




ITEM 10A

LAKE MINNETONKA CONSERVATION DISTRICT

5341 MAYWOOD ROAD, SUITE 200 • MOUND, MINNESOTA 55364 • TELEPHONE 952/745-0789 • FAX 952/745-9085

DATE: January 11, 2017

TO: LMCD Board of Directors

FROM: Vickie Schleuning, Executive Director 

SUBJECT: New Multiple Dock (Minor Change) License Application – City of Excelsior (Site 2)

ACTION

Board update regarding City of Excelsior New Multiple Dock (Minor Change) License Application for Site 2

BACKGROUND

The Site 2 license application submitted by the City of Excelsior may be issued without a public hearing by the Executive Director per LMCD Code Section 2.03, Subd. 7. Because the Municipal Planned Unit Development Multiple Dock license is being considered for the City of Excelsior for Site 1 under item 9B, staff believed a brief overview of this license application as it relates to the overall sites would benefit the Board and any interested parties.

The Site 1 application considered under 9B includes the docks and watercraft storage and expansion within The Commons area and adjacent 399 Lake Street. The Site 2 proposal for the new Multiple Dock (Minor Change) License application encompasses all remaining licensed watercraft storage not located within the PUD area. This includes 14 boat storage units (BSU) in the non-continuous shoreline locations such as fire lanes. The applicant is not proposing any changes to watercraft density at these sites as part of this new license, and the BSUs will remain within each location. The 929.4' of shoreline dedicated to this proposed license is 776.2 feet with a density of 1:55.

A minor change, based on the current license documentation, is that the two slide structures at Linwood Avenue will be converted to one slide structure with the same two BSUs. The setback for the variance that currently exists for the dock located at Hidden Lane will be associated with the new license as confirmed by LMCD Attorney Gilchrist.

An overview of the site's dedicated shoreline and BSU locations is included in the chart that follows. Please refer to the attached site plans for site details. This license application will be approved at staff level after consideration of Agenda Item 9B.

City of Excelsior Proposed (Site 2) Multiple Dock License

Fire Lane/Other Location	Bay	929.4' Shoreline (in feet)	BSUs
George Street	Gideon Bay	58	4
Lafayette Avenue	Gideon Bay	105	4
Hidden Lane	St. Albans Bay	174.2	4
Linwood Avenue	Gideon Bay	51	2
1st Street	Gideon Bay	67	
Bell Street	Gideon Bay	59	
3rd Street	Gideon Bay	67	
2nd Beach Area to 1st Street	Gideon Bay	195	
TOTAL		776.2	14

ATTACHMENTS

1. Application
2. Current/Proposed Site Plans



NEW MULTIPLE DOCK (MINOR CHANGE) LICENSE APPLICATION
Lake Minnetonka Conservation District
5341 Maywood Road, Suite 200
Mound, MN 55364

Phone (952) 745-0789

LMCD Receipt # _____

Because this form is to be copied, please use black ink or type.

Any change in slip size, ownership, length, width, height or location of a structure or launching ramp requiring a license under LMCD Code Section 2.03 requires the issuance of a new license, pursuant to Section 2.03, Subd. 7. The Executive Director may issue a new license without a public hearing provided the facility is in compliance with the Code; there is no change in the number of watercraft stored; and there is no substantial change in slip size, length, width, height, location, use, type of watercraft stored, or amount of lake obstructed or occupied.

The person completing this form is the **authorized agent** or **property owner** (circle one).

Applicant: **City of Excelsior**

Address: **339 3rd Street**

Site Address: **Fire Lanes; George Street, Hidden Lane, Lafayette Ave., Linwood Avenue**

City, State, Zip: **Excelsior, MN 55331**

Phone: **(952) 474-5233** Fax: **(952) 474-6300**

Property Owner (if different from applicant): _____

Address _____

City, State, Zip: _____

Phone: _____ Fax: _____

PROPERTY LOCATION

The property is located in the City of: **Excelsior**
The property is riparian to LMCD bay/area(s):
Gideon's/Excelsior/ St. Alban's
LMCD Area Identification Number(s): 35, St. Albans;
36, Excelsior; and 37, Gideons

