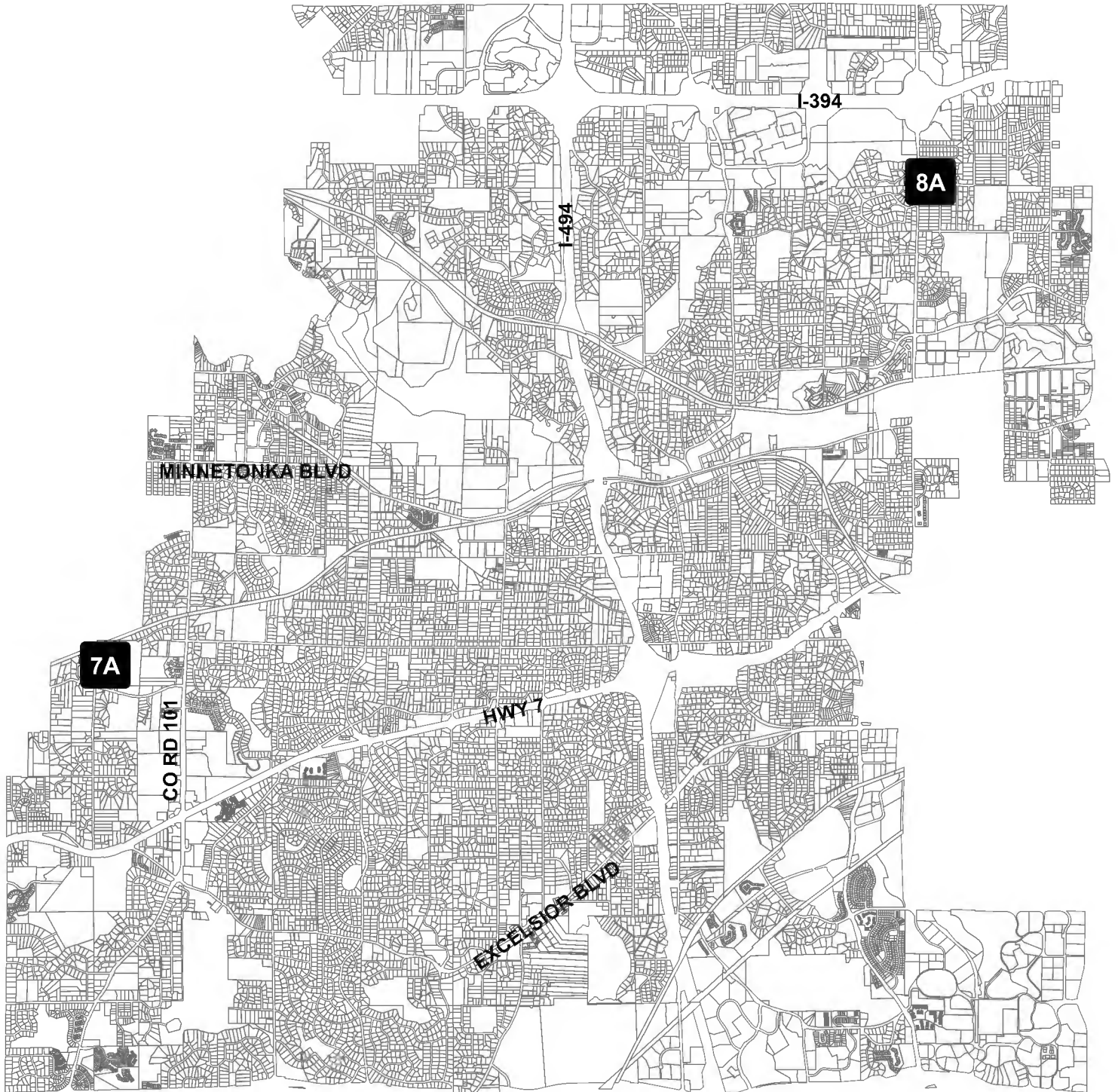




CITY OF
MINNETONKA

PLANNING COMMISSION JAN. 20, 2022

14600 Minnetonka Blvd. • Minnetonka, MN 55345
(952) 939-8200 • Fax (952) 939-8244
minnetonkamn.gov





**Planning Commission Agenda
Jan. 20, 2022**

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Agenda**
- 4. Approval of Minutes:** Dec. 16, 2021
- 5. Report from Staff**
- 6. Report from Planning Commission Members**
- 7. Public Hearings: Consent Agenda**
 - A. Resolution approving a floodplain setback variance for construction of a new home at 4230 Lindsey Lane.
Recommendation: Adopt the resolution. (5 Votes)
 - Final decision, subject to appeal
 - Project Planner: Ashley Cauley
- 8. Public Hearings: Non-Consent Agenda Items**
 - A. Resolution approving a conditional use permit for an accessory dwelling unit at 2001 Hopkins Crossroad.
Recommendation: Adopt the resolution. (4 Votes)
 - Recommendation to City Council (Feb. 7, 2022)
 - Project Planner: Ashley Cauley
- 9. Adjournment**

Due to the COVID-19 health pandemic, all meetings of the Minnetonka Planning Commission will be conducted pursuant to Minn. Stat. § 13D.021, until further notice. Planning Commission members will participate in the meeting remotely via WebEx. Members of the public who desire to monitor the meeting remotely or to give input or testimony during the meeting can find instructions at <https://www.minnetonkamn.gov/government/virtual-meeting-information>. Limited seating may be available at the regular meeting room, for members of the public who wish to attend in person, but the public is advised to call 952.939.8200 the day of the meeting to confirm that the room will be open.

Planning Commission Agenda

Jan. 20, 2022

Page 2

Notices

1. Please call the planning division at (952) 939-8290 to confirm meeting dates as they are tentative and subject to change.
2. There following applications are tentatively schedule for the Feb. 3, 2022 agenda.

Project Description	Unmapped, CUP for rooftop patio and coffee bar
Project Location	14625 Excelsior Blvd
Assigned Staff	Ashley Cauley
Ward Councilmember	Kissy Coakley, Ward 4

Project Description	King Technology, master development plan amendment
Project Location	6000 Clearwater
Assigned Staff	Susan Thomas
Ward Councilmember	Brian Kirk, Ward 1

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**Unapproved
Minnetonka Planning Commission
Minutes**

Dec. 16, 2021

1. Call to Order

Chair Sewall called the meeting to order at 6:30 p.m.

2. Roll Call

Commissioners Maxwell, Powers, Waterman, Banks, Hanson and Sewall were present. Henry was absent.

Staff members present: Community Development Director Julie Wischnack, City Planner Loren Gordon and Assistant City Planner Susan Thomas.

3. Approval of Agenda

Maxwell moved, second by Hanson, to approve the agenda as submitted with an additional comment provided in the change memo dated Dec. 16, 2021.

Maxwell, Powers, Waterman, Banks, Hanson and Sewall voted yes. Henry was absent. Motion carried.

4. Approval of Minutes: Dec. 2, 2021

Waterman moved, second by Banks, to approve the Dec. 2, 2021 meeting minutes as submitted.

Maxwell, Powers, Waterman, Banks, Hanson and Sewall voted yes. Henry was absent. Motion carried.

5. Report from Staff

Gordon briefed the commission on land use applications considered by the city council at its meeting of Dec. 6, 2021:

- Adopted a resolution and an ordinance approving items for Dick's House of Sport at Ridgedale Center at 12437 Wayzata Blvd.
- Reviewed a concept plan for the redevelopment of the property at 14317 Excelsior Blvd.

Gordon thanked commissioners for their service to the community.

The next regular planning commission meeting is scheduled to be held on Jan. 6, 2022.

6. Report from Planning Commission Members

Powers enjoyed a four-hour ride-along with a Minnetonka Police Officer. He encouraged everyone to go on one.

Chair Sewall thanked staff for their hard work and flexibility to keep the city functioning in 2021.

7. Public Hearings: Consent Agenda

No item was removed from the consent agenda for discussion.

Waterman moved, second by Banks, to approve the item listed on the consent agenda as recommended in the staff report as follows:

A. Resolution approving an aggregate side yard setback variance for an addition at 16404 Temple Drive North.

Adopt the attached resolution approving a side yard setback variance for an addition at 16404 Temple Drive North.

Maxwell, Powers, Waterman, Banks, Hanson and Sewall voted yes. Henry was absent. Motion carried and the item on the consent agenda was approved as submitted.

Chair Sewall stated that an appeal of the planning commission's decision must be made in writing to the planning division within ten days.

8. Public Hearings

A. Resolution denying a conditional use permit for an accessory structure in excess of 1,000 square feet at 4127 Williston Road.

Chair Sewall introduced the proposal and called for the staff report.

Thomas reported. She recommended denial of the project based on the findings and subject to the conditions listed in the staff report.

Maxwell confirmed with Thomas that the proposed driveway could be built without the approval of a conditional use permit.

Waterman confirmed with Thomas that there is no "visual height" restriction. The proposed structure would meet ordinance height requirements.

Zach Klonne, owner of 4127 Williston Road, applicant, stated that:

- He understands the duty required by staff, commissioners and councilmembers to make a decision that is best for the city and

- neighboring community. He will gladly accept the final decision and appreciates the time spent by everyone completing this process.
- The design changes to the structure make it more closely related to other similar residential-detached structures that have been approved and built in Minnetonka.
 - The design changes and addition of landscaping, evergreen trees and fencing make approval of the conditional use permit the correct decision.
 - A twenty-foot reduction would cause the removal of the tall garage door and the south-facing wall around it. It would not require moving the trailer shown in that location, the roof above it or the north or east walls.
 - The plan that would not require approval of a conditional use permit would allow a further extension of the features nearly 40 feet to the east beyond the proposed building edge. The south-facing wall of the extension would remain unenclosed. The alternative structure, although inherently larger, is not what the applicant desires. He believes the design accommodations made to the new plan would best fit the use and have the least amount of impact on the neighboring properties.
 - The structure would not be used for commercial activity. Many opinions and assumptions were made about his construction business at the previous meeting.

Banks appreciated the information. He asked what the landscaping would include. Mr. Klonne stated that he is willing to plant evergreens or install a fence along the side or rear property lines.

In response to Waterman's question, Mr. Klonne explained that the way he understands the building code, the aggregate 1,000 square feet includes the enclosed portion of the building. A roof and three sides with one side open would not constitute an enclosed space and would not be included in the square footage total. The roof could be extended on the east side of the building along with the rear and side walls and leave the front open to serve as a covered storage space. Without a conditional use permit, a structure under 1,000 square feet in size would be allowed to be located ten feet from the rear property line. On the revised plans, the taller garage door was eliminated.

Powers asked what the applicant plans to store in the structure. Mr. Klonne answered a few personal trailers, lawnmower, vehicle and woodworking and metalworking equipment. The left portion of the garage would have 1,000 square feet of enclosed space. The attached garage to the house fits only one vehicle.

Chair Sewall confirmed with Mr. Klonne that more than four trees would be removed. Mr. Klonne pointed out an area where trees would be removed.

The public hearing was opened.

Don Sundell, 14660 Lake Street Extension, stated that:

- He would view the proposed structure from his living room window.
- He would prefer to look at an enclosed garage rather than covered equipment.
- He thought there would be tractors, dump trucks and bobcats.
- The proposal would not be subordinate to the principal structure. It would look like a second principle use.
- The proposal would not preserve the site in its natural state regarding tree removal, soil removal and appearance.
- The proposal would not be harmonious with neighbors.
- The proposal would not be screened by topography or vegetation for six months of the year.
- The proposed structure would look like an airplane hanger.
- He did not want to have to notify the city if the site would be used for a commercial business.

Susan Sundell, 14660 Lake Street Extension, stated that:

- She provided pictures of the site.
- She and other neighbors oppose a 1,000-square-foot structure being built.
- She understands that she does not own the view.
- She wants commissioners to prevent a 1,500-square-foot structure from being built. It would adversely affect dozens of people.
- She did not want to have to notify the city if the site would be used for a commercial business.
- She did not want to look at an open garage all winter.
- She thanked commissioners for doing what they do.

Amy Sundell, daughter of Don and Susan Sundell, stated that:

- The proposed building would need to be screened from the neighbors.
- Trees would be cut down.
- She would like the building to match the look of the house.
- The proposed structure would look like a house.
- She suggested the structure be turned so its doors would be viewed from the Klonne's house instead of her parents' house.

Jack Peterson, 14680 Lake Street Extension, stated that:

- He wants the area to remain residential instead of turning into a commercial use.
- He did not see a need for the building to be 1,500 square feet instead of 1,000 square feet.
- He suggested moving the building to a location that would be more pleasing to neighbors.

No additional testimony was submitted and the hearing was closed.

In response to Chair Sewall's question, Thomas explained that the setbacks from property lines and the height of a structure are included in the review of a building permit. Minnetonka does not require screening between single-family properties. Minnetonka does not have aesthetic or architectural standards for residential structures.

In response to Maxwell's question, Thomas read the ordinance definition of an enclosed structure which is a structure that is surrounded by a roof and walls composed of any type of material. An unenclosed structure is a structure that is not surrounded by a roof and walls and is composed of any type of material. Minnetonka has many structures that consist of a roof supported by posts. They are considered unenclosed. She agreed with Mr. Klonne that a roof on posts would be considered unenclosed.

Powers asked why the applicant preferred the proposed location for the structure. Mr. Klonne explained that the slopes restrict the location. His current driveway has a steep slope and his vehicle slid back onto Williston Road last winter. The proposed driveway would provide an area for a vehicle to turn around in the rear yard with a trailer and enter Williston Road facing forward.

Powers asked if he would consider rotating the building. Mr. Klonne answered that he did have a drawing that initially rotated the building so the garage doors would face his house, but a large retaining wall would have to be constructed where the building is currently proposed to have enough flat area. The current proposal would be more cost-effective, more visually pleasing than a large retaining wall and provide a more usable flat area in the back yard.

Banks asked Mr. Klonne in what ways he could obstruct the view of the proposed building. Mr. Klonne said that constructing a wood fence is a possibility. There is space on all sides of the proposed driveway extension and the structure to plant evergreen trees. He also pointed out there are 30 feet of wooded area on the adjacent properties on all sides of the property line.

Thomas noted that the city could not presume that a resident would violate the zoning ordinance when submitting a land-use application.

The public hearing was reopened.

Susan Sundell wanted to know the reason for the applicant submitting the proposal.

No additional testimony was submitted and the hearing was closed.

Maxwell saw that the modified plan was an improvement over the original proposal. She agreed with the ordinance that the proposed structure would not be small enough to be considered subordinate to the primary structure. As a neighbor, she would prefer to have an enclosed space that would look clean rather than, potentially, an open space with

trailers visible. She thought it might be better to approve a conditional use permit with conditions that would require screening and designated style rather than a large roof with equipment under it. She agreed with staff's recommendation, but struggled because an enclosed structure would look better. She noted that there is a utility easement located south of the proposed driveway, so there may not be enough space for evergreens to be planted in that spot.

Thomas explained that a property owner might be allowed to plant a tree in a drainage and utility easement if there is no actual pipe or wires in the easement, but it would be done at the property owner's risk since the property owner would have to remove the tree if a pipe would need to be added. If there is a pipe already existing in an easement, then planting or building anything in the easement would be prohibited.

Waterman agreed with Maxwell. Approving a conditional use permit would allow conditions to require screening. He agreed with staff that the proposal is pretty far outside of the established parameters. He did not think he could justifiably recommend approval to the city council. The visuals are helpful to see how close it would be. He agreed with staff's recommendation, but it is a tough decision.

Hanson was conflicted. He was leaning towards recommending approval of the conditional use permit so a condition could be added to require screening and give the property owner the third garage door which would improve the view of surrounding neighbors.

Banks agreed with commissioners. He agreed with staff's recommendation to deny the application for the reasons listed in the staff report. He would have liked to see a landscape plan.

