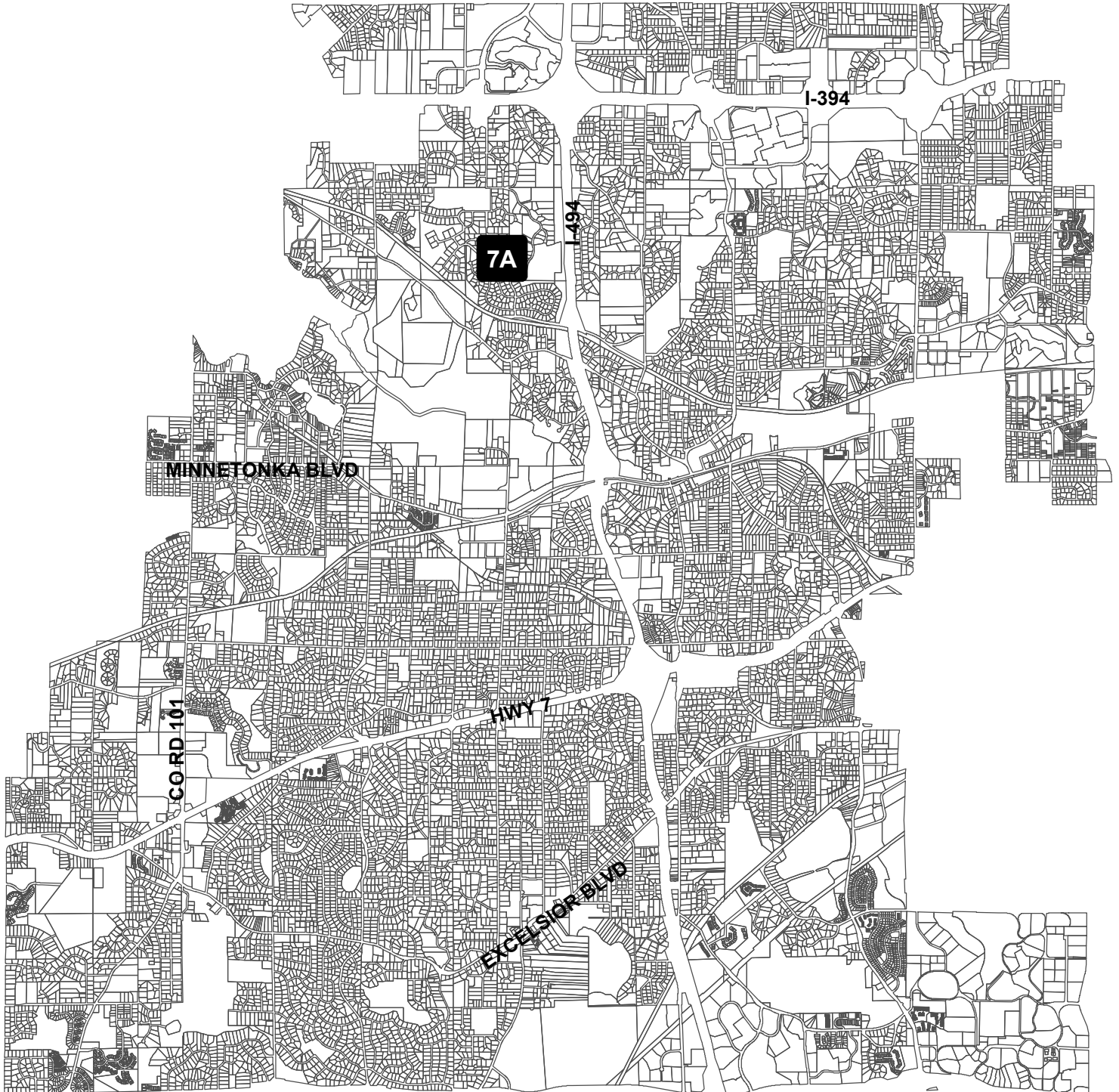




CITY OF  
MINNETONKA

# MINNETONKA PLANNING COMMISSION FEB. 2, 2023

14600 Minnetonka Blvd. • Minnetonka, MN 55345  
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minnetonkamn.gov





**Planning Commission Agenda  
Feb. 2, 2023  
6:30 p.m.**

**City Council Chambers – Minnetonka Community Center**

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Agenda**
- 4. Approval of Minutes:** Jan. 19, 2023
- 5. Report from Staff**
- 6. Report from Planning Commission Members**
- 7. Public Hearings: Consent Agenda:**
  - A. Conditional use permit for a 2,100 square foot, detached accessory structure at 14730 Stone Road.  
  