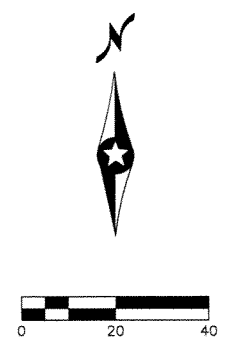
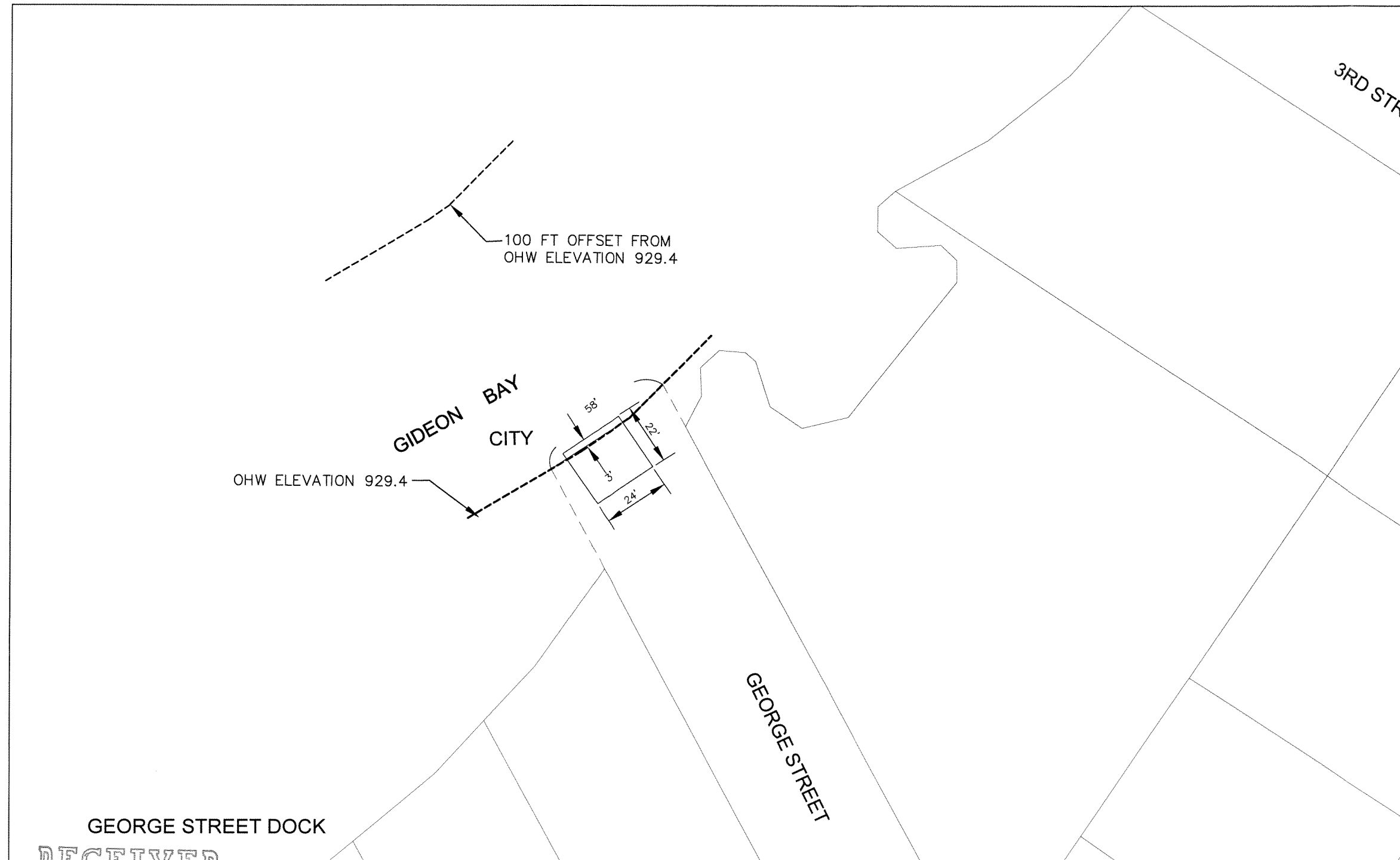
1. Classification of user per Section 2.11, Subd. 2 (please circle one):
- a) commercial marina
 - b) private club
 - c) municipal**
 - d) transient
 - e) outlot association
 - f) multiple dwelling
 - g) private residence
 - h) other (explain)

2. Site Lake Frontage: ~~693.2~~ **776.2** feet BSU density: **14** 1955

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K:\01\140-06-06\GeorgeSt\140-06-06-SITE-601RWFY.dwg



