenda consisted of:

- A. Approve Minutes of October 7, 2014 City Council Work Session
- B. Approve Minutes of October 7, 2014 City Council Meeting
- C. Approve Vendor Claims and Payroll

*A motion was made by Kaminski, seconded by Olson, to approve the Consent Agenda as presented.
Ayes: all.*

OPEN CORRESPONDENCE

No one appeared to address the City Council during Open Correspondence.

BUSINESS ITEMS

Planning Case #2014-09 / Jane Davidson and Francis Kulacki, 1020 Old Long Lake Road, Conditional Use Permit to Allow for Grading and Filling in a Shoreland Area for Landscaping Purposes

Planning consultant Lewis stated that the property owners at 1020 Old Long Lake Road wish to complete a landscaping project in the rear yard of their property. The general scope of the work is to remove non-native vegetation and install native plantings along the slope. A portion of the shoreline will be biologically engineered to incorporate coir logs and riparian plants near portions of the shoreline to control erosion. The existing retaining walls and steps to the shoreline will be removed and new stone steps and boulder retaining walls will be installed. All of the proposed retaining walls are less than four feet in height. The property is located in the R-2 Lakeshore Single Family Residential District, which is regulated by Section 8 of the Long Lake Zoning Ordinance. Section 8, Subd. 5. C. states that "*grading and filling in shoreland areas or any alterations of the natural topography where the slope of the land is toward a public water or a watercourse leading to a public water must be authorized by a conditional use permit*". Because the project will involve some minor grading, a conditional use permit is required. The City Engineer has also reviewed the property owners' plans for improvements and had no comments or concerns. The property owners would also be required to obtain permits from the Minnehaha Creek Watershed District. At their October 14 meeting, the Planning Commission reviewed the application and voted unanimously to recommend approval to the City Council.

A motion was made by Kaminski, seconded by Chillstrom, to adopt Resolution No. 2014-34 approving a conditional use permit to allow for grading and filling in a shoreland area for the property located at 1020 Old Long Lake Road subject to conditions stated in the Resolution. Ayes: all.

Planning Case #2014-08 / Long Lake Rowing Crew, 1310 W Wayzata Boulevard, Request for a 3 Year Interim Use Permit for Rowing Club Facilities for the Long Lake Rowing Crew

Lewis stated that the Long Lake Rowing Crew (LLRC) is seeking an Interim Use Permit for a three year period to use the property located at 1310 W. Wayzata Boulevard. The Interim Use Permit procedure is intended to allow flexibility in the use of land or structures in the City when such uses are not permanent and meet certain criteria designed to protect the public health, safety, and welfare.

The property is the former Billy's Lighthouse site and is currently vacant. LLRC leases the property from the property owner. LLRC was approved in March for a one year Interim Use Permit and has used the property as its staging and launching area for rowing shells to access and use Long Lake. Use of the site would involve storage of boats, parking of rowers' and parents' vehicles, assembly of rowing class participants, and accessing the lake from the walkway next to the existing building. The existing building and its adjoining deck will not be used by LLRC and will remain unchanged. The hours that the Long Lake Rowing Crew will be on the lake will be regulated through the issuance of a Water Patrol Permit issued by Hennepin County. Last year, the Long Lake Rowing Crew's practice hours were Monday through Thursday 8:00-10:30 a.m., 3:30-5:30 p.m.; Saturday 8:00-11:00 a.m. A condition of approval will be that the applicant obtain a Water Patrol Permit from Hennepin County for each year of the Interim Use Permit.

If approved, the site will be utilized consistent with the previous year. For the storage and partial screening of boats and equipment, the applicant constructed a fence enclosure. The fence is a five foot tall chain link fence with a privacy mesh for screening. This enclosure would contain four wooden boat racks and one oar rack. A 50 foot boat trailer is proposed to be stored onsite, along with one portable restroom. All equipment will be stored within the fence enclosure except that boats may be loaded on to the trailer a day or two in advance of leaving for regattas. The staging area is designated for use of collapsible boat stands and slings and would only be in use during practice times. This area would be cleared of equipment following each practice. The launching area would include a boat lift for the coaching skiff and L-shaped dock for rowing shells. The boat lift and dock will be required to meet all DNR requirements and the applicant will be responsible for obtaining any necessary permits. All of the proposed equipment is consistent with the issuance of last year's IUP.