Powers agreed with Banks. The proposed structure location would be in the wrong place. Over time, people adjust to seeing some new things. The structure would be too large. He liked the applicant being concerned with the neighbors' views. He agrees with staff's recommendation. He understood that it would be important for the applicant to be able to turn the trailer around. He appreciated the neighbor providing photos.

Chair Sewall noted that views are not a right. He agreed with staff's recommendation.

Waterman moved, second by Powers, to recommend that the city council adopt the resolution denying a conditional use permit for an accessory structure in excess of 1,000 square feet at 4127 Williston Road.

Maxwell, Powers, Waterman, Banks and Sewall voted yes. Hanson voted no. Henry was absent. Motion carried.

This item is tentatively scheduled to be reviewed by the city council on Jan. 10, 2022.

9. Adjournment

Banks moved, second by Maxwell, to adjourn the meeting at 7:45 p.m. Motion carried unanimously.

By:

Lois T. Mason
Planning Secretary

Minnetonka Planning Commission Meeting

Agenda Item 7

Public Hearing: Consent Agenda

MINNETONKA PLANNING COMMISSION
Jan. 20, 2022

Brief Description Floodplain setback variance for construction of a new home at 4230 Lindsey Lane

Recommendation Adopt the resolution approving the request.

Background

Marshes of Meadowwoods is a 21-acre residential redevelopment of a former golf course site. The subdivision was approved by the city council in 2003. The overall development consists of 14 single-family residential lots and two attached single-family residential units. Only two single-family residential lots remain undeveloped.

Meadowwoods is a planned unit development. It was approved as a conservation development and has a stewardship plan that addresses wetland restoration, upland prairie management, and stormwater treatment. The stewardship plan is managed by the homeowners association with oversight by the city's natural resources staff.

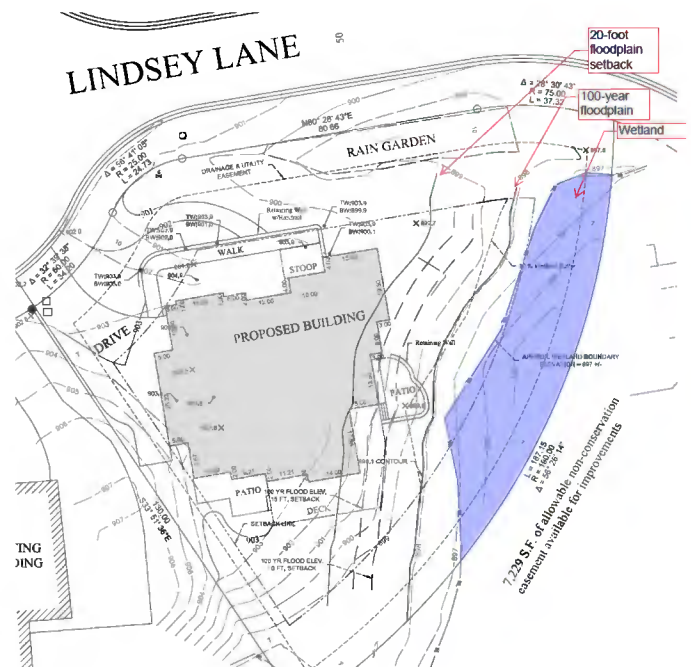
A condition of the 2003 approval required a two-foot vertical separation from the 100-year flood elevation; horizontal setbacks from floodplain elevation did not apply under the ordinance in place at that time.¹

In 2004, the floodplain ordinance was amended. This amendment added areas "adjoining a wetland, pond, lake or watercourse including the floodway..." as a floodplain. The ordinance required a 20-foot horizontal setback from the edge of the floodplain district.

Proposal

Sushil Rana is proposing to construct a new home on the property at 4230 Lindsey Lane. The new home would be roughly 3,800 square feet in size. The three-car garage would be accessed from the cul-de-sac of Lindsey Lane. A series of patios and a deck would be located in the rear of the home.

The proposal requires a setback variance to reduce the floodplain setback from 20 feet to 15 feet for the new home.



¹ In 2003, the floodplain ordinance defined "floodplain" as the area subject to periodic inundation by a 100-year flood as designated on the official floodplain or wetlands district maps.

Staff Analysis

Staff finds that the applicant's proposal meets the variance standard outlined in the city code:

- The proposal would result in a combined total of 200 square feet of point intrusions into the required 20-foot setback.
- The applicant revised originally submitted plans to ensure compliance with the 15-feet of separation as required by the Minnesota Department of Natural Resources (DNR).
- The new home would meet the two-foot vertical separation ("freeboard") from the 100-year flood elevation of 898.1 feet.

Staff Recommendation

Adopt the resolution approving a floodplain setback variance for the construction of a new home at 4230 Lindsey Lane.

Originator: Ashley Cauley, Senior Planner
Through: Loren Gordon, AICP, City Planner

Supporting Information

Project No.	21030.21a
Property	4230 Lindsey Lane
Applicant	Sushil Rana, DaVinci Custom Homes
Surrounding Land Uses	All surrounding properties are single-family homes zoned R-1 and guided for low-density residential uses.
Planning	Guide Plan designation: low-density residential Zoning: PUD, Planned Unit Development.
Meadowwoods	<p>The development was approved with several requirements and guidelines for the review of building permits:</p> <ul style="list-style-type: none">• Wetland. The development approvals reduced the wetland setbacks from 35-feet to 10-feet for buildings and 25-feet to 0-feet for decks. The setbacks were justified because of the enhancement and permanent preservation of the wetlands. The new home would have a setback of 18 feet from the wetland, and the deck would be set back 17 feet. This meets the wetland setback requirements for the property.• Design criteria. The following design criteria were integrated into the development approvals: <i>Criteria: The homes should include building materials consisting of wood shingles and wood trim on vertical surfaces.</i> Finding: A material board was not included. However, the elevations suggest wood shakes, board and batten, and trim. The submission of a digital material board is included as a condition of approval. <i>Criteria: The homes should not exceed two stories in height, and the second story should be integrated into the roofline.</i> Finding: The second floor is integrated into the roofline and is substantially smaller than the main level. <i>Criteria: the main floor should have the appearance of extending out into the landscape through the use of porches, porticos, extended roofs, and covered outdoor rooms.</i> Finding: The proposal includes decks and patios.

Criteria: Garages should have a carriage style. Three-car garages should be tandem.

The 2004 amendment allowed for side load garages (regardless of size).

Finding: The elevations suggest carriage-style garage doors. The garage would be side-loaded with access from the Lindsey Lane cul-de-sac.

Criteria: The homes should be 2,000 to 2,400 square feet.

Finding: The home, at 3,800 square feet, would be larger than the criteria included in the development approvals. However, staff finds the size reasonable, as it would not be the largest home in the neighborhood and would have a similar floor area ratio (FAR)² as other homes within in the development.

	Address	Lot size *	Year constructed	Gross building area *	FAR
Northern pinwheel properties – Lindsey Lane	4230 Lindsey Lane	15,650 sf	Proposed	3,785 sf	0.24
	4218 Lindsey Lane	15,715 sf	2010	2,455 sf	0.17
	4206 Lindsey Lane	15,685 sf	2006	4,500 sf	0.41
	4209 Lindsey Lane	15,800 sf	2006	2,550 sf	0.22
	4221 Lindsey Lane	15,820 sf	2011	2,260 sf	0.20
	4233 Lindsey Lane	16,585 sf	2019	3,135 sf	0.24
Hammerhead lots	4245 Lindsey Lane	23,670 sf	Vacant		
	4257 Lindsey Lane	23,095 sf	2016	3,745 sf	.20
Twinhomes	4285 Lindsey Lane	9,190 sf	2007	1,400 sf	0.2
	4289 Lindsey Lane	12,920 sf	2007	1,400 sf	0.14
Southern Pinwheel properties	18310 Kylie Court	16,390 sf	2012	3,517 sf	0.28
	18322 Kylie Court	15,820 sf	2005	2,550 sf	0.22
	18334 Kylie Court	15,800 sf	2014	3,130 sf	0.26

² By City Code Sec. 300.02, "Floor area ratio (FAR)" is – the floor area of a building as defined by the ordinance, divided by the area of the lot on which the building is located. Areas zoned as wetland, floodplain, or below the ordinary high water level of a public water is excluded from the lot area for purposes of the floor area calculation unless it can be demonstrated that there will be minimal hydrologic, aesthetic, and ecological impacts to the relevant area as determined by the city.

	18331 Kylie Court	15,680 sf	2006	2,323 sf	0.21
	18317 Kylie Court	15,720 sf	2007	2,180 sf	0.20
	18305 Kylie Court	15,420 sf	2010	2,059 sf	0.18

* rounded to the nearest 5 feet

McMansion Policy

The city's McMansion policy regulates the floor area ratio (FAR) on properties when either the property or the home on the property would require a variance. The policy restricts FAR on such properties/homes to no more than the highest FAR within 400 feet of the subject property and within 1,000 feet along the same roadway.

The highest FAR within the neighborhood is 0.41. The proposal would have a FAR of 0.24.

Variance Standard

A variance may be granted from the requirements of the zoning ordinance when: (1) it is in harmony with the general purposes and intent of the ordinance; (2) it is consistent with the comprehensive plan; and (3) when an applicant establishes that there are practical difficulties in complying with the ordinance. Practical difficulties mean that the applicant proposes to use a property in a reasonable manner not permitted by the ordinance, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and, the variance if granted, would not alter the essential character of the locality. (City Code §300.07)

Natural Resources

Best management practices must be followed during the course of site preparation and construction activities. This would include the installation and maintenance of erosion control fencing.

Motion options

The planning commission has the following motion options:

1. Concur with staff's recommendation. In this case, a motion should be made adopting the resolution approving the variance.
2. Disagree with the staff's recommendation. In this case, a motion should be denying the request. The motion should include findings for denial.
3. Table the request. In this case, a motion should be made to table the item. The motion should include a statement as to why the request is being tabled with direction to staff, the applicant, or both.

Voting Requirement

The planning commission action on the applicant's request is final subject to appeal. Approval requires the affirmative vote of five commissioners.

Any person aggrieved by the planning commission's decision about the requested variance may appeal such a decision to the city council. A written appeal must be submitted to the planning staff within ten days of the date of the decision.

**Neighborhood
Comments**

The city sent notices to 26 area property owners and received no comments to date.

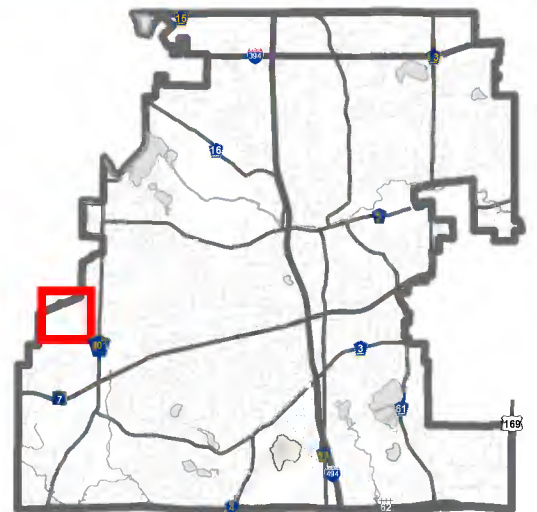
**Deadline for
Decision**

Feb. 3, 2022



Location Map

Project: Da Vinci Custom Homes
Address: 4230 Lindsey Ln



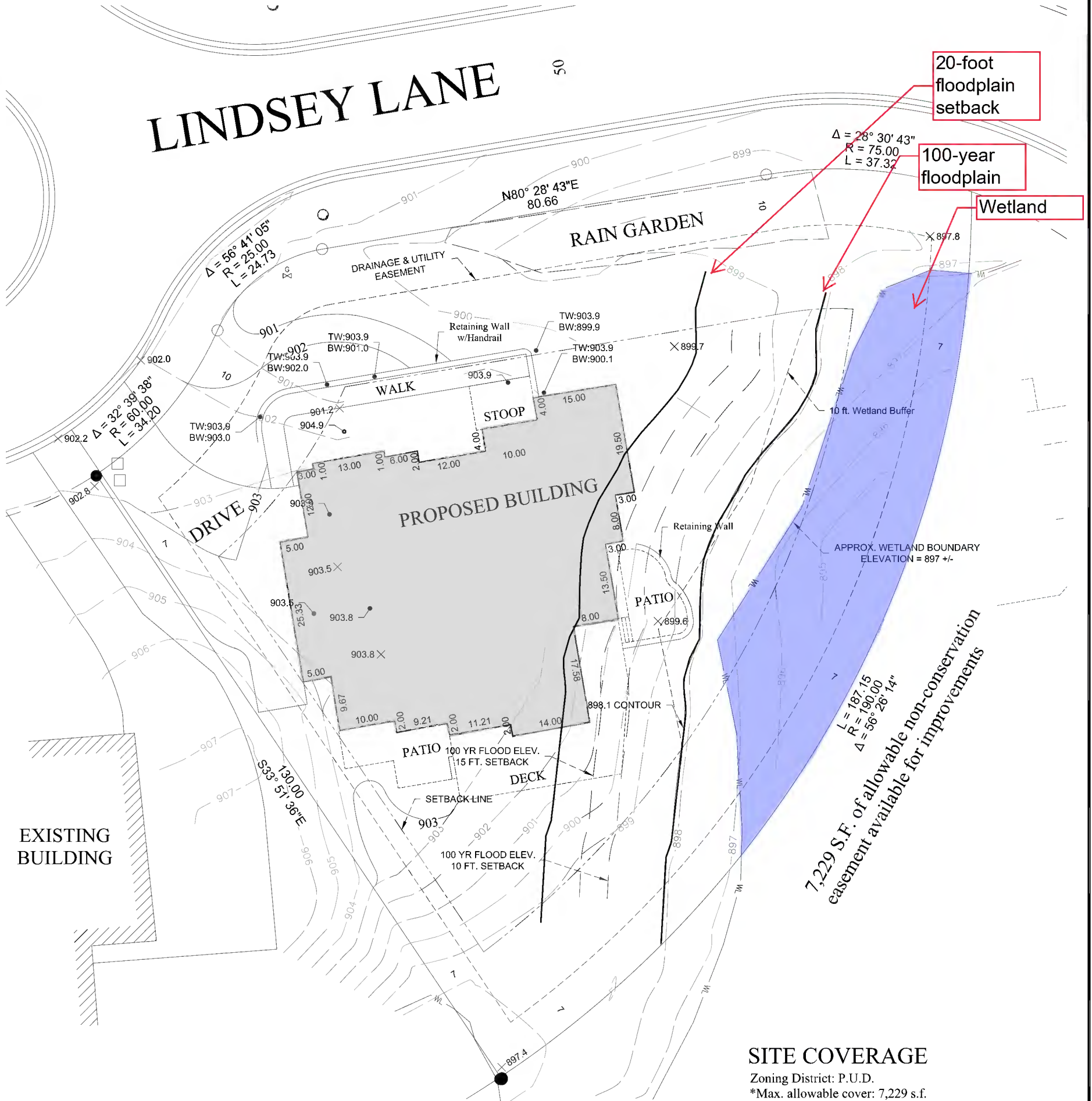
SITE PLAN FOR Sushil Rana

PROPERTY ADDRESS

4230 Lindsey Lane
Minnetonka, MN 55345

DESCRIPTION

Lot 1, Block 3,
MARSHES OF MEADOWWOODS,
Hennepin County, Minnesota.
Subject to conservation easement.



EXISTING BUILDING

LINDSEY LANE

RAIN GARDEN

PROPOSED BUILDING

PATIO

PATIO

DECK

7,229 S.F. of allowable non-conservation easement available for improvements

20-foot floodplain setback

100-year floodplain

Wetland

SITE COVERAGE

Zoning District: P.U.D.
*Max. allowable cover: 7,229 s.f.

Building: 2,887 s.f.
Driveway: 915 s.f.
Patio: 132 s.f.
Deck: 498 s.f.
Walk: 210 s.f.