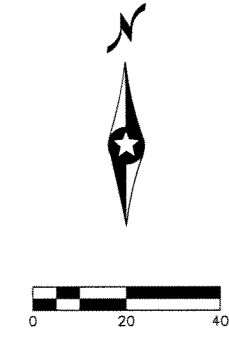
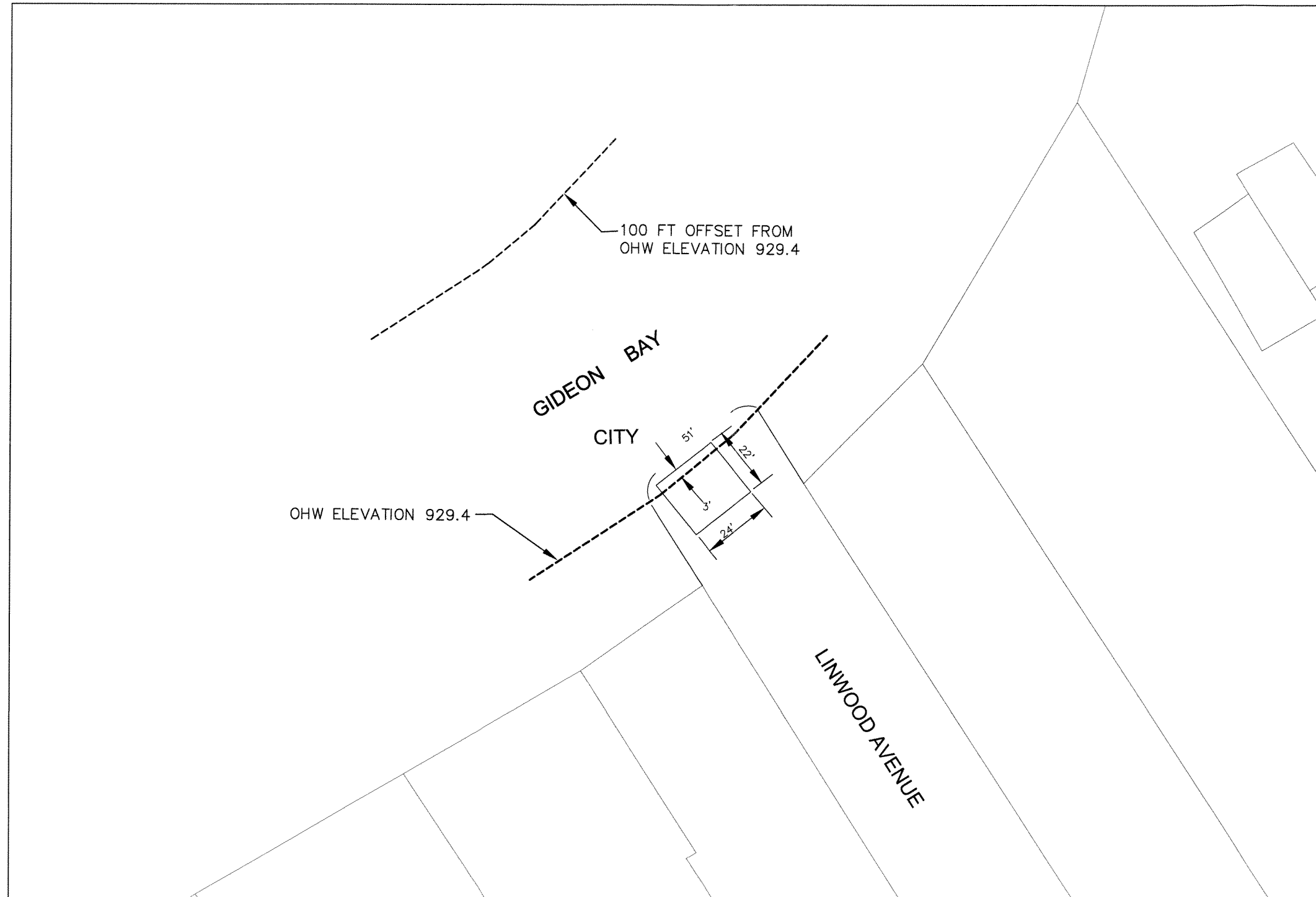
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4BSU

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SCALE: PLAN BY: MRJ CHECKED BY:	AS NOTED DESIGN BY: JC PROJECT NO.: 1140-85 RECORD COPY BY:
MINNEHAHA CREEK WATERSHED DISTRICT DREDGING PROJECT FOR THE CITY OF EXCELSIOR, MINNESOTA	701 Xenia Avenue South, Suite 300 Minneapolis, MN 55416 www.wsbang.com WSB INFRASTRUCTURE ENGINEERING PLANNING CONSTRUCTION

K:\01 140-06\06\client\140-06-01FE SURVEY.dwg



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2 BSU

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SCALE: AS NOTED PLAN BY: MRJ CHECKED BY: JC PROJECT NO. 1140-85 RECORD COPY BY:	REVISION NO. DATE EXPLANATION
MINNEHAHA CREEK WATERSHED DISTRICT DREDGING PROJECT FOR THE CITY OF EXCELSIOR, MINNESOTA	
701 Xenia Avenue South, Suite 300 Minneapolis, MN 55416 www.wsb.org.com WSB INFRASTRUCTURE ENGINEERING PLANNING CONSTRUCTION	

**CURRENTLY APPROVED
AND CONTINUED
PROPOSED**

LAKE MINNETONKA CONSERVATION DISTRICT

RE: APPLICATION OF CITY OF EXCELSIOR

FINDINGS

A public hearing was held at 7:00 p.m. on April 13, 2011, at the Wayzata City Hall in the City of Wayzata, Minnesota, by the Lake Minnetonka Conservation District Board of Directors (the "Board") to consider the application of the City of Excelsior (the "Applicant") for a side setback variance for its property located at the Hidden Lane street end on St. Albans Bay (the "Subject Property").