Traffic to the site will utilize existing access points and there are no proposed changes to the parking areas on the property. LLRC estimates approximately 35-50 rowers, however, rowers will generally be split between morning and afternoon sessions and would not all be at the site at the same time. In addition, many younger rowers would be dropped off by parents. There are over 70 parking spaces on the site and staff does not anticipate parking to be an issue with the request.

The applicant is proposing one portable restroom to serve the rowing club patrons, which will be stored behind the proposed fence enclosure. The applicant states that the restroom will be serviced on a regular basis.

The applicant will provide refuse containers for storing all garbage. The applicant has stated that all garbage will be regularly removed from the site. As a condition of approval, staff is proposing that any garbage containers be required to be stored within the proposed fence enclosure on non-scheduled pickup days.

The IUP is proposed to expire November 30th, 2017. However, each year, all rowing equipment shall be removed from the site along with the portable restroom and trash containers. The proposed fence enclosure would likely remain at the site. The equipment, portable restroom and trash containers may not be put back out at the site until April 1 of each year.

At their October 11 meeting, the Planning Commission unanimously recommended the City Council approve the proposed Interim Use Permit for the LLRC.

Phil Ordway, property owner, thanked the Council for their consideration of the application. He noted that he would like nothing better than to be before the Council with a redevelopment proposal for their consideration, but interest in the site has been limited. As the LLRC's use of the property does not in any way limit his ability to improve the property, he is hoping the Council will approve

the LLRC's application. He hopes to include the LLRC as part of a permanent use for the site some day. His lease with the LLRC does include a provision allowing for a 60-day notice to terminate use should a viable redevelopment opportunity arise. He discussed his past interactions with parties potentially interested in the former Billy's Lighthouse site, and noted that following a recent meeting with Mayor Hultmann, he will be committing to make some improvements to the appearance of the site.

Council member Olson commented that she believes a three-year IUP is excessive and does not meet the intent of an IUP as set forth in the ordinance. She also expressed her frustration with the appearance of the former Billy's Lighthouse site and other highly visible vacant properties that detract from the town's overall appearance.

Council and staff discussed a three-year versus one-year IUP and were in agreement a one-year IUP could be more readily approved.

John Winston, LLRC Board of Directors, added that the LLRC applied for a three-year permit at the suggestion of planning staff; however, if the Council is more comfortable with reviewing an IUP application annually, the LLRC would not object.

A motion was made by Chillstrom, seconded by Kaminski, to adopt Resolution No. 2014-36 approving an Interim Use Permit (IUP) for one year with findings and conditions for the Long Lake Rowing Crew to operate a rowing club facility on property located at 1310 West Wayzata Boulevard, subject to conditions stated in the Resolution and in the IUP Agreement. Ayes: all.

Planning Case #2014-06 / The Schuett Co. Inc. (Hillside Terrace II LP), 408 and 511 Dexter Drive, Request for Variances to Parking Stall Width

Lewis reported that Hillside Terrace is a housing development that includes a 30 unit senior building and 14 townhomes and spans over four parcels. The properties are zoned R-5 Multiple Family Residential. The senior building is located at 408 Dexter Drive and has 14 regular parking spaces and 2 handicap parking spaces on the property. The property just to the southeast is 510 Dexter Drive, which has 6 two-bedroom townhomes and has 12 parking spaces on the property. The next property to the southeast is 511 Dexter Drive which has 8 three-bedroom townhomes and has 18 parking spaces on the property. In total there are 44 regular stalls and 2 handicap stalls to serve 44 housing units.