**Total Cover: 4,642 s.f.

*Per agreement with City of Minnetonka.
**All coverages calc'd at 100% of shown areas.

UTILITY NOTES

Water service: 1.5" Copper service is visible on site

Sanitary service: 6" PVC service stub location is shown per City of Minnetonka as-built.

ELEVATIONS

Subfloor = 904.2
Top of Block = 904.0
Garage Floor = 903.9
Crawl Sp. Low Flr. = 900.1

LEGEND

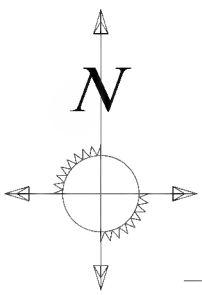
- TB □ Telephone Pedestal
- Iron Monument Found
- Iron Monument Set
- X 900.0 Existing Spot Elev.
- X 903.9 Proposed Spot Elev.
- SF — Silt Fence
- Rock Const. Entrance

SWPPP NOTES

1. Install erosion and sediment control BMPs (silt fence, rock entrance) as shown on site plan. Contractor shall maintain BMPs for the duration of the project.
2. Contractor shall use sediment control measures to prevent excess materials leaving the site for the duration of the project.
3. Contractor shall use pollution prevention control measures on-site during all construction activity.
 - 3.1. Proper storage of on-site materials
 - 3.2. Containment of waste
 - 3.3. Proper storage and containment of chemicals
 - 3.4. Containment of concrete washout and other washout waste.
4. Remove excess materials tracked from site onto streets as needed.
5. Silt fence shall remain until landscaping has been completed and soil stabilization has been achieved.

NOTES

Horiz. Datum: Henn. Co. PLSS
Vert. Datum: Assumed



Scale in Feet

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Allen C. Schlipp
DATE 10/11/21 LIC. NO. 21292

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IMPORTANT
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DATE: December 1, 2021
 REVISIONS:
 DRAWN BY:

Bryan Rice Residence
 4230 Lindsey Lane
 PROJECT REFERENCE | TS-101421

ELEVATIONS
A1.1

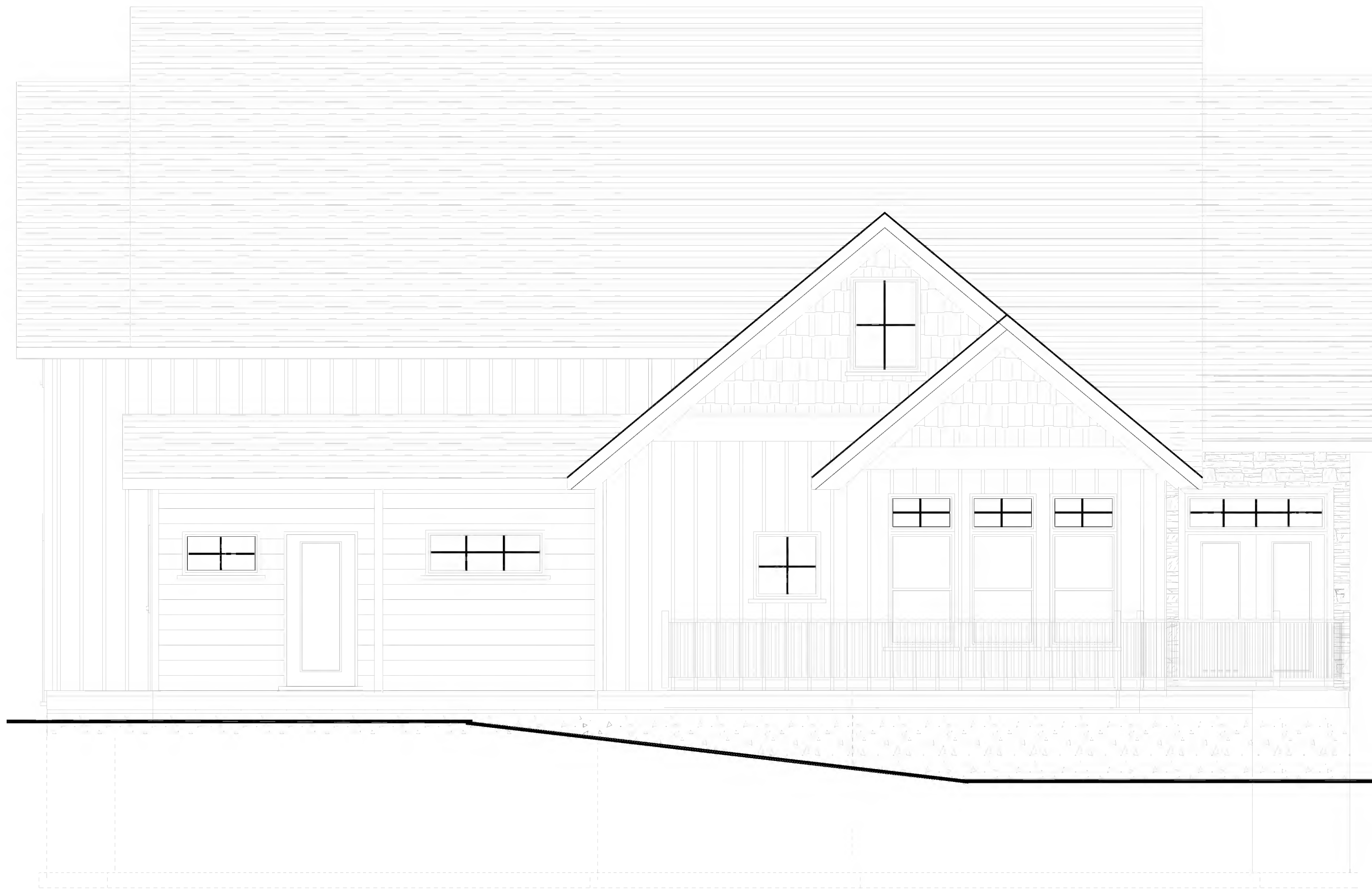


Front Elevation
 SCALE = 1/4"=1'

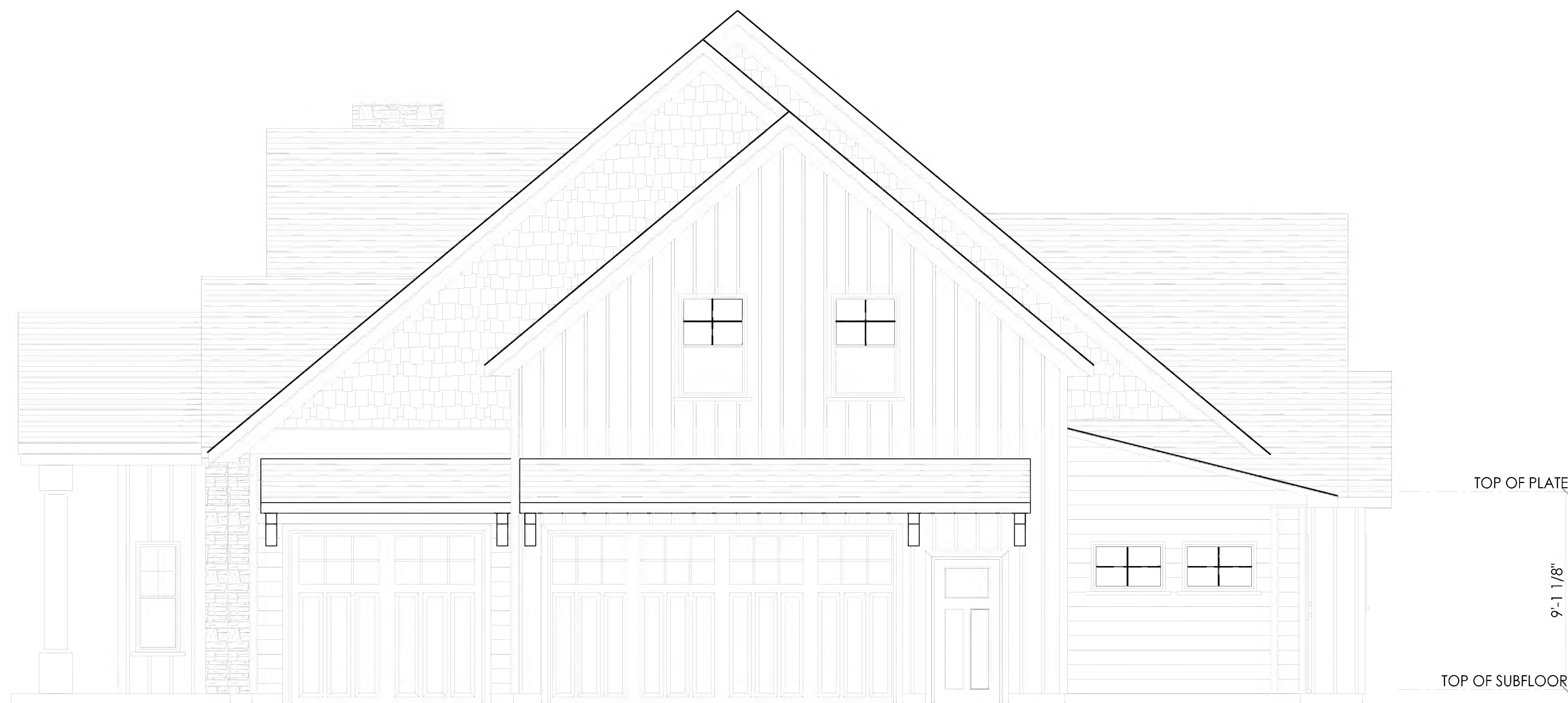


Left Elevation
 SCALE = 1/4"=1'

TOP OF PLATE
 9'-1 1/4"
 TOP OF SUBFLOOR
 2'-2 1/4"
 TOP OF FOUNDATION



Rear Elevation
 SCALE = 1/4"=1'



TOP OF PLATE
 9'-1 1/8"
 TOP OF SUBFLOOR

Right Elevation
 SCALE = 1/4"=1'

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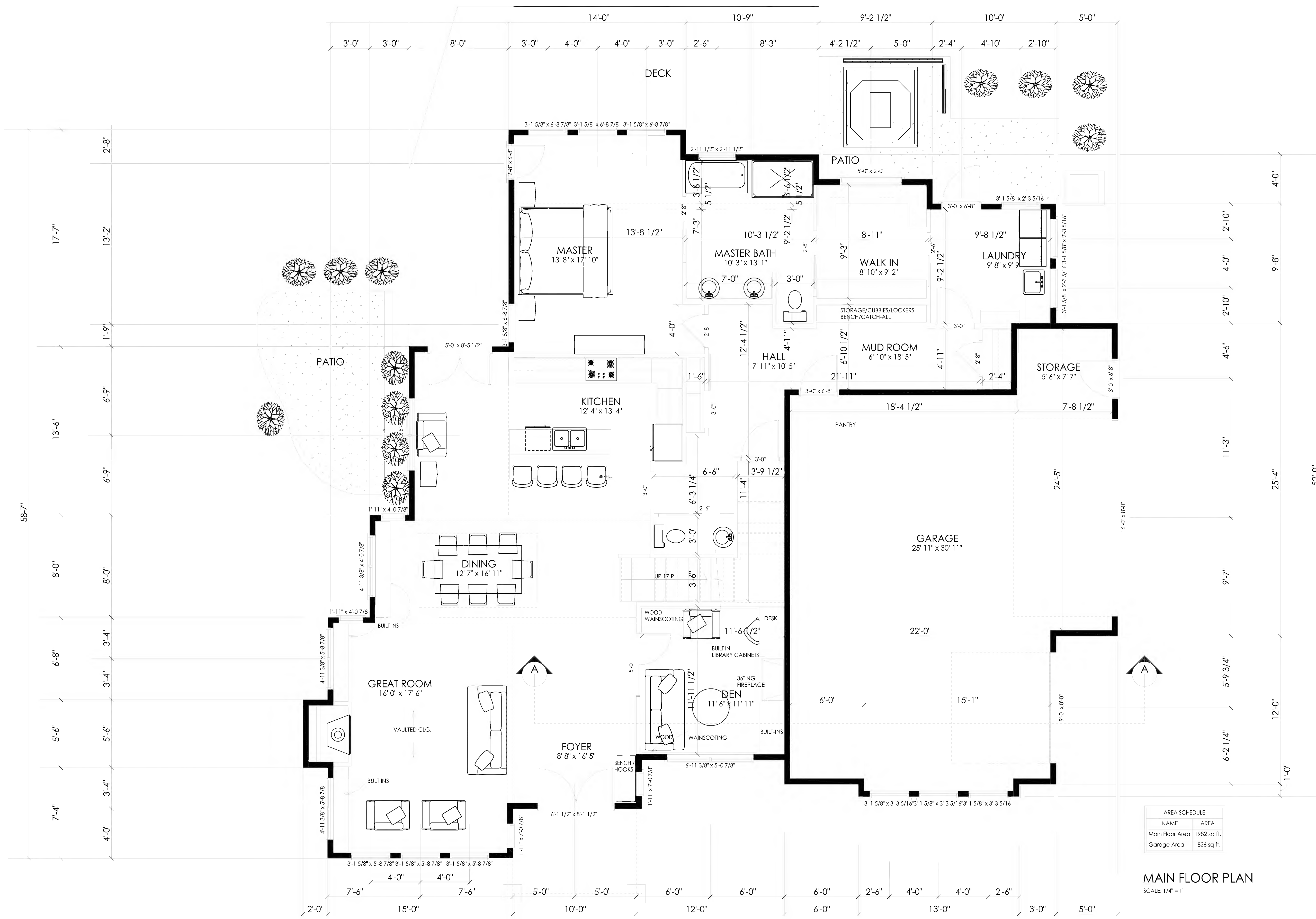
DATE: December 1, 2021
 REVISED:
 DRAWN BY:

Bryan Rice Residence
 4230 Lindsey Lane

PROJECT REFERENCE | TS-101421

ELEVATIONS

A1.2



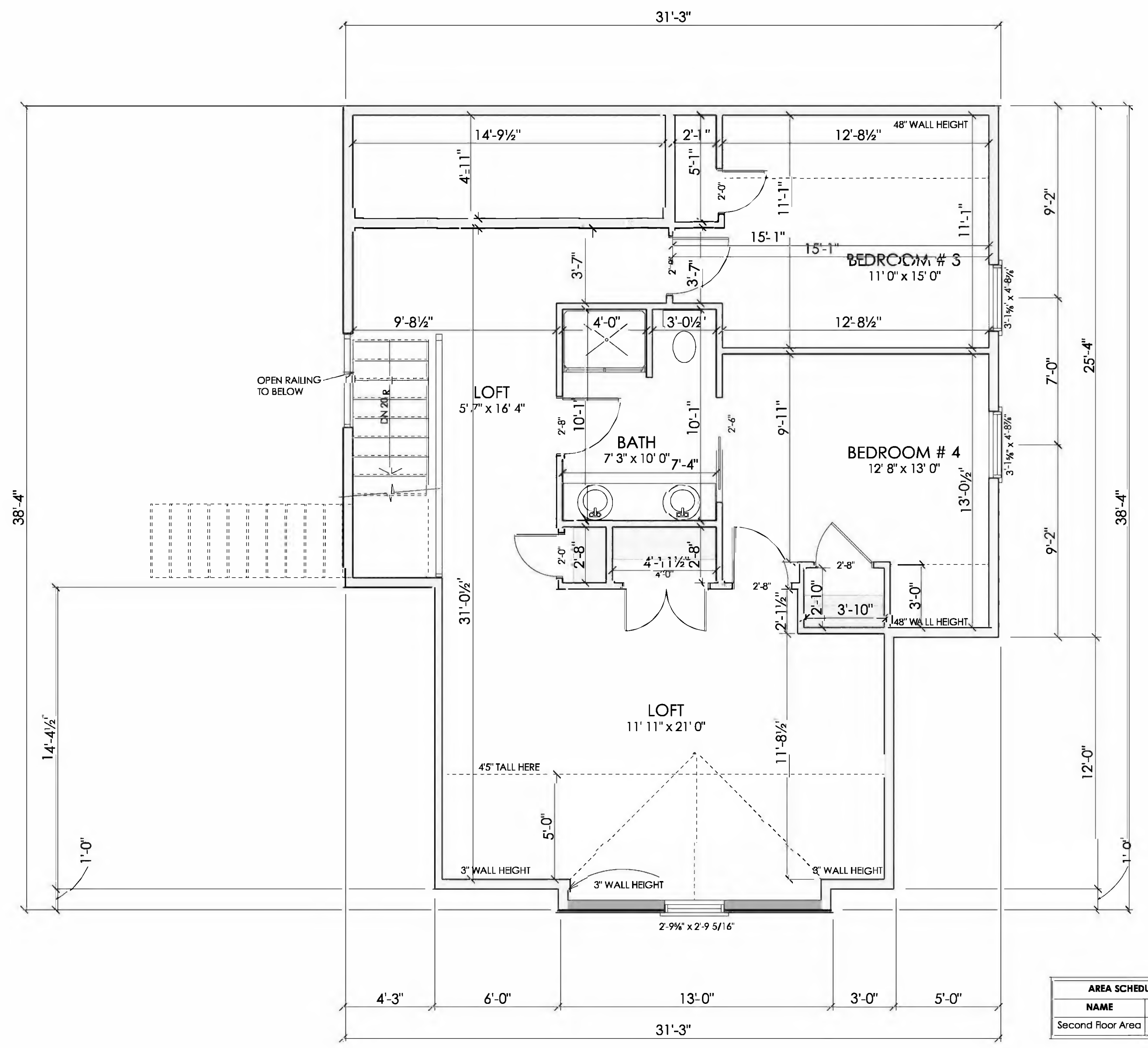
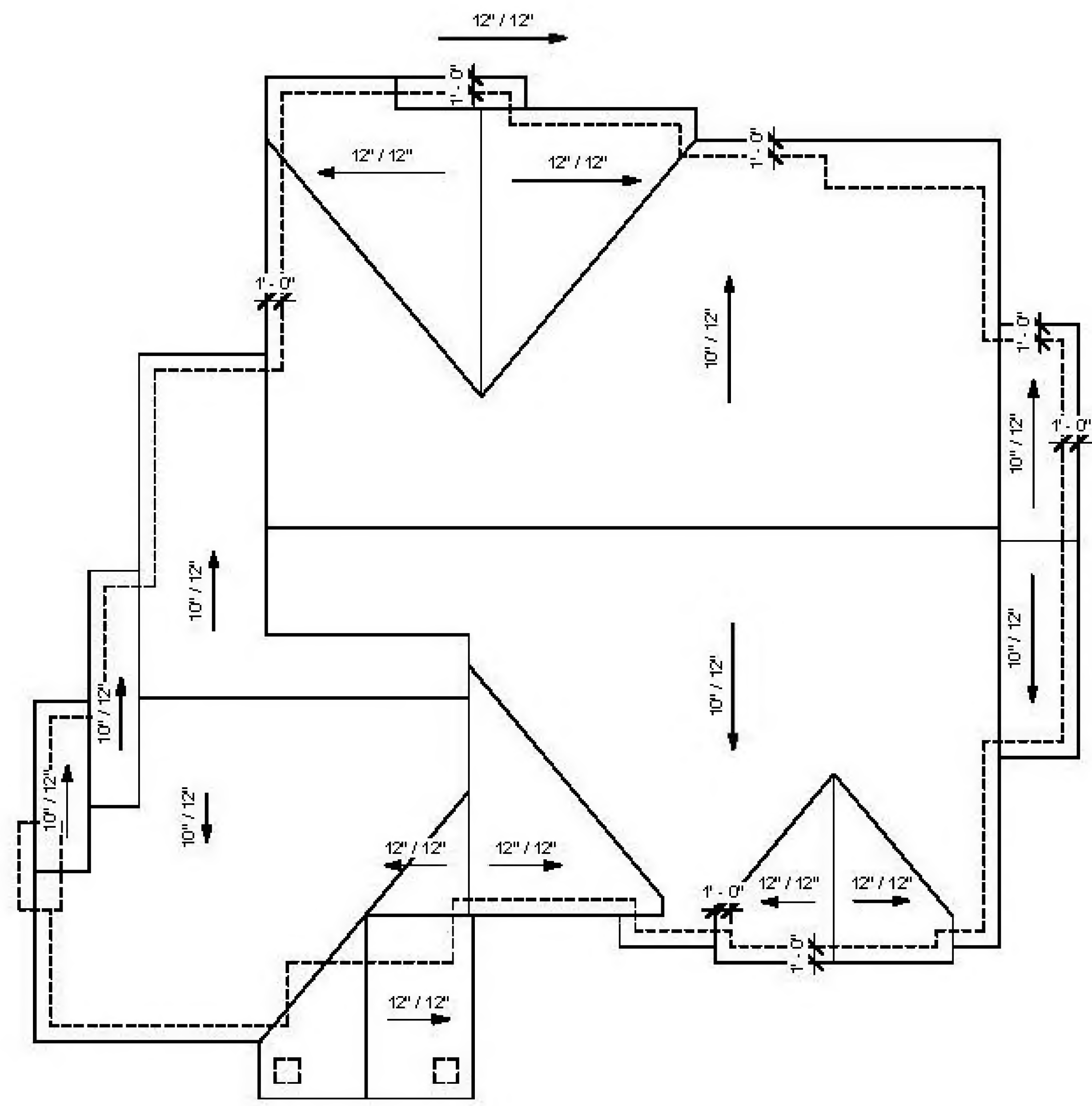
AREA SCHEDULE	
NAME	AREA
Main Floor Area	1982 sq. ft.
Garage Area	826 sq. ft.

MAIN FLOOR PLAN
SCALE: 1/4" = 1'

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DATE: December 1, 2021
REVISED:
DRAWN BY:

Bryan Rice Residence
4230 Lindsey Lane
PROJECT REFERENCE | TS-101421

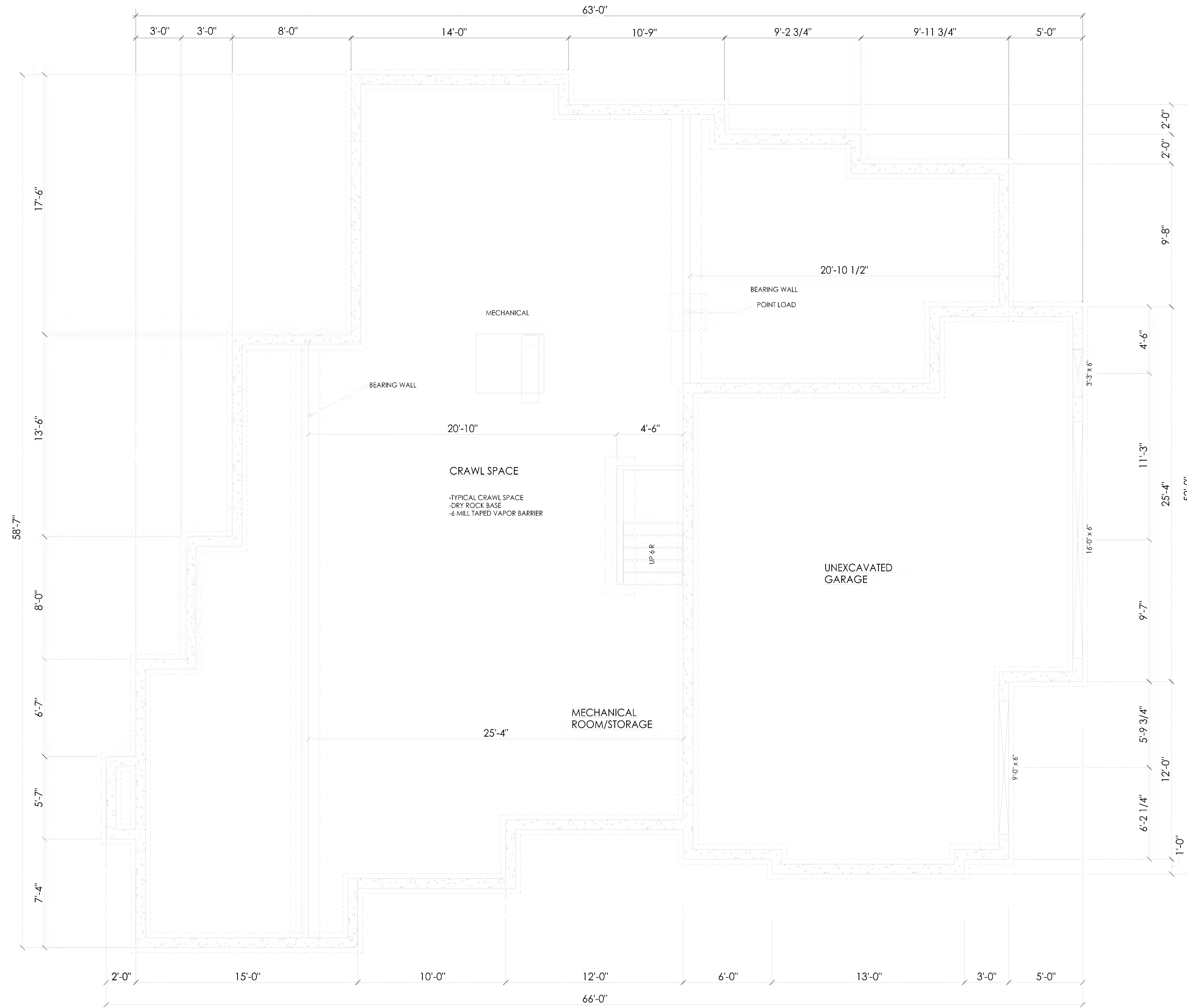


AREA SCHEDULE	
NAME	AREA
Second Floor Area	977 sq. ft.

SECOND FLOOR PLAN
SCALE: 1/4" = 1'

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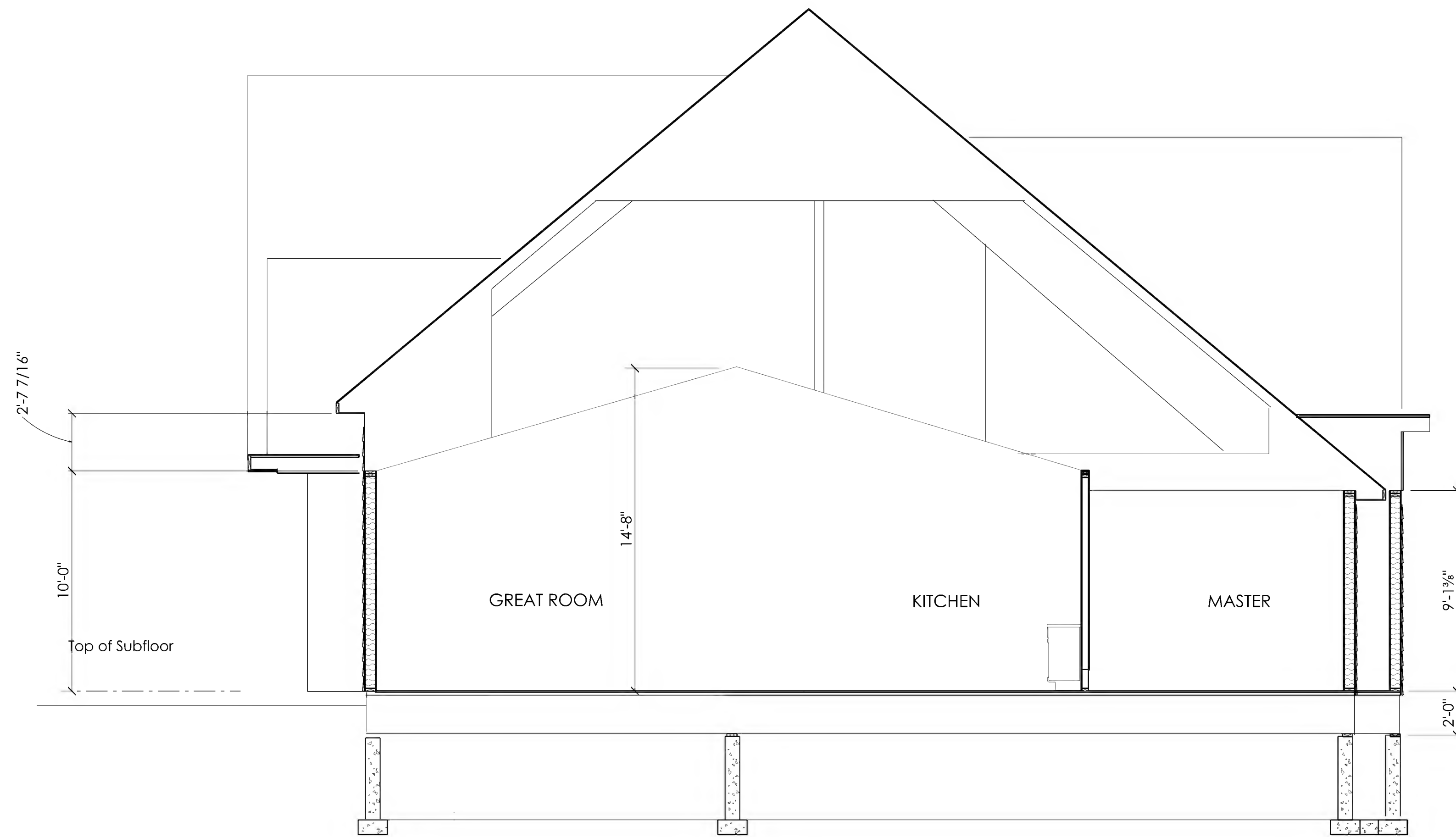
DATE: October 14, 2021
REVISED:
DRAWN BY:



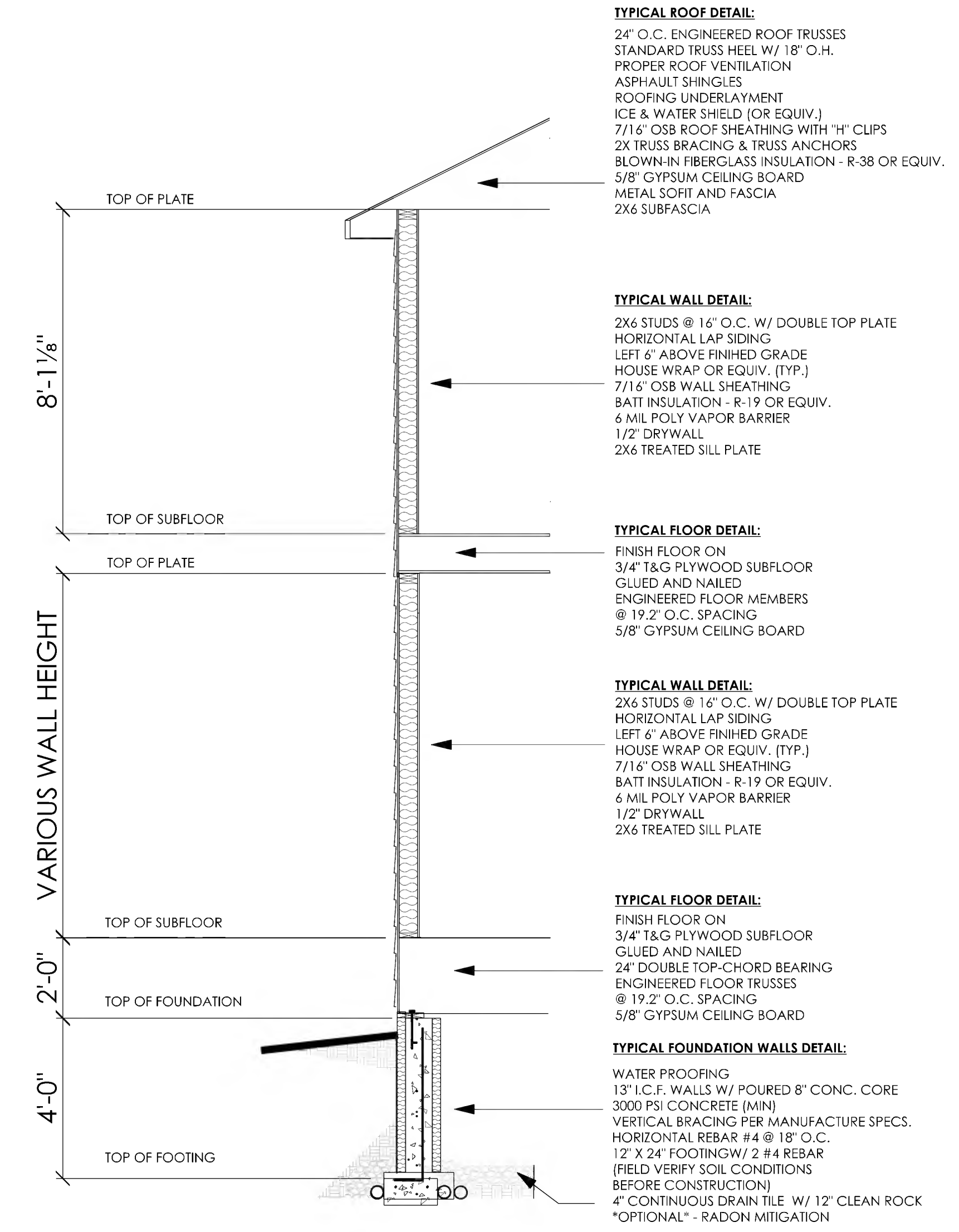
Crawl Space
SCALE = 1/4"=1'