The Applicant has six separate sites associated with its multiple dock license. However, this application relates only to the dock at the Subject Property, which is currently licensed for four boat storage units ("BSUs"). The Applicant seeks side setback variances to allow reconfiguration of the dock at the Subject Property for the storage of four BSUs.

The hardship cited by the Applicant is that the Subject Property has sharply converging side site lines that greatly restrict the available dock use area. This hardship is made more serious by the fact that the converging lot lines mean that reasonably placed slip structures that extend toward the Lake will be considered side-opening slips, which require doubled setbacks under the LMCD Code, because they are directed toward the converging lot lines.

The Board finds that the hardship cited by the Applicant is a hardship within the meaning of LMCD Code, Section 1.07 and that granting the variances requested is consistent with the spirit and intent of the LMCD Code of Ordinances.

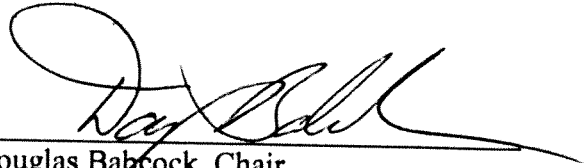
ORDER

ON THE BASIS OF THE FOREGOING, IT IS ORDERED that the LMCD Board of Directors grants the side setback variance application for the Subject Property subject to the following conditions:

1. The dock facility and watercraft storage shall be constructed and maintained in strict conformance with the dock plan attached hereto as Attachment One.
2. The minimum setback allowed from the extended north property line at the point closest to the proposed watercraft storage is 23.1 feet, as shown on Attachment One. The minimum setback allowed for the extended east property line at the point closest to the proposed watercraft storage is 24.7 feet, as shown on Attachment One.
3. There shall be no de-icing permitted at the Subject Property.

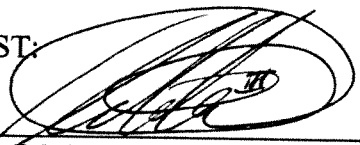
The variances granted hereby shall grant no vested rights to the use of Lake Minnetonka. Such use shall at all times remain subject to regulations by the District to insure the public of reasonable and equitable access to the Lake.

BY ORDER OF THE BOARD OF DIRECTORS of the Lake Minnetonka Conservation District
the 27th day of April, 2011.



Douglas Babcock, Chair

ATTEST:



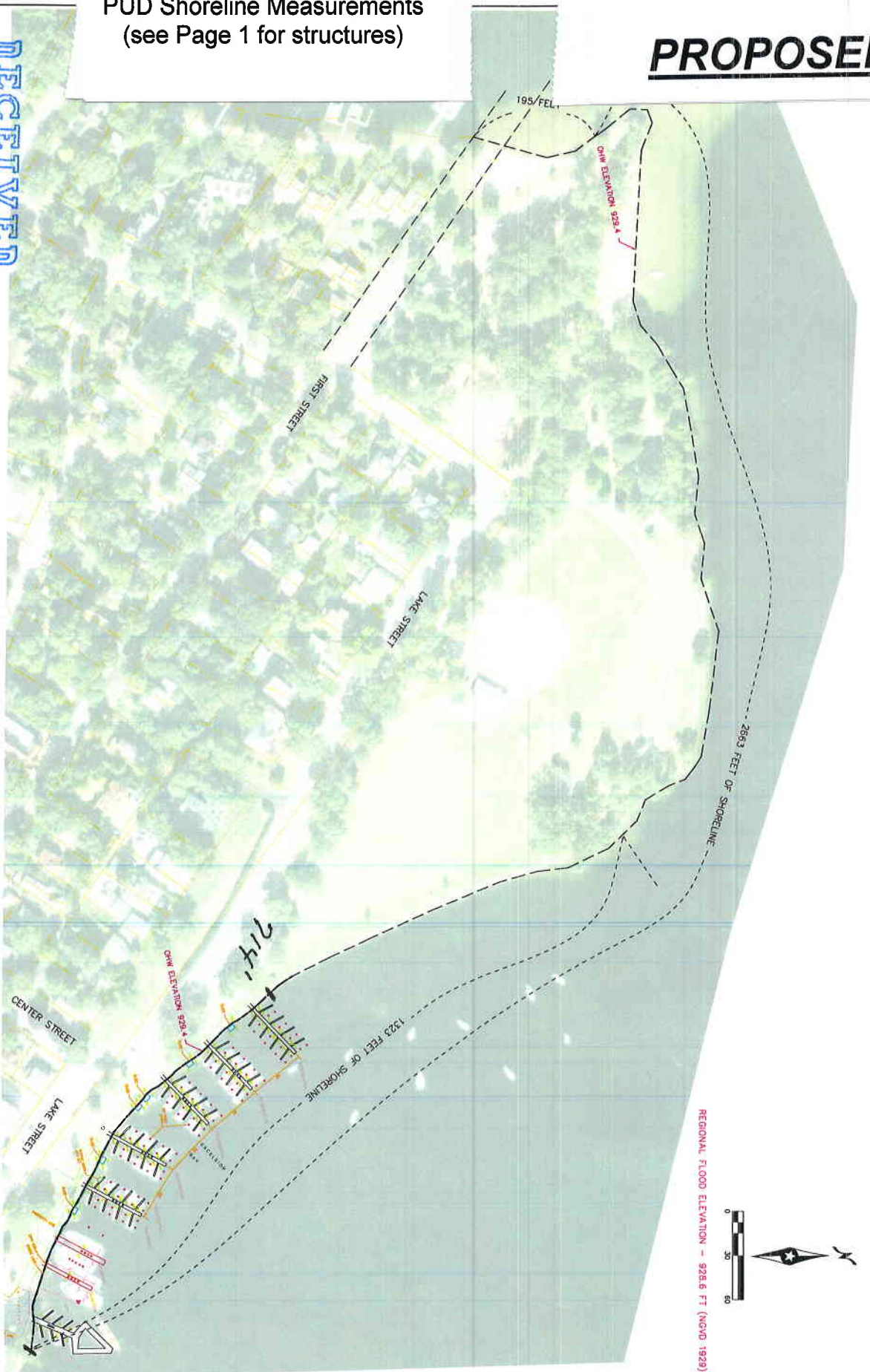
Andrew McDermott III, Secretary

Site Plan Page 2 of 2
 PUD Shoreline Measurements
 (see Page 1 for structures)

PROPOSED

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WSB PROJECT NO. 01140-05
 DATE 12/13/16

EXCELSIOR BAY
 SITE SURVEY

SHEET 1 OF 1 SHEETS

WSB
 WSB & Associates, P.C.
 701 Mendota Avenue South, Suite 200
 Minneapolis, MN 55416
 www.wsbinc.com
 (612) 835-1100 FAX (612) 835-1100
 INFRASTRUCTURE ENGINEERING PLANNING CONSTRUCTION

DOCK SURVEY
 FOR THE CITY OF
 EXCELSIOR, MINNESOTA

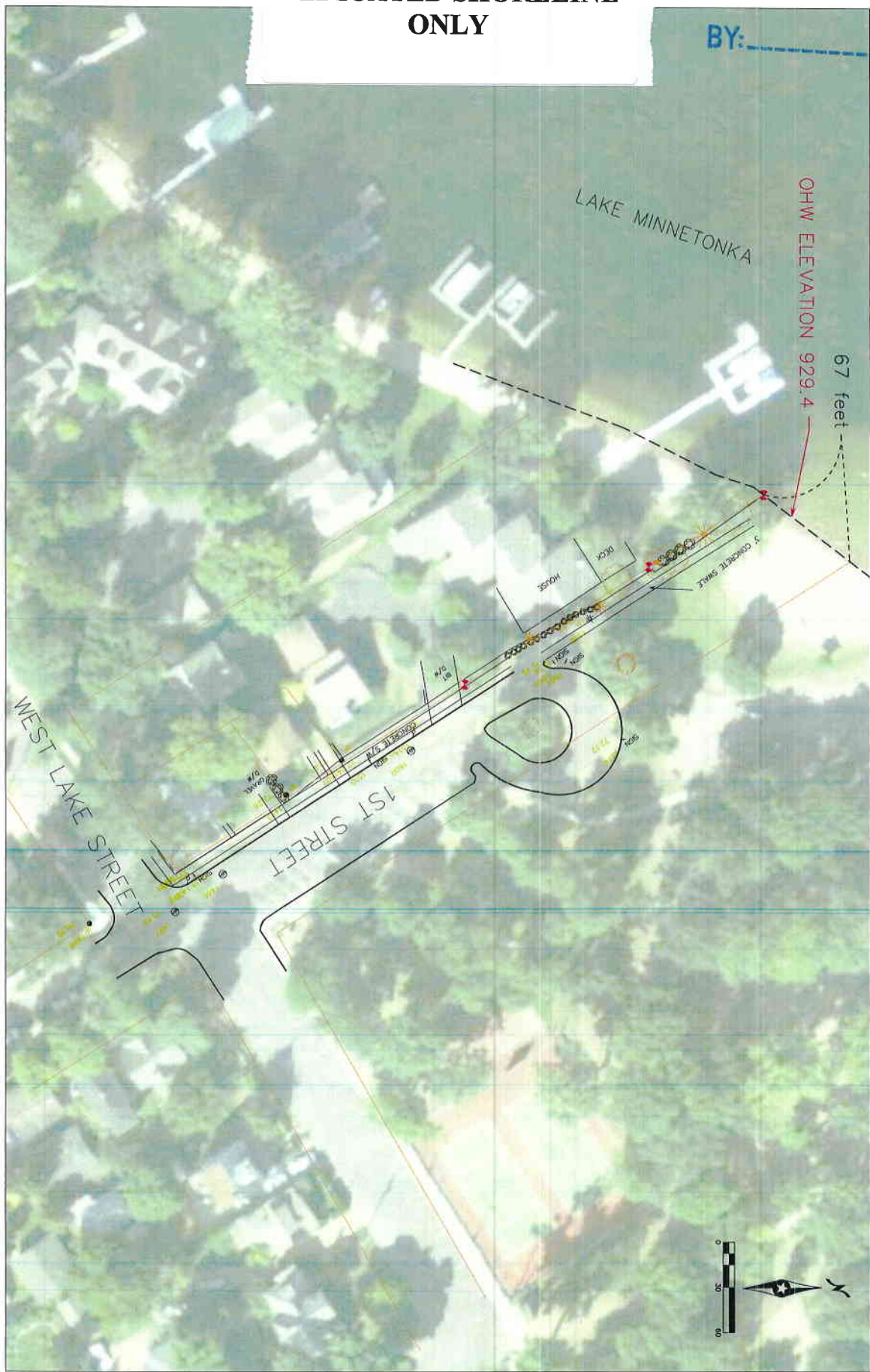
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 MORGAN OWLEY
 Exp. 12-08 - 2018 Lic. No. 44178