Hillside Terrace was developed prior to the existing off-street parking requirements. The senior building currently has 0.53 parking stalls per unit. If the senior building were built today, it would be required to have 1.5 stalls per unit, or 45 stalls for a 30 unit building. The senior building is 29 spaces short of this requirement. For townhomes, City Code requires 2.5 spaces per unit. The townhomes have approximately 2.1 parking stalls per unit, falling 5 stalls short of the current requirement.

The applicant has indicated that the parking available on the three properties is not sufficient to meet the demands of the residents. The applicant is requesting a variance to Section 21, Subdivision 4, H of the City Code relating to off-street parking requirements and Section 11, Subd. 5. B, which regulates the R-5 Multiple Family Zoning District. These sections of code require parking stalls that are at a 90 degree angle to be a minimum of 8.5 feet in width. The applicant is proposing to have 8 foot stalls as follows:

At 408 Dexter Drive (30 unit senior building)

- Restripe nine existing 9-foot stalls to ten 8-foot stalls
- Maintain four 8.5-foot stalls, one 9-foot stall, and two handicap stalls

At 511 Dexter (8 townhome units)

- Restripe ten existing 9-foot stalls to twelve 8-foot stalls
- Maintain four garage stalls and four 9-foot stalls

The proposed layout would result in the addition of one stall at the senior building and two stalls for the townhomes at 511 Dexter Drive. The property owner will also be restriping the stalls at 510 Dexter Drive to acquire one additional space; however, no variance is required because the stalls will be restriped from 9 feet to 8.5 feet. Between the three buildings, it is proposed that there will be 22 stalls at 8 feet and 28 stalls that meet or exceed the minimum 8.5-foot requirement. It should also be noted that City Code Section 21, Subd. 4, H does allow for up to 33 percent of the total number of parking spaces to be designated as compact spaces and striped at 7.5 feet. This option was considered but there were no potential parking layouts that would result in acquiring additional spaces that would not require a variance.

Lewis reviewed the criteria for approval of a variance and described how the applications meet criteria. The Planning Commission reviewed the applications at their October 11 meeting and unanimously recommended the City Council approve the variance requests. He reminded the Council that approval of a variance does require a 4/5 majority vote.

A motion was made by Kaminski, seconded by Olson, to adopt Resolution No. 2014-35 approving a 6 inch variance from the required minimum 8.5-foot parking stall width to allow for ten 8-foot parking spaces at 408 Dexter Drive and twelve 8-foot stalls at 511 Dexter Drive, subject to conditions stated in the Resolution. Ayes: all.

OTHER BUSINESS

Changes Along Wayzata Boulevard – Council member Kaminski stated he had noticed a new speed monitoring sign had been installed along Wayzata Boulevard and that some tree trimming has taken place, thereby improving the visibility of signage. Mayor Hultmann added that Police Chief Risvold is working with Hennepin County to look at possibly wiping out the existing striping and striping a center turn lane on Wayzata Boulevard at the east end of town. This would potentially eliminate traffic passing on the shoulder. The County will be rendering a decision on striping work next spring.

Halloween Holiday – Council member Chillstrom encouraged everyone to get out and enjoy Halloween festivities, as it is traditionally a great night to meet and talk with neighbors.

Next Council Meeting – City Clerk Moeller reminded Council members that due to the State General Election, the Council's next regular meeting has been rescheduled to Monday, November 10 beginning at 6:30 pm. Prior to that meeting, the Council will meet as the Canvassing Board to canvass municipal election results at 6:20 pm.

Fall Leaf Pickup Dates – Moeller advised that licensed refuse haulers will be picking up leaves curbside on Tuesday, October 28 and Tuesday, November 4. All leaves must be bagged in compostable bags, which can be purchased locally at Long Lake True Value.

ADJOURN

A motion was made by Chillstrom, seconded by Kaminski, to adjourn the meeting. Ayes: all. The meeting was adjourned at 7:23 pm.

Respectfully submitted,

Jeanette Moeller
City Clerk