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DATE: November 18, 2021
REVISED:
DRAWN BY:



WALL SECTION
SCALE: 1/4" = 1'



TYPICAL SECTION
SCALE: 3/8" = 1'

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DATE: October 14, 2021
REVISED:
DRAWN BY:

Bryan Rice Residence
4230 Lindsey Lane
PROJECT REFERENCE | TS-101421

DETAILS
A5



CITY OF
MINNETONKA



Legend

200 100 0 200 Feet



FAR

Map prepared by: City of Minnetonka

Planning Commission Resolution No. 2022-

Resolution approving a floodplain setback variance for construction of a new home at 4230 Lindsey Lane

Be it resolved by the Planning Commission of the City of Minnetonka, Minnesota, as follows:

Section 1. Background.

1.01 Sushil Rana has requested a variance from the city code to allow for the construction of a new home.

1.02 The property is located at 4230 Lindsey Lane. It is legally described as:

Lot 1, Block 3, Marshes of Meadowwoods, Hennepin County, Minnesota.

1.03 City Code §300.24 requires new principal structures, attached garages, or additions to existing structures must be set back a minimum of 20 feet upland from the edge of the floodplain district. The applicant is proposing a setback of 15 feet.

1.04 Minnesota Statute §462.357 Subd. 6, and City Code §300.07 authorizes the planning commission to grant variances.

Section 2. Standards.

2.01 By City Code §300.07 Subd. 1, a variance may be granted from the requirements of the zoning ordinance when: (1) the variance is in harmony with the general purposes and intent of this ordinance; (2) when the variance is consistent with the comprehensive plan; and (3) when the applicant establishes that there are practical difficulties in complying with the ordinance. Practical difficulties means: (1) The proposed use is reasonable; (2) the need for a variance is caused by circumstances unique to the property, not created by the property owner, and not solely based on economic considerations; and (3) the proposed use would not alter the essential character of the surrounding area.

Section 3. Findings.

3.01 The proposal meets the variance standard outlined in City Code §300.07 Subd. 1(a):

1. **PURPOSE AND INTENT OF THE ZONING ORDINANCE:** The intent of the horizontal floodplain setback is to ensure appropriate separation between the floodplain and manmade structures. The applicant’s proposal generally meets this requirement, as only five percent of the proposed home would encroach into the required setback. The remaining 95-percent would comply with the setback. The proposed patios and deck would meet the required setbacks for such structures.

2. **CONSISTENT WITH COMPREHENSIVE PLAN:** The guiding principles in the comprehensive plan provide for maintaining, preserving, and enhancing existing single-family neighborhoods. The requested variance would not negatively impact the existing residential character of the neighborhood and would allow the development of a lot that has remained vacant since it was created in 2003.

3. **PRACTICAL DIFFICULTIES:** There are practical difficulties in complying with the ordinance:
 - a) **REASONABLENESS:** The requested setback is reasonable, as it would result in minimal point intrusions into the required horizontal setback. The proposed home would meet the minimum two-foot vertical separation requirement.

 - b) **UNIQUE CIRCUMSTANCE:** The subject property is part of an environmental development that focuses on extending living space into the natural environment. The house has been configured and orientated to reduce intrusions into the required setback.

 - c) **CHARACTER OF LOCALITY:** Roughly 95 percent of the home would meet the required horizontal setback from the floodplain. The home would be reasonably sized compared to other homes within the Meadowwoods development.

Section 4. Planning Commission Action.

4.01 The planning commission approves the above-described variance based on the findings outlined in section 3 of this resolution. Approval is subject to the following conditions:

1. Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, excepted as modified by the conditions below:
 - Survey dated Oct. 11, 2021
 - Floor plans and elevations dated Dec. 1, 2021

2. Prior to issuance of a building permit:

- a) A copy of this resolution must be recorded with Hennepin County.
- b) The conservation easement must be amended to reflect the house footprint, as reviewed and approved by city staff.
- c) Submit a cash escrow in an amount to be determined by city staff. At the time of this approval, the amount is \$2,500. This escrow must be accompanied by a document prepared by the city attorney and signed by the builder and property owner. Through this document, the builder and property owner will acknowledge:
 - The property will be brought into compliance within 48 hours of notification of a violation of the construction management plan, other conditions of approval, or city code standards; and
 - If compliance is not achieved, the city will use any or all of the escrow dollars to correct any erosion and/or grading problems.
- d) Submit final landscaping and tree mitigation plans. These plans must:
 - Meet minimum landscaping and mitigation requirements as outlined in the ordinance. However, at the sole discretion of natural resources staff, mitigation may be adjusted based on site conditions.
 - Note, only small shrubs, perennials, and grasses may be located in public easements.
 - Include information relating to species, sizes, quantities, locations, and landscape values.
 - Include pollinator-friendly species.
- e) Submit a declaration and restrictive covenants over all mitigated areas per the WCA.
- f) Submit a material board showing exterior materials to consist of wood – or durable materials with a wood-like appearance – for review by city staff. This material board can be digital.
- g) The required minimum low floor elevation is 900.1 feet.

- h) The proposed patio on the east side of the home must be physically and structurally detached from the home or must meet floodplain setback requirements.
 - i) Install erosion control fencing as required by staff for inspection and approval. This includes fencing required to protect the existing rain garden on the north side of the property. These items must be maintained throughout the course of construction.
3. This variance will end on Dec. 31, 2023, unless the city has issued a building permit for the project covered by this variance or has approved a time extension.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on Jan. 20, 2022.

Joshua Sewall, Chairperson

Attest:

Fiona Golden, Deputy City Clerk

Action on this resolution:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Planning Commission of the City of Minnetonka, Minnesota, at a duly authorized meeting held on Jan. 20, 2022.

Fiona Golden, Deputy City Clerk

Minnetonka Planning Commission Meeting

Agenda Item 8

Public Hearing: Non-Consent Agenda

MINNETONKA PLANNING COMMISSION
Jan. 20, 2022

Brief Description	Conditional use permit for a detached accessory dwelling unit at 2001 Hopkins Crossroads
Recommendation	Recommend the city council approve the request.

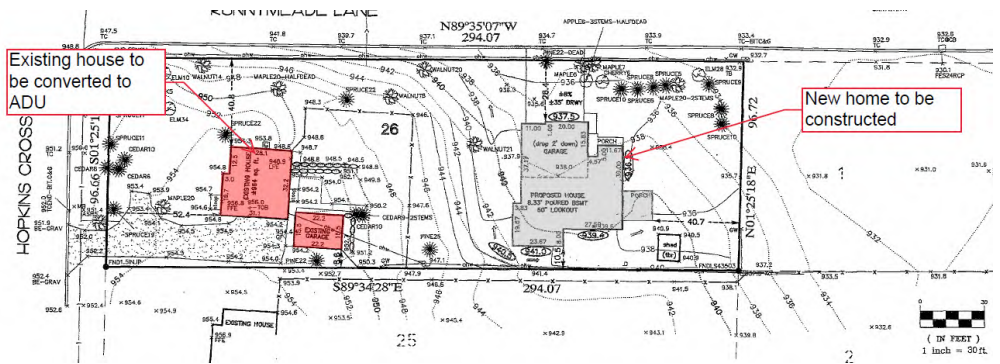
Background

Accessory dwelling units (ADUs) integrated into – either by being located within or attached to – single-family residential homes have been allowed in Minnetonka by a conditional use permit since 1986. Prior to this, the zoning ordinance didn't restrict development to one single-family home per R-1 zoned property.

On Oct. 4, 2021, the city council amended the ordinance to allow detached ADUs as conditionally-permitted uses.

Proposal

The property at 2001 Hopkins Crossroads is currently improved with a 960 square foot house and a detached single car garage. The property owners propose converting the existing house into a detached ADU and constructing a new home on the east side of the lot. The proposal requires a conditional use permit to allow a detached, accessory dwelling unit on the property.



Staff Analysis

The proposal is reasonable and would meet the standards outlined in the city code for an accessory dwelling unit. The following is intended to summarize the standards and staff's findings. A full list of the standards and staff's findings can be found in the "Supporting Information" section of this report:

- **General Standards:** The property owners are proposing to reside in the newly constructed home on the east side of the lot. Parking for the dwellings would be within existing and proposed driveways and garages. The ADU would continue to meet all setback requirements.

- **Construction and design:** The ordinance provides several construction and design-related standards to ensure compatibility into existing single-family residential neighborhoods:

Size: The ADU would be larger than the code-allowed size because of the full basement. Despite this, the staff is comfortable with the proposal as (1) the ADU contains two bedrooms on the main floor; (2) screening of the ADU is provided by existing and proposed vegetation; and (3) the creation of the ADU is through the reuse of an existing structure.

Height: The highest point of the ADU would not extend above the highest point of the new home. The new home would sit roughly twelve feet “lower” than the ADU and would have a height of 27 feet. The height of the existing home/ADU is roughly 15 feet.

Driveway: The property is located at the intersection of Hopkins Crossroads and Runnymede Lane. This presents an opportunity to allow driveway accesses on both roadways.

Staff Recommendation

Recommend that the city council adopt the resolution approving a conditional use permit for a detached, accessory dwelling unit at 2001 Hopkins Crossroads.

Originator: Ashley Cauley, Senior Planner
Through: Loren Gordon, AICP, City Planner

Supporting Information

Surrounding property and subject property

	Subject Property	North	South	East	West
Use	Single-family residential home	Single-family residential home	Oregon Center	Single-family residential home	Single-family residential home
Zoning	R-1	R-1	R-1	R-1	R-1
Guide plan designation	Low density residential	Low density residential	Low density residential	Low density residential	Low density residential

CUP Standards

The following intended to summarize ordinance standards and staff's findings:

CITY CODE STANDARD		STAFF FINDING
The proposal would meet the general conditional use permit standards as outlined in City Code §300.16, Subd. 2:		
1.	The use is consistent with the intent of the ordinance;	
2.	The use is consistent with the goals, policies, and objectives of the comprehensive plan;	
3.	The use does not have an undue adverse impact on governmental facilities, utilities, services, or existing or proposed improvements; and	
4.	The use does not have an undue adverse impact on public health, safety, and welfare.	
The proposal would meet the specific conditional use permit standards as outlined in City Code §300.16, Subd. 3(d) for accessory apartments:		
GENERAL STANDARDS		
a.	ADUs are allowed only on properties zoned R-1, R-1A, and R-2.	The property is zoned R-1.
b.	No more than one ADU is allowed per property.	Only one ADU is proposed.
c.	The owner of the property must reside in the principal dwelling unit or the ADU as a permanent residence, not less than 185 days per calendar year.	The property owner is proposing to reside in the newly constructed home on the east side of the lot. Additionally, this has been added as a condition of approval.
d.	ADUs may not be subdivided or otherwise separated in	Subdivision is not proposed as part of the project, but this

	ownership from the principal dwelling unit.	has been added as a condition of approval.
e.	Adequate off-street parking must be provided for both the principal dwelling unit and the ADU. Such parking must be in a garage, carport, or on a paved area specifically intended for that purpose but not within a required driveway turnaround. No more than four vehicles may be parked or stored anywhere outside on the property. This maximum number does not include vehicles of occasional guests who do not reside on the property.	Off-street parking is proposed within an existing and proposed driveway. A condition of approval has been added to limit the number of vehicles – not related to occasional guests – to four vehicles.
f.	The ADU and property on which it is located are subject to all other provisions of this ordinance relating to single-family dwellings, including all provisions of the shoreland, wetland, floodplain, and nuisance ordinances. To the extent of any inconsistency among ordinance provisions, the most restrictive provisions apply.	The ADU would comply with setback requirements for general structures. The site contains no natural features requiring a setback, such as wetland or floodplain.
CONSTRUCTION AND DESIGN STANDARDS		
a.	On properties zoned R-1 or R-1A, an ADU may be attached to or detached from a principal structure. On properties zoned R-2, ADUs must be attached to the principal structure. An attached ADU includes an ADU that is contained within an existing principal structure.	The existing house would be converted into a detached, accessory dwelling unit.
b.1.	Must be no larger than 1,000 square feet in total area or 35 percent of the floor area of the principal dwelling, whichever is less. The city council may approve a larger area where the additional	The ADU would be larger than 1,000 square feet because of the basement. However, the following is proposed:

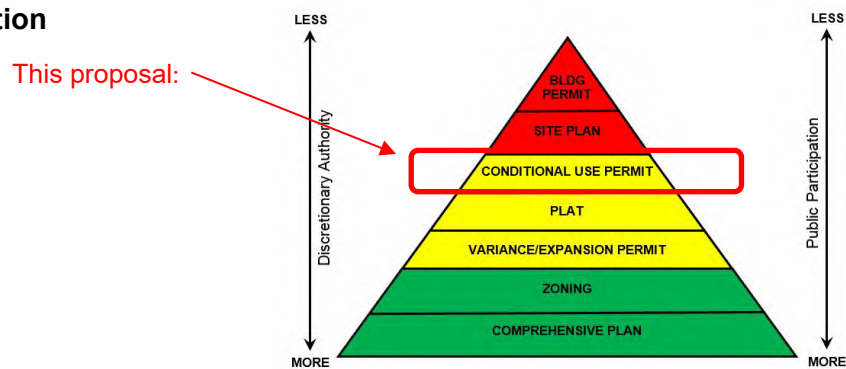
	<p>size would not result in undue adverse impacts to the neighboring properties. In evaluating whether this standard is met, the city may consider things such as the size of the property; the location of the ADU relative to homes on adjacent properties; whether the ADU would be reasonably screened from adjacent properties by existing or proposed vegetation, elevation changes, or linear distance; whether a similarly-sized, non-ADU structure could be constructed in the location proposed without a conditional use permit or variance; or any other characteristic the city considers important or unique. In no case may a detached ADU be 200 square feet or less in total size.</p>	<ol style="list-style-type: none"> 1. Existing vegetation screening. 2. The property is a corner lot. The ADU driveway access would be to Hopkins Crossroads. The new home driveway would be to Runnymede Lane. 3. The ADU would "align" with the front of other homes along with Hopkins Crossroads. The new home would "align" with the home to the north and east.
b.2.	<p>Must be served by municipal water, municipal sanitary sewer, and gas and electric utilities via service lines shared with the principal dwelling unit. Unless otherwise approved by staff, water service to the ADU must be connected after the existing meter in the principal structure.</p>	<p>This has been added as a condition of approval.</p>
b.3.	<p>Must comply or be brought into compliance with all applicable building, housing, electrical, plumbing, mechanical, and related city codes.</p>	<p>This has been added as a condition of approval.</p>
b.4.	<p>May not be served by an additional curb cut unless approved by the city engineer in compliance with the driveway ordinance.</p>	<p>A second curb cut would be created on Runnymede Lane for the driveway to the new home. This would</p>

		comply with the city's driveway ordinance.
b.5	Must be registered with the Minnetonka police and fire departments prior to occupancy.	This has been added as a condition of approval.
ATTACHED ADUs		
1.	Must be designed to maintain the single-family appearance of the principal dwelling from off-site views.	The ADU is detached.
2.	May be created through the conversion of living space or attached garage space. However, the garage space may be converted only if: (1) space is available on the property for construction of a 24-foot by 24-foot garage without variance; and (2) the applicant submits a detailed plan demonstrating adequate vehicular parking exists on the site.	
3.	Maximum height and minimum required setbacks are outlined for principal structures in the associated zoning district.	
DETACHED ADUs		
1.	Must be designed to maintain the residential character of the lot on which it will be located.	The existing home would be converted into the ADU. A new home would be constructed on the east side of the lot.
2.	May be created through the conversion of detached garage space only if either: (1) the principal structure includes an attached garage with minimum dimensions of 24 feet by 24 feet; or (2) space is available on the property for construction of an attached or detached 24-foot by 24-foot garage without variance, and the applicant submits a detailed	The ADU would not be created by the conversion of garage space.