SCALE:	AS NOTED	REVISION NO.	DATE
PLAN BY:	MSJ	SHEET NO.:	01
DRAWN BY:	-	PROJECT NO.:	1140-05
ISSUED COPY BY:	-	DATE:	-

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**DEDICATED SHORELINE
ONLY**

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BSU

WSB PROJECT NO. 01140-40
DATE 12/13/16

EXCELSIOR BAY 1ST STREET
SITE SURVEY

SHEET 1 OF 1 SHEETS

WSB
Associates, P.C.
701 Xenia Avenue South, Suite 300
Minnetonka, MN 55345
www.wsbpc.com
13354458 - Fax 952-913-1100
ARCHITECTURE ENGINEERING PLANNING CONSTRUCTION

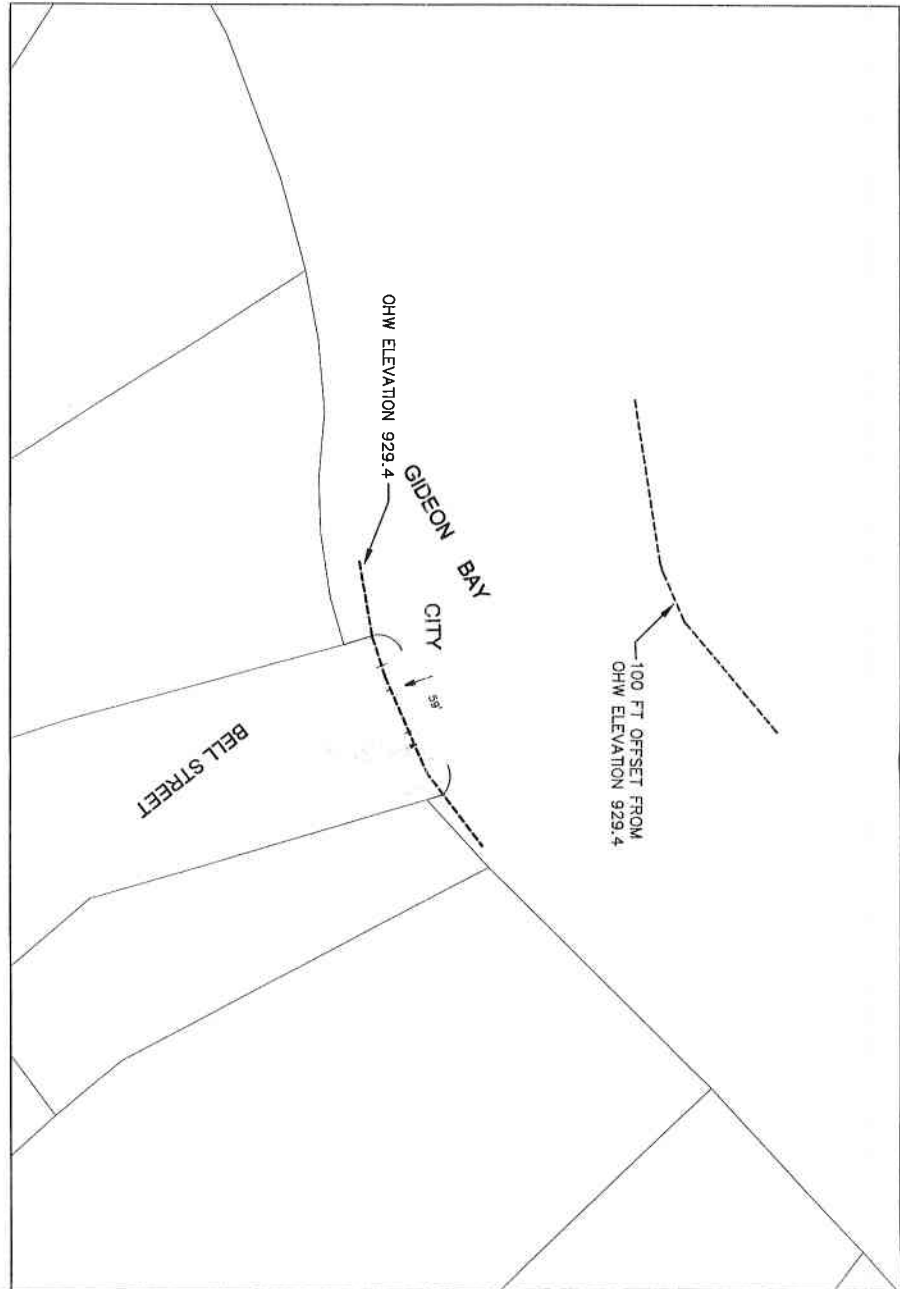
DOCK SURVEY
FOR THE CITY OF
EXCELSIOR, MINNESOTA

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DRAWN BY: MJD	CHECKED BY: JAC	DATE: 12-01-2016	UIC NO: 44178	
DESIGNED BY: MORGAN BANKLEY	PROJECT NO. 1140-85			
DATE: 12-01-2016	UIC NO: 44178	RECORD COPY BY: _____	DATE: _____	

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DEC 13 2016

BY: _____



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WSB PROJECT NO. 01140-00

BELL ST
SITE SURVEY
SHEET 1 OF 1 SHEETS

WSB
AN IRVING-CLOUD COMPANY
701 Xerxes Avenue South, Suite 300
Minneapolis, MN 55415
www.wsbgrp.com

MINNESOTA PROFESSIONAL ENGINEERS REGISTRATION BOARD REG. NO. 10201-1020
INFRASTRUCTURE • ENGINEERING • PLANNING • CONSTRUCTION

**MINNEHAHA CREEK WATERSHED DISTRICT
DREDGING PROJECT
FOR THE CITY OF
EXCELSIOR, MINNESOTA**

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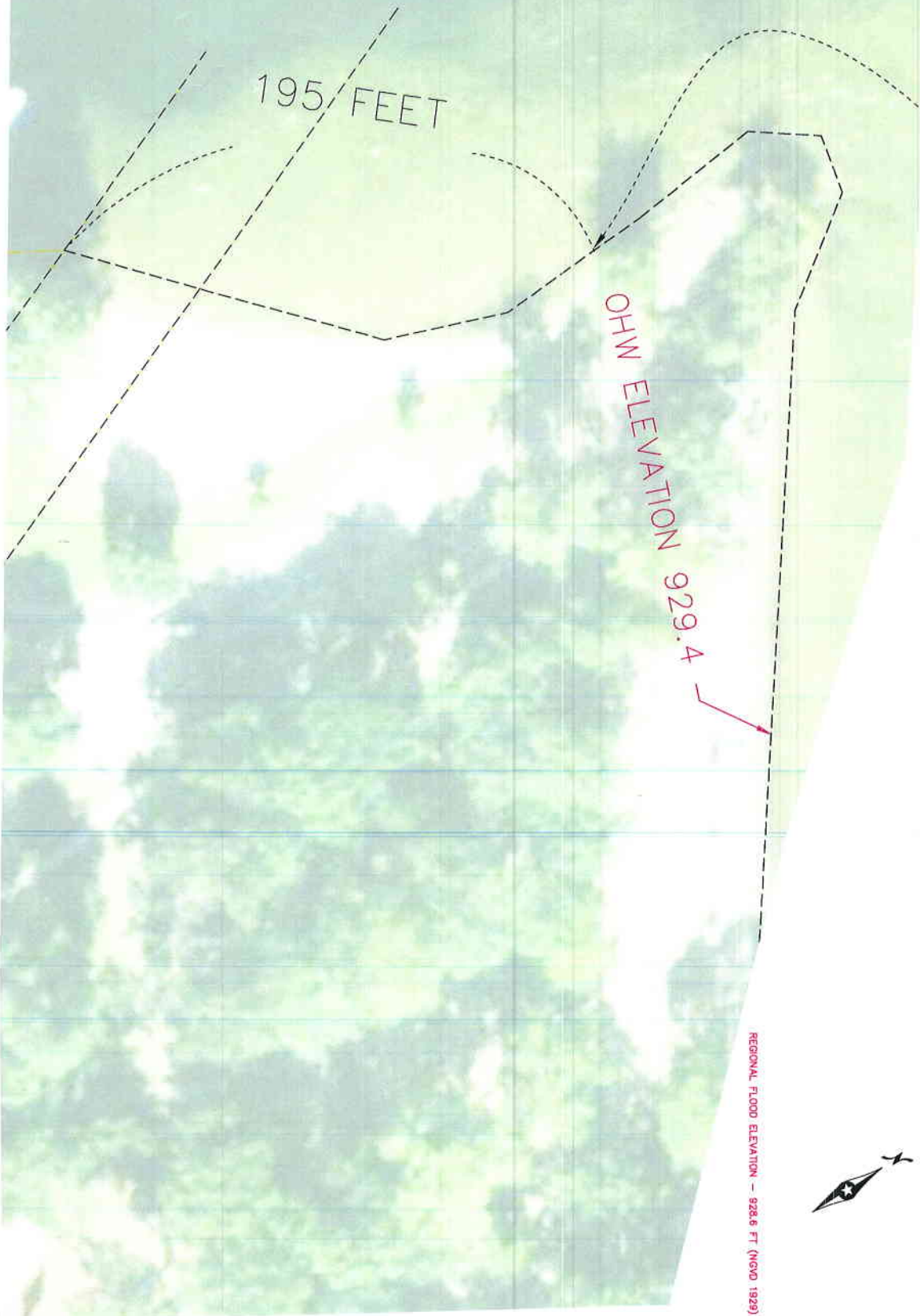
MORGAN DANLEY
REG. NO. 10201-10201 UC NO. 44178
DATE: MAY 25, 2016