	plan that demonstrates adequate vehicular parking exists on the site.	
3.	<p>The highest point of the ADU may not extend above the highest point of the roof of the principal dwelling unit. The city council may approve a taller ADU if it finds the additional height would not adversely impact neighboring properties. In evaluating whether this standard is met, the city may consider things such as the size of the property; the location of the ADU relative to homes on adjacent properties; whether the ADU would be reasonably screened from adjacent properties by existing vegetation, elevation changes, or linear distance; whether a similarly-sized, non-ADU structure could be constructed in the location proposed without a conditional use permit or variance; or any other characteristic the city considers important or unique.</p>	<p>The text on the plans for the new home plans is somewhat difficult to read. However, staff was able to decipher and infer enough to determine that the highest point of the ADU would not extend above the highest point of the new home.</p> <p>The newer home would sit roughly twelve feet "lower" than the ADU and would have a height of 27 feet. Based on the submitted photo, the building height of the ADU is likely around 15 feet.</p> <p>Nonetheless, more information on the ADU would be required at the time of a building permit for the new home to confirm.</p>
LOCATION REQUIREMENTS		
a)	Behind the rear building line of the principal dwelling unit. In the case <u>of a corner</u> or double frontage lots, the ADU is subject to front yard setbacks established for principal structures.	The property is a corner lot. The ADU would continue to maintain established setbacks.
b)	To preserve existing, natural site features to the extent practicable.	The proposal consists of converting an existing home into an ADU. The tree protection ordinance would apply to the construction of a new home at the time of a building permit.

5.	Must be set back from side and rear property lines a distance equal to the code-defined height of the ADU, but not less than 15 feet, and set back from all-natural features as required by ordinance.	The ADU would meet the required setbacks.
OTHER REQUIREMENTS		
6.	May contain a maximum of two bedrooms.	The existing home contains two bedrooms. Nonetheless, this has been added as a condition of approval.
7.	Must be constructed on a permanent foundation with no wheels.	The ADU is located on a permanent foundation.

Pyramid of Discretion



Voting Requirement

The planning commission will make a recommendation to the city council. A recommendation for approval requires an affirmative vote of a simple majority.

Motion Options

The planning commission has three options:

1. Concur with the staff recommendation. In this case, a motion should be made recommending the city council adopt the resolution approving the request.
2. Disagree with staff’s recommendation. In this case, a motion should be made recommending the city council deny the request. This motion must include a statement as to why denial is recommended.
3. Table the requests. In this case, a motion should be made to table the item. The motion should include a statement as to

why the request is being tabled with direction to staff, the applicant, or both.

**Neighborhood
Comments**

The city sent notices to 36 area property owners and received several comments. Those comments are attached.

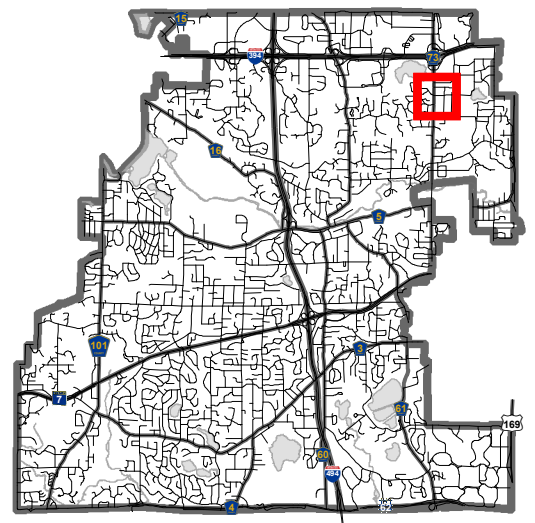
**Deadline for
Decision**

March 21, 2022



Location Map

Project: Leonard Residence
Address: 2001 Hopkins Crossroad



Dear Members of the Planning Commission and City Council,

We write regarding our plan for our property at 2001 Hopkins Crossroad. We are looking to build a new home for our growing family and are seeking approval for a conditional use permit to keep the existing small structure as a detached, accessory dwelling unit. We intend to use the ADU as separate living quarters for our aging parents. Our intent is to coordinate the primary residence with the ADU and the surrounding neighborhood. As you will see on the attached survey, the area of the existing structure is 964 square feet. It is important to note that neither the new construction nor the ADU would interfere with any of the neighbors in any way, as all neighboring homes are a significant distance away due to the shape of the surrounding lots (as you will see in the attached diagram). We believe the structures on our property will only add to the aesthetics of the neighborhood.

We thank you in advance for your time and consideration. Please do not hesitate to reach out with any questions or concerns.

Very truly yours,

Jonathan and Rachel Leonard

CONCEPT PLAN

PROPERTY ADDRESS: 2001 HOPKINS CROSSROAD, MINNETONKA

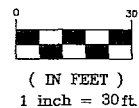
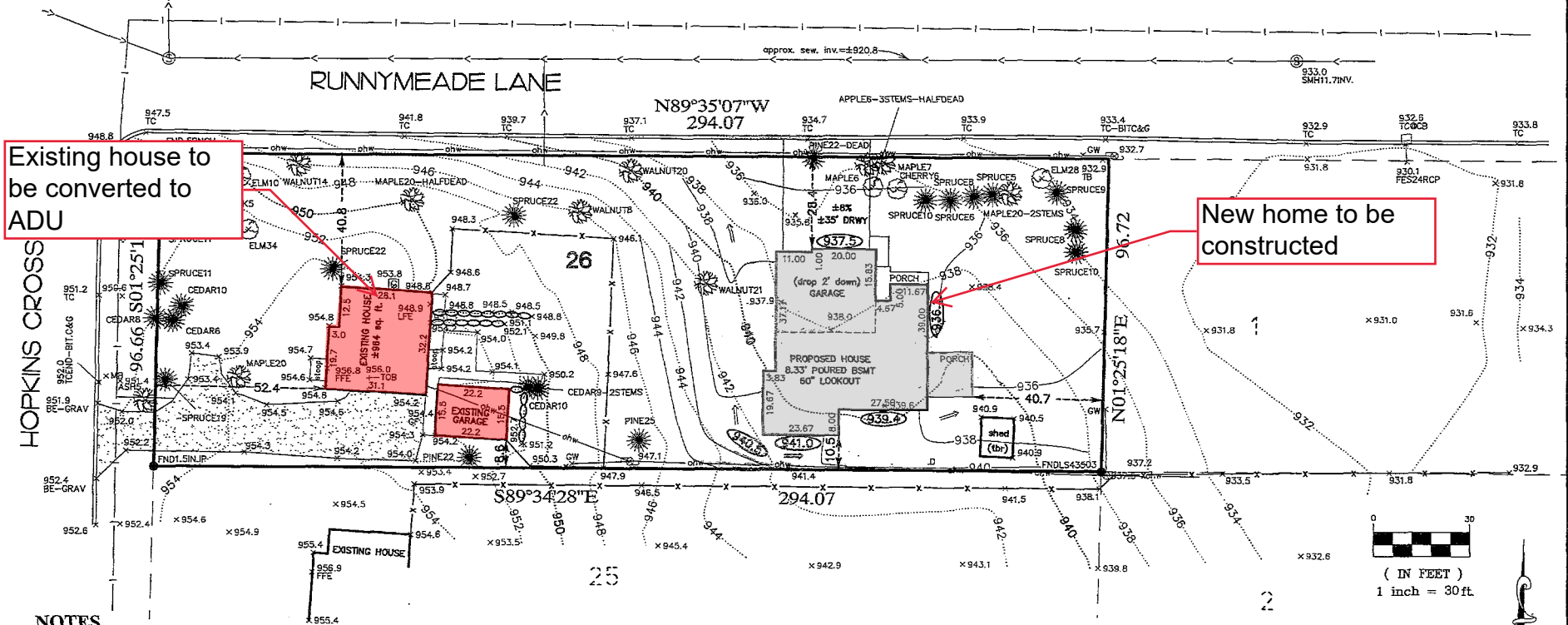
LEGAL DESCRIPTION

Lot 26, Block 2, KNOLL RIDGE, Hennepin County, Minnesota.

FOR: TJB HOMES

Existing house to be converted to ADU

New home to be constructed



NOTES

- BEARING'S SHOWN ARE ON ASSUMED DATUM
- ELEVATIONS BASED ON CITY OF MINNETONKA BM's (NGVD29)
- This survey was prepared without the benefit of titlework. Easement, appurtenances and encumbrances may exist in addition to those shown hereon. This survey is subject to revision upon receipt of a title insurance commitment or attorneys title opinion.
- SUBJECT TO CITY OF MINNETONKA APPROVAL FOR PROPOSED IMPROVEMENTS. CONCEPT ONLY.

I hereby certify that this plan, survey or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Joshua P. Schneider
 JOSHUA P. SCHNEIDER

Revised: 10-20-21 (placement)
 Date: 10-15-21 Reg. No. 44655

LEGEND

- ☐ DENOTES GAS METER/BOX
- DENOTES IRON MONUMENT FOUND
- ⊙ DENOTES SANITARY SEWER MANHOLE
- ⊠ DENOTES CATCH BASIN
- ~ DENOTES EXISTING CONTOUR
- GW → DENOTES GUY WIRE
- ohw- DENOTES OVERHEAD WIRE
- x1011.2 DENOTES EXISTING ELEVATION
- ▨ DENOTES GRAVEL
- ▩ DENOTES CONCRETE
- ⊗ DENOTES EXISTING TREE & DBH
- ⊕ DENOTES UTILITY POLE
- ⊙(937.5) DENOTES PROPOSED ELEVATION
- DENOTES DIRECTION OF DRAINAGE

EXISTING AREA CALCULATIONS

TOTAL LOT = ±28,429 sq. ft.
 Existing Hse/Stoops = ±1,024 Sq. Ft.
 Existing Garage = ±344 Sq. Ft.
 Existing Concrete = ±325 Sq. Ft.
 Existing Shed (tbr) = ±123 Sq. Ft.
 Total Hardcover = ±1,816sf or ±6.4%

PROPOSED AREA CALCULATIONS

TOTAL LOT = ±28,429 sq. ft.
 Existing Improvements = ±1,693 Sq. Ft.
 Proposed Hse/Porches = ±2,672 Sq. Ft.
 Proposed Drwy/Sdwb = ±820 Sq. Ft.
 Hardcover = ±5,185sf or ±18.2%

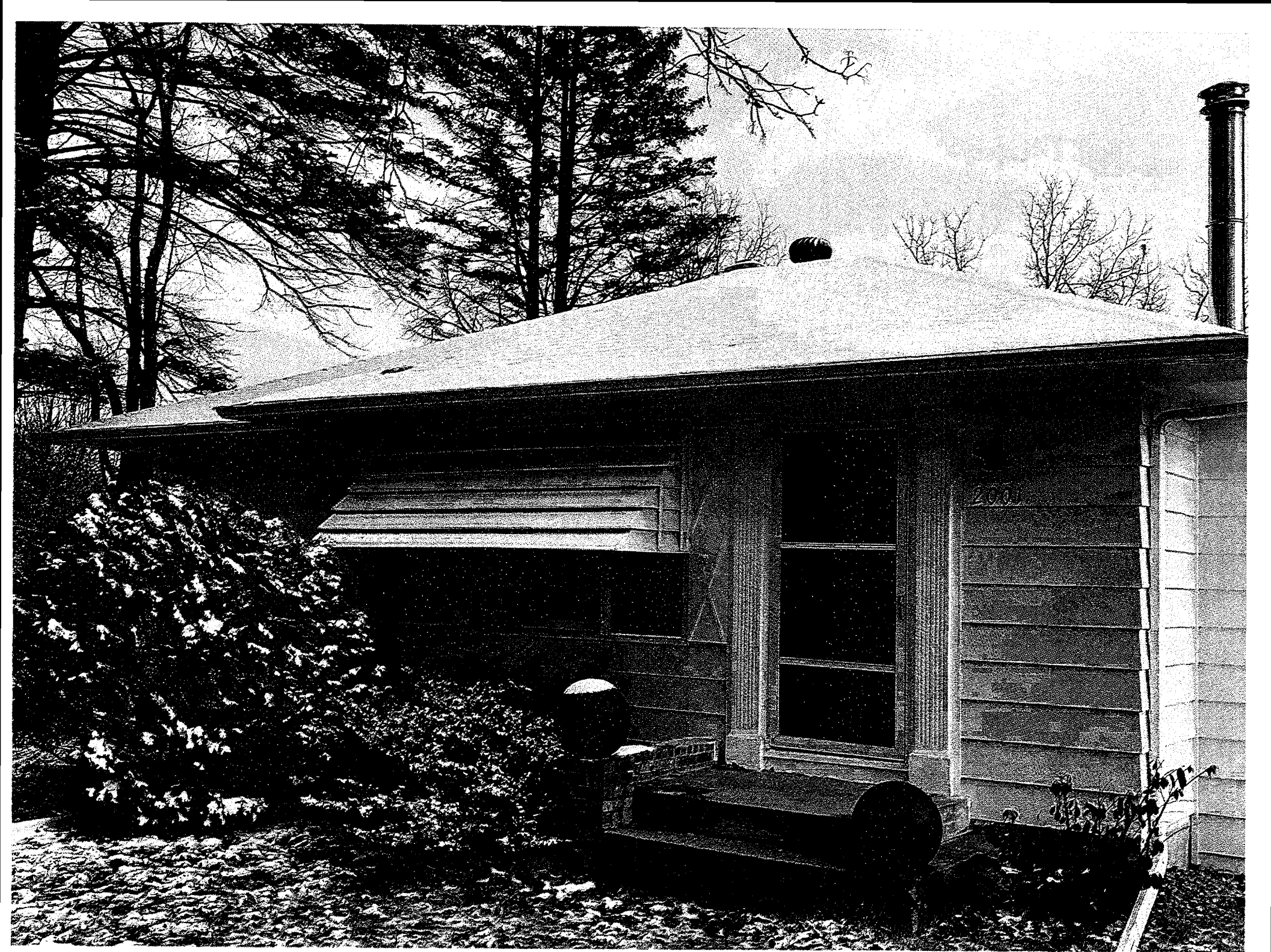
DROP GARAGE 2.0' DOWN
PROPOSED ELEVATIONS
 GARAGE FLOOR = 937.5
 TOP OF FOUNDATION = 939.9
 LOWEST FLOOR = 931.9
 60' LOOKOUT = 936.6