SCALE	AS NOTED	REVISION NO.	DATE	DESCRIPTION
PLAN SET	WELL	REVISION NO.	DATE	
DRAWER NO.	PROJECT NO.	1140-00		
ISSUED COPY NO.	DATE			

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BY: _____



WSB PROJECT NO. 01140-85
DATE 12/13/16
EXCELSIOR BAY (ZOOMED IN BEACH AREA)
SITE SURVEY

SHEET 1 OF 1 SHEETS

BSU

WSB
Associates, Inc.
701 Xenia Avenue South, Suite 300
Minneapolis, MN 55416
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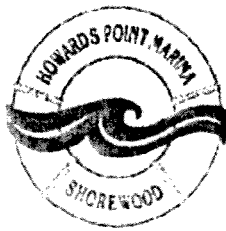
MINNESOTA REGISTERED PROFESSIONAL ENGINEERS
INFRASTRUCTURE ENGINEERING PLANNING CONSTRUCTION

DOCK SURVEY
FOR THE CITY OF
EXCELSIOR, MINNESOTA

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WISGAW DANLEY
DATE: 11-08 - 2016, LIC. NO. 44178

SCALE	AS NOTED	PROJECT NO.	EXPLANATION
PLAN BY:	WSB	DESIGN BY:	
CHECKED BY:		PROJECT NO.:	1140-85
RECORD COPY BY:		DATE:	



ITEM
12

January 3, 2017

Lake Minnetonka Conservation District
5341 Maywood Road #200
Mound, MN 55364

Mr. Jay Green
5966 Lynwood Blvd.
Mound, MN 55364

RE: Request for non-conforming variance for site plan

Dear Mr. Green,

On September 14, 2016, the Lake Minnetonka Conservation District approved a site plan for new docks at Howard's Point Marina (HPM) in Shorewood. Much work and thought went into this site plan and our number one concern in planning the layout was, and always will be, the safety of our customers and staff. The process for the approval of the new docks site plan began over 2 years ago. At that time, HPM had non-conforming setbacks on the north side of their marina property line of 10', 15' and 20'. In working with Greg Nybeck on the new site plan, Greg indicated it was impossible to get a plan approved with those setbacks and we (HPM), therefore, had to have double setbacks of 20', 30' and 40'. While we understood this would significantly reduce the width of our launch ramp; HPM, reluctantly, agreed. HPM owns the property in question on the north side of the marina building. HPM purchased this property in 2002 and this property will always be part of HPM.

As we begin to lay out our new dock system I am concerned, again, about safety. A setback of 10', 15' and 20' would allow us to have a 10' wider launch area. Customers and staff would have more room to maneuver. Therefore, I am asking for a non-conforming variance of setbacks for the north side of our new docks.

I would appreciate your consideration of this matter. If you have any questions about this issue, please contact me at 612-327-3042.

Respectfully,

Richard A. Baker
Howard's Point Marina, Inc.

Howard's Point Marina, Inc.
5400 Howard's Point Road
Shorewood, MN 55331

www.howardspoint.com

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JAN 03 2017

BY: _____

952-474-4464