NORTH

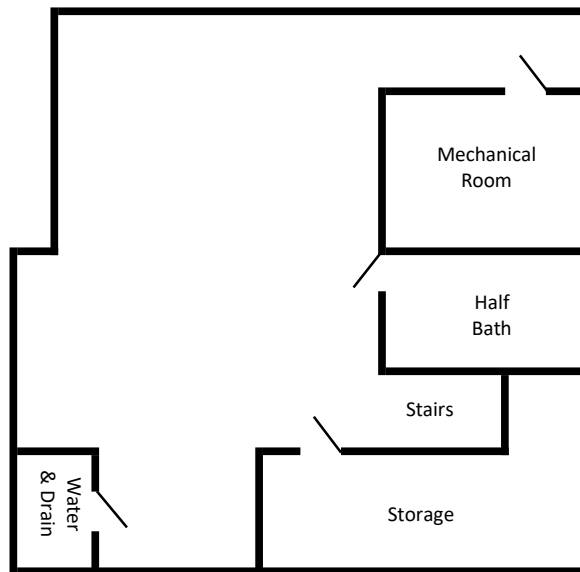
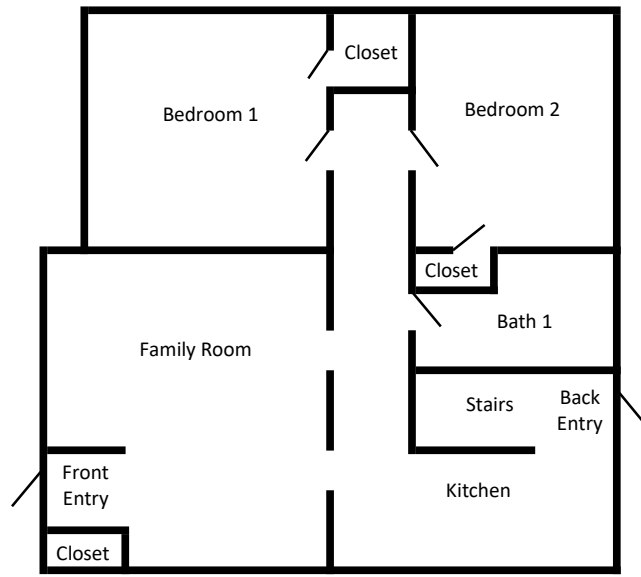
JOB #21301

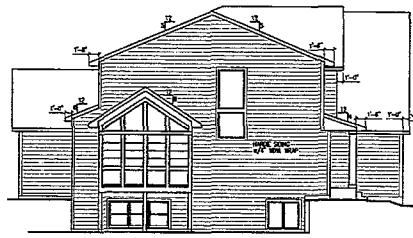
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 763-238-6278 js.acrelandsurvey@gmail.com

10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30

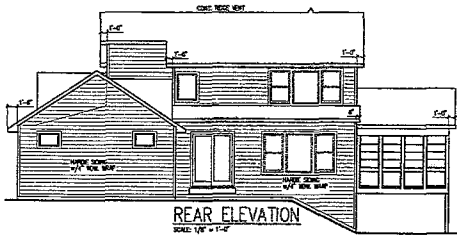


2001 Hopkins Crossroad Floorplan

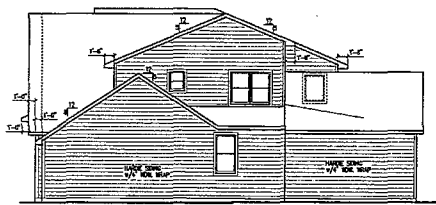




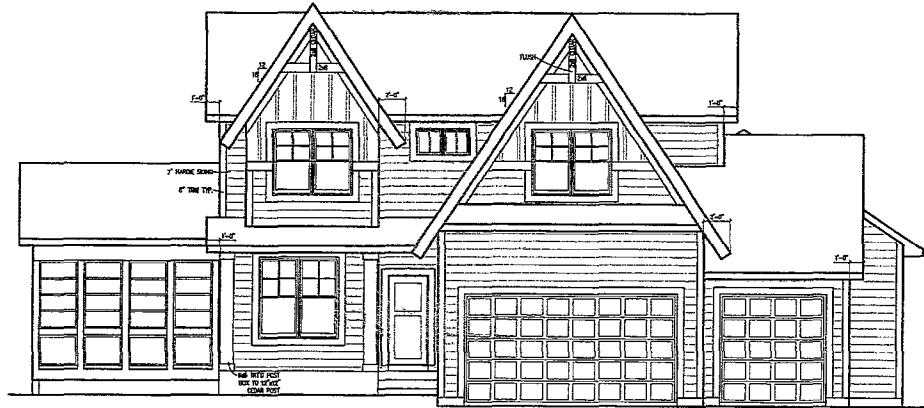
LEFT ELEVATION
SCALE 1/8" = 1'-0"



REAR ELEVATION
SCALE 1/8" = 1'-0"



RIGHT ELEVATION
SCALE 1/8" = 1'-0"



FRONT ELEVATION
SCALE 1/8" = 1'-0"

LAND 30.00 FT. FRONT
12.00 FT. DEPTH
12.00 FT. DEPTH
12.00 FT. DEPTH
12.00 FT. DEPTH
12.00 FT. DEPTH
12.00 FT. DEPTH

JON & RACHEL SPERLING
2001 HOPKINS CROSSROADS
MINNETONKA, MN

JULIEANNE III

In hereby agree to furnish all construction materials, labor, equipment and services required to construct the project as described herein. These plans, drawings, specifications and other documents, in case of a discrepancy the plans will so stated, and take precedence.

Client Name: J.B. Homes, Inc.
1210 Hennepin Ave. S.W. #100
Minneapolis, MN 55426
303 834-4444

Accepted: These plans, drawings, specifications and other documents are preliminary and are hereby accepted.

Architect Name: [Blank] Date: [Blank]

PLEASE SIGN & RETURN THE OFFICE COPY. THANK YOU

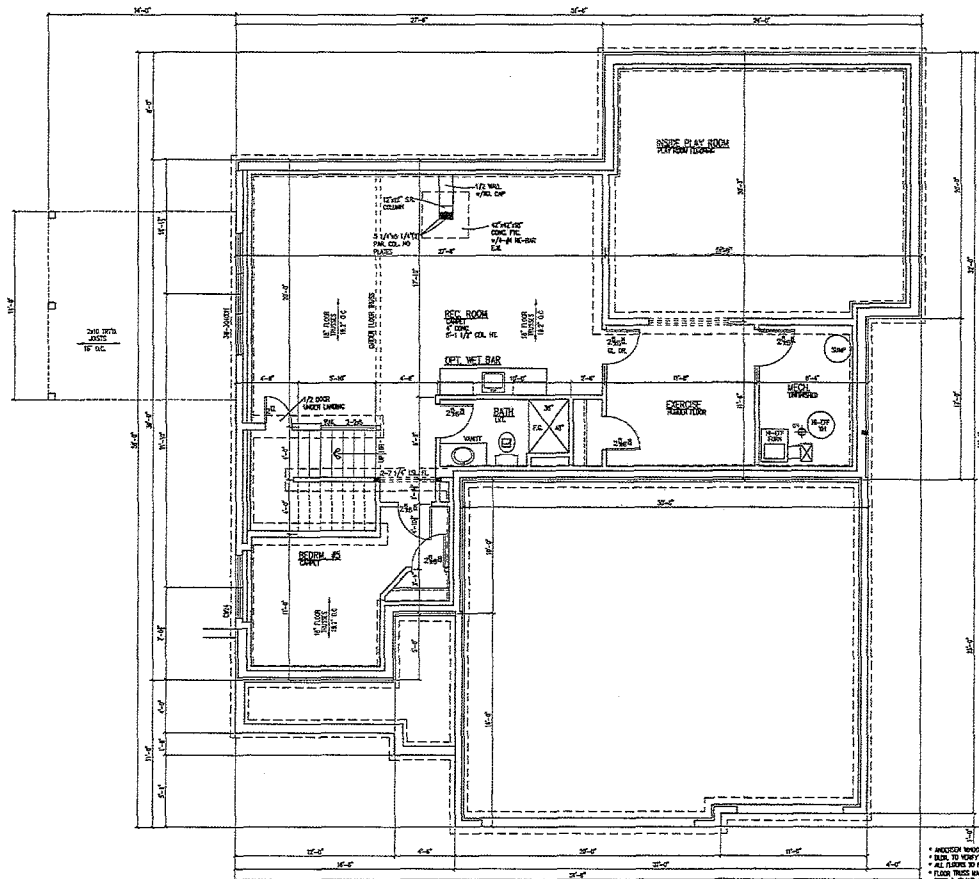
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TJB326 TJB389 TJB609

T.J.B. HOMES INC.
1210 HENNEPIN AVENUE S.W. #100
MINNEAPOLIS, MN 55426

DATE: [Blank]
BY: [Blank]
FOR: [Blank]
SHEET NO. 1



* CHECKED WORKING DRAWINGS
 * SEE TO VERIFY ALL DOOR SIZES & CG. FOR HCL
 * ALL ROOMS TO BE 8'0" HIGH
 * FLOOR TRUSS MARKS TO SHOW FRAMING BELOW
 * SEE PLAN FOR ALL DIMENSIONS
 * FLOOR TRUSS MARKS TO PROVIDE HEAT SERVICE &
 * REPAIR SPACE IN TRUSSES

BASEMENT PLAN
 SCALE: 1/4" = 1'-0"

We hereby agree to furnish all construction materials, labor, equipment, and services required to complete the project in accordance with these plans, contracts, specifications, and other documents. In case of a discrepancy, the price will be that which is presented.

Date: 12/15/2010
 Drawn: JTB
 Checked: JTB
 Project: 1000
 Client: 1000

Accepted: JTB
 Date: 12/15/2010
 Project: 1000
 Client: 1000

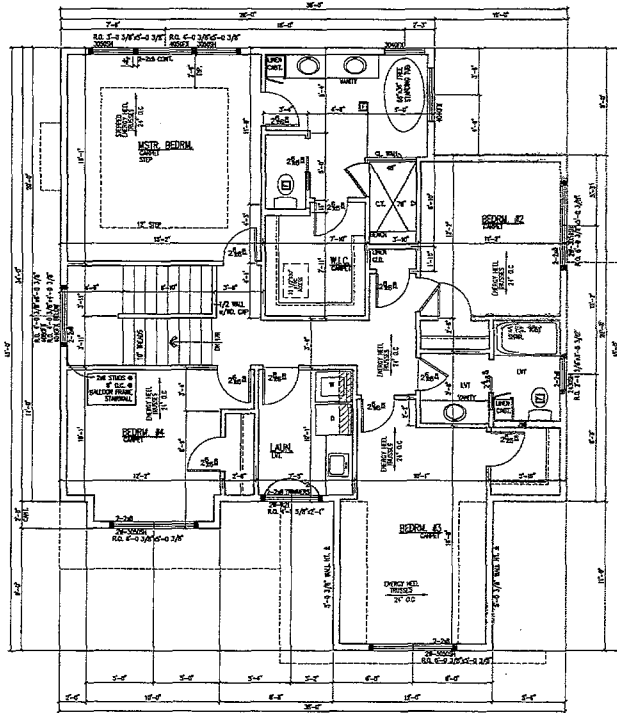
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DATE: 12/15/2010
 DRAWN: JTB
 CHECKED: JTB
 PROJECT: 1000
 CLIENT: 1000

DRAWN BY: JTB
 CHECKED BY: JTB
 SHEET NO: 2.1



* SEE ALL WINDOWS & 7'-0" WALKING WIDTHS THROUGH
 * WINDOW SIZES (SEE NOTES)
 * DOOR TO MEET ALL NEW CODE & C.A. PER IBC
 * 2'-0" MIN. FLOOR TO CEILING HEIGHT THROUGH
 * ALL DOORS TO BE 6'-0" HIGH MIN. CLEAR.

SECOND FLOOR PLAN
 SCALE: 1/8" = 1'-0"

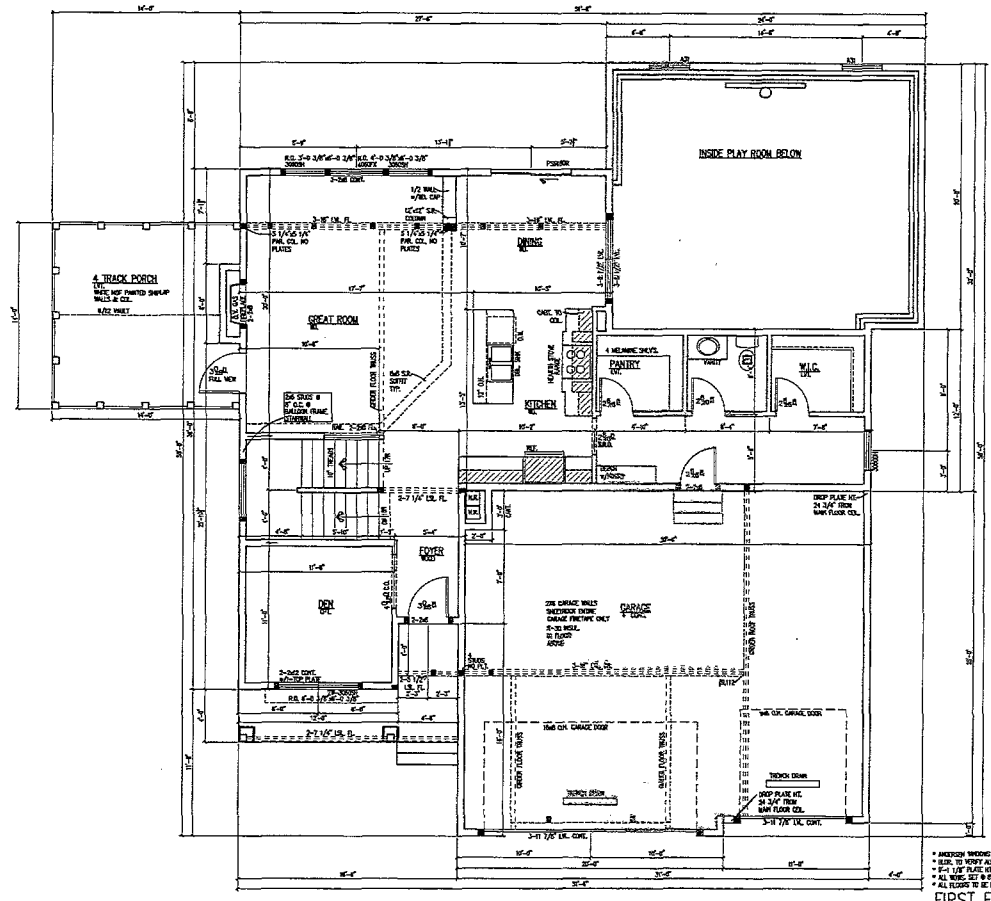
We hereby agree to furnish all construction materials, labor, equipment, and technical support to construct the project in accordance with these plans, drawings, specifications, and other documents, in case of a discrepancy, the plan will govern.

Date: _____
 123 Main Street
 12345 Main St. NE #102
 Denver, CO 80202
 Mr. Building Contractor JANE

Accepted - these plans, drawings, specifications, and other documents as indicated and are hereby accepted.
 Signature: _____ Date: _____
 Signature: _____ Date: _____

PLEASE SIGN & RETURN THE
 OFFICE COPY
 THANK YOU!

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 REPRODUCTION OR COPYING FOR USE ON A
 PLAN OR NEW HOME IS STRICTLY FORBIDDEN.
 ANY VIOLATION WILL RESULT IN PROSECUTION
 TO THE FULLEST EXTENT AS ALLOWED BY LAW.



* INTERIOR FINISHES (SEE SPECIFICATIONS) TO BE NOTED w/ SUPPLIER
 * REFER TO NOTES FOR ALL DOOR & CASE SIZES
 * 1" = 1/8" SCALE UNLESS NOTED OTHERWISE
 * ALL ROOF, SET & 4" = 1" UNLESS NOTED OTHERWISE
 * ALL FLOORS TO BE 1/2" A.C.
 UNLESS NOTED OTHERWISE
 1/4" = 1/8" SCALE UNLESS NOTED OTHERWISE
 1/4" = 1/8" SCALE UNLESS NOTED OTHERWISE
FIRST FLOOR PLAN
 SCALE 1/4" = 1'-0"

No liability is assumed for errors in construction, materials, labor, equipment, and services required to construct the project in accordance with these plans, drawings, specifications, and other documents. In case of a discrepancy, the price book or sheet shall prevail.

Client Name	T&B Homes, Inc.	Date	
Address	3700 Redwood Dr., NE #202 Atlanta, GA 30348 Attn: Building Consultant (202)	Date	
Architect		Date	
Engineer		Date	
Inspector		Date	
Builder		Date	

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 COPYRIGHT ACT.

DATE:	12-15-21
PERIODIC:	12-15-21
REVISED:	12-15-21
NO.	1
SHEET NO.	1
SCALE:	1/4" = 1'-0"
DATE:	
SCALE:	
COM. NO.	18840
SHEET NO.	3

Neighborhood feedback

To Whom It May Concern -

We live in the Runnymede neighborhood and are aware of the proposed project at 2001 Hopkins Crossroad, Minnetonka, MN 55305, including the application for the existing structure to be used as an Accessory Dwelling Unit. We believe this project will have a positive impact on our neighborhood and are very supportive of the project.

Sincerely,
Karen & Tim Wilcox
2089 Cape Cod Place
Minnetonka, MN 55305

January 10, 2022

To Whom it May Concern:

We write regarding the proposal for 2001 Hopkins Crossroad. We are in support of this project, including the application for the existing structure to be used as an Accessory Dwelling Unit. We feel the improvements will only have a positive impact on our neighborhood and contribute to property values. We also understand the proposed ADU will meet one of the City's stated goals of providing more diverse and affordable housing within Minnetonka, which is very important to us.

Very truly yours,
Ajibola Ayanwale and Caryl Hamblin
11105 Oak Knoll Terrace S
Minnetonka, Minnesota 55305

January 10, 2022

To whom it may concern:

We're aware of the proposed project at 2001 Hopkins Crossroad and are in support of it, including keeping the existing structure to be used as an Accessory Dwelling Unit. We think it will add value to the neighborhood and properties and will be a positive addition overall.

Thanks,

Betsy and Bobby Paulus
2205 Vernon Drive S

**LETTER IN SUPPORT OF PROPOSED IMPROVEMENTS AT 2001 HOPKINS
CROSSROAD, MINNETONKA, MINNESOTA**

We are aware of the proposed project at 2001 Hopkins Crossroad, Minnetonka, MN 55305, including the application for the existing structure to be used as an Accessory Dwelling Unit. We would like to express our support for this project. We believe the improvements to the land will only have a positive impact on our neighborhood and add to the overall aesthetics. We also understand the proposed ADU will meet one of the City's stated goals of providing more diverse and affordable housing within Minnetonka.

Danielle and Sean Smith
2204 Vernon Drive South
Minnetonka, MN 55305

1/10/2021

To Whom It May Concern,

We are writing this letter in regards to the proposed project at 2001 Hopkins Crossroad. We understand the nature of the project and want to express our full support. To us, this proposal will provide two key attributes to our neighborhood that will benefit the surrounding residents. Firstly, the construction of a new home will boost the overall aesthetics of a somewhat outdated neighborhood, while at the same time potentially increase the home values of the surrounding residents. Secondly, the proposed accessory dwelling unit will help the city bring about more diverse and affordable housing to the area. Please let us know if there is anything further needed from us.

Regards,

Robert and Abby DuBe'
1901 Hopkins Xrd
Minnetonka, MN 55305

January 11, 2022

Dear City of Minnetonka Planning Committee,

Our names are Bob and Jeanne Alm, home owners of 2024 Vernon Dr. S. We are writing in support of the proposed improvement project at 2001 Hopkins Crossroads, Minnetonka 55305. We understand that this proposed project includes using the existing structure as an accessory dwelling unit that will meet the City's goals of diverse and affordable housing. We have lived in our house since 1979. As longtime residents we too have made many improvements to our home and property that have allowed us to stay in the neighborhood, raise our family here and improve the overall aesthetics of this neighborhood. This has included receiving our own variance for a remodel project years ago that helped reach these goals and therefore fully support this improvement project as well. If you have any questions please feel free to contact us.

Thank you,
Bob and Jeanne Alm

January 11, 2022

Dear City of Minnetonka Planning Committee,

My name is Kate Alm, home owner of 1904 Vernon Dr. S. I am aware of the proposed project at 2001 Hopkins Crossroads, Minnetonka 55305 and are in full support of the proposed improvement. I understand that this proposed project includes using the existing structure as an accessory dwelling unit that will meet the City's goals of diverse and affordable housing which I fully support. As a resident of the corner house on Runnymede and Vernon this project directly affects the aesthetic view from my house and feel this adds value to the area and my neighborhood. If you have any questions please feel free to contact me.

Thank you,
Katherine Alm
katealm@gmail.com

January 11, 2022

Dear City of Minnetonka Planning Committee,

My name is Sarah Knight, home owner of 2025 Vernon Dr. S. We are aware of the proposed project at 2001 Hopkins Crossroads, Minnetonka 55305 and are in full support of the proposed improvement at 2001 Hopkins Crossroads. My husband and I understand that this proposed project includes using the existing structure as an accessory dwelling unit. My husband and I have owned our house since 2005 and prior to that I grew up in my parents home at 2024 Vernon Dr. S to which they still live. We have watched changes over the years to this

neighborhood and fully support this improvement project that adds value and overall aesthetics to this neighborhood. We also understand that accessory dwelling unit helps the City of Minnetonka reach its goal of providing more diverse and affordable housing options. We feel very strongly that this goal needs to be met for our everchanging community. If you have any questions please feel free to contact us.

Thank you,
Sarah and Trevor Knight

Resolution No. 2022-

Resolution approving a conditional use permit for a detached accessory dwelling unit at 2001 Hopkins Crossroads

Be it resolved by the City Council of the City of Minnetonka, Minnesota, as follows:

Section 1. Background.

- 1.01 The property owners, Jonathan and Rachel Leonard have requested a conditional use permit for a detached, accessory dwelling unit.
- 1.02 The property is located at 2001 Hopkins Crossroads. It is legally described as:
Lot 26, Block 2, KNOLL RIDGE, Hennepin County, Minnesota
Torrens Certificate No. 1528707
- 1.03 The proposal is to convert the existing home, originally constructed in 1952, into an accessory dwelling unit and construct a new home on the east side of the property.
- 1.04 On Jan. 20, 2022, the planning commission held a hearing on the proposal. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments received and the staff report, which are incorporated by reference into this resolution. The commission recommended that the city council approve the permit.

Section 2. Standards.

- 2.01 City Code §300.16 Subd. 2 outlines the general standards that must be met for granting a conditional use permit. These standards are incorporated into this resolution by reference.
- 2.02 City Code §300.16 Subd. 3(d) outlines the following specific standards that must be met for granting a conditional use permit for such facilities:
- 1) General Standards:
 - a. ADUs are allowed only on properties zoned R-1, R-1A, and R-2.

- b. No more than one ADU is allowed per property.
- c. The owner of the property must reside in the principal dwelling unit or the ADU as a permanent residence, not less than 185 days per calendar year.
- d. ADUs may not be subdivided or otherwise separated in ownership from the principal dwelling unit.
- e. Adequate off-street parking must be provided for both the principal dwelling unit and the ADU. Such parking must be in a garage, carport, or on a paved area specifically intended for that purpose but not within a required driveway turnaround. No more than four vehicles may be parked or stored anywhere outside on the property. This maximum number does not include vehicles of occasional guests who do not reside on the property.
- f. The ADU and property on which it is located are subject to all other provisions of this ordinance relating to single-family dwellings, including all provisions of the shoreland, wetland, floodplain, and nuisance ordinances. To the extent of any inconsistency among ordinance provisions, the most restrictive provisions apply.

2) Construction and Design Standards:

- a. On properties zoned R-1 or R-1A, an ADU may be attached to or detached from a principal structure. On properties zoned R-2, ADUs must be attached to the principal structure. An attached ADU includes an ADU that is contained within an existing principal structure.
- b. Any ADU, whether attached or detached:
 - 1. Must be no larger than 1,000 square feet in total area or 35 percent of the floor area of the principal dwelling, whichever is less. The city council may approve a larger area where the additional size would not result in undue adverse impacts to the neighboring properties. In evaluating whether this standard is met, the city may consider things such as the size of the property; the location of the ADU relative to homes on adjacent properties; whether the ADU would be reasonably screened from adjacent properties by existing or proposed vegetation, elevation changes, or linear distance; whether a similarly-sized, non-ADU structure could be constructed in the location proposed without a conditional use permit or variance; or any other characteristic the city considers

important or unique. In no case may a detached ADU be 200 square feet or less in total size.

2. Must be served by municipal water, municipal sanitary sewer, and gas and electric utilities via service lines shared with the principal dwelling unit. Unless otherwise approved by staff, water service to the ADU must be connected after the existing meter in the principal structure.
3. Must comply or be brought into compliance with all applicable building, housing, electrical, plumbing, mechanical, and related city codes.
4. May not be served by an additional curb cut unless approved by the city engineer in compliance with the driveway ordinance.
5. Must be registered with the Minnetonka police and fire departments prior to occupancy.

c. Attached ADUs:

1. Must be designed to maintain the single-family appearance of the principal dwelling from off-site views.
2. May be created through the conversion of living space or attached garage space. However, the garage space may be converted only if: (1) space is available on the property for construction of a 24-foot by 24-foot garage without variance; and (2) the applicant submits a detailed plan demonstrating adequate vehicular parking exists on the site.
3. Maximum height and minimum required setbacks are outlined for principal structures in the associated zoning district.

d. Detached ADUs:

1. Must be designed to maintain the residential character of the lot on which it will be located.
2. May be created through the conversion of detached garage space only if either: (1) the principal structure includes an attached garage with minimum dimensions of 24 feet by 24 feet; or (2) space is available on the property for construction of an attached or detached 24-foot by 24-foot garage without variance, and the applicant submits a

detailed plan that demonstrates adequate vehicular parking exists on the site.

3. The highest point of the ADU may not extend above the highest point of the roof of the principal dwelling unit. The city council may approve a taller ADU if it finds the additional height would not result in undue adverse impacts to neighboring properties. In evaluating whether this standard is met, the city may consider things such as the size of the property; the location of the ADU relative to homes on adjacent properties; whether the ADU would be reasonably screened from adjacent properties by existing vegetation, elevation changes, or linear distance; whether a similarly-sized, non-ADU structure could be constructed in the location proposed without a conditional use permit or variance; or any other characteristic the city considers important or unique.
4. Must be located:
 - a) Behind the rear building line of the principal dwelling unit. In the case of corner or double frontage lots, the ADU is subject to front yard setbacks established for principal structures.
 - b) To preserve existing, natural site features to the extent practicable.
5. Must be set back from side and rear property lines a distance equal to the code-defined height of the ADU, but not less than 15 feet, and set back from all-natural features as required by ordinance.
6. May contain a maximum of two bedrooms.
7. Must be constructed on a permanent foundation with no wheels.

Section 3. Findings.

3.01 The proposal meets the general conditional use permit standards outlined in City Code §300.16 Subd.2.

3.02 The proposal meets the specific conditional use permit standards outlined in City Code 300.16 Subd.3(d).

3) General Standards:

- a. The property is zoned R-1.

- b. Only one ADU is proposed.
 - c. The property owners are proposing to reside in the newly constructed home on the east side of the lot. Additionally, as a condition of this resolution, future subdivision of this property is restricted.
 - e. Off-street parking is proposed within the existing and a proposed driveway. A condition of approval has been added to limit the amount of vehicles – not related to occasional guests – to four vehicles.
 - f. The ADU would comply with setback requirements for general structures. No property contains no natural features requiring a setback, such as wetland or floodplain areas.
 - f. The ADU and property on which it is located are subject to all other provisions of this ordinance relating to single-family dwellings, including all provisions of the shoreland, wetland, floodplain, and nuisance ordinances. To the extent of any inconsistency among ordinance provisions, the most restrictive provisions apply.
- 4) Construction and Design Standards:
- a. The existing house would be converted into a detached, accessory dwelling unit.
 - b. Any ADU, whether attached or detached:
 - 1. The ADU would be larger than 1,000 square feet in size but would be screened by existing vegetation, be located on a corner lot, and "aligns" with structures within the existing neighborhood.
 - 2. As a condition of this resolution, the ADU must be served by municipal water, municipal sanitary sewer, and gas and electric utilities via service lines shared with the principal dwelling unit. Unless otherwise approved by staff, water service to the ADU must be connected after the existing meter in the principal structure.
 - 3. As a condition of this resolution, the ADU must comply or be brought into compliance with all applicable building, housing, electrical, plumbing, mechanical, and related city codes.

4. A second curb cut would be created on Runnymede Lane for the driveway to the new home. This would be in compliance with the city's driveway ordinance.
 5. As a condition of this resolution, the ADU must be registered with the Minnetonka police and fire departments prior to occupancy.
- c. The ADU is detached.
- d. Detached ADUs:
1. The existing home would be converted into an ADU. A new home would be constructed on the east side of the lot.
 2. The ADU would not be created by the conversion of garage space.
 3. The highest point of the ADU would not extend beyond the highest point of the newly constructed home. The new home would sit roughly twelve feet "lower" than the ADU and would have a height of 27 feet. The building height of the ADU would be 15 feet.
 4. Must be located:
 - a) The property is a corner lot. The ADU would continue to maintain established setbacks.
 - b) The proposal consists of converting an existing home into an ADU. The tree protection ordinance would apply to the construction of the new home at the time of a building permit.
 5. The ADU would meet the required setbacks.
 6. The existing home contains two bedrooms. Nonetheless, this has been added as a condition of approval.
 7. The ADU is located on a permanent foundation.

Section 4. City Council Action.

4.01 The above-described conditional use permit is approved, subject to the following conditions:

1. This resolution must be recorded with Hennepin County.
2. A building permit is required.

3. The owner of the property must reside in the principal dwelling unit or the ADU as a permanent residence, not less than 185 days per calendar year.
4. The ADU may not be subdivided or otherwise separated in ownership from the principal dwelling unit.
5. No more than four vehicles may be parked or stored anywhere outside on the property. This maximum does not include vehicles of occasional guests who do not reside on the property.
6. The ADU must be served by municipal water, municipal sanitary sewer, and gas and electric utilities via service lines shared with the principal dwelling unit. Unless otherwise approved by staff, water service to the ADU must be connected after the existing meter in the principal structure.
7. The principal structure and the ADU must comply or be brought into compliance with all applicable building, housing, electrical, plumbing, mechanical, and related city codes.
8. The ADU must be registered with the Minnetonka police and fire departments prior to occupancy.
9. The highest point of the ADU cannot extend beyond the highest point of the roof of the principal dwelling unit.
10. The ADU cannot contain more than two bedrooms.
11. The city council may reasonably add or revise conditions to address any future unforeseen problems.
12. Any change to the approved use that results in a significant increase in a significant change in character would require a revised conditional use permit.

Adopted by the City Council of the City of Minnetonka, Minnesota, on Feb. 7, 2022.

Brad Wiersum, Mayor

Attest:

Becky Koosman, City Clerk

Action on this resolution:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on Feb. 7, 2022.

Becky Koosman, City Clerk