Recommendation: Recommend the city council adopt the resolution approving the request (4 votes).
    - Recommendation to City Council (Feb. 27, 2023)
    - Project Planner: Ashley Cauley
- 8. Public Hearings: Non-Consent Agenda Items**
  - A. Parking Ordinance  
  
Recommendation: Recommend the city council adopt the ordinance
    - Recommendation to City Council (Feb. 27, 2023)
    - Project Planner: Susan Thomas and Bria Raines
- 9. Adjournment**

**Planning Commission Agenda**

**Feb. 2, 2023**

**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. 16, 2023 agenda.

<b>Project Description</b>	Greystar Development, Multiple applications
<b>Project Location</b>	10701 Bren Road E
<b>Assigned Staff</b>	Ashley Cauley
<b>Ward Councilmember</b>	Brian Kirk, Ward 1

<b>Project Description</b>	Dudycha Concept Plan
<b>Project Location</b>	2611 and 2615 Plymouth Road
<b>Assigned Staff</b>	Loren Gordon
<b>Ward Councilmember</b>	Rebecca Schack, Ward 2

<b>Project Description</b>	Water Resource Protection and MS4 Permit Presentation
<b>Project Location</b>	City Wide
<b>Assigned Staff</b>	Sarah Schweiger and Leslie Yetka
<b>Ward Councilmember</b>	City Wide

<b>Project Description</b>	Soil Protection Ordinance Discussion
<b>Project Location</b>	City Wide
<b>Assigned Staff</b>	Leslie Yetka and Susan Thomas
<b>Ward Councilmember</b>	City Wide

**Unapproved  
Minnetonka Planning Commission  
Minutes**

**Jan. 19, 2023**

**1. Call to Order**

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

**2. Roll Call**

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

Staff members present: City Planner Loren Gordon, Senior Planner Ashley Cauley, and Planner Bria Raines.

**3. Approval of Agenda**

***Hanson moved, second by Powers, to move Item 8A, items concerning Groveland Elementary School at 17310 Minnetonka Blvd., from the non-consent agenda to Item 7a on the consent agenda.***

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

***Powers moved, second by Maxwell, to approve the agenda as submitted with additional comments and a correction provided in the change memo dated Jan. 19, 2023.***

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

**4. Approval of Minutes: Dec. 15, 2022**

***Henry moved, second by Waterman, to approve the Dec. 15, 2022 meeting minutes as submitted.***

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

**5. Report from Staff**

Gordon briefed the commission on land use applications considered by the city council at its meeting on Jan. 9, 2023:

- Adopted a resolution amending and replacing the existing conditional use permit for Groveland Cemetery at 3228 and 3300 Woodlawn Ave.

- Reviewed the concept plan for Saville Flats located in the southeast corner of the Excelsior Blvd. and Co. Rd. 101 intersections.

**6. Report from Planning Commission Members**

Powers appreciated the great job the public works staff did plowing the streets after the heavy snow falls.

**7. Public Hearings: Consent Agenda**

No item was removed from the consent agenda for discussion.

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

**A. Items concerning Groveland Elementary School at 17310 Minnetonka Blvd.**

Recommend that the city council adopt the attached resolution approving a conditional use permit and site plan review with a variance and expansion permit for Groveland Elementary at 17310 Minnetonka Blvd.

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

**8. Other Business**

**A. Concept plan review for Ridgewood Road Villas at 18116 Ridgewood Road.**

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

Cauley reported. Staff recommends commissioners provide comments and feedback to assist the applicant with future direction that may lead to the preparation of more detailed development plans.

Mike Waldo, Ron Clark Construction, representing the applicant, stated that:

- He attended a meeting with neighbors and heard their concerns. It opened up a good dialogue that will be continued.
- The style of the home would be similar to Legacy Oaks. They would be a high-quality product. The ranch-style residences with walkouts or lookouts would be designed for empty nesters, but there would be no age restriction.
- A wetland delineation, tree survey, and preliminary grading plan have already been completed to make sure the proper buffers to the wetland are maintained, and the site works with the concept plan.

- A stewardship agreement would be considered for a wooded area on the north and the buffer areas.
- He spoke with the neighbor on the north and adjusted the position of the proposed house on the concept plan that would be located nearest her property and agreed to plant trees to provide her residence with a buffer in response to her comments.
- Evergreens would be added on the west side of Lindsey Lane and the last 200 feet of the proposed road would have a downslope to deflect headlights when vehicles enter Lindsey Lane from the proposed road.
- The proposed residences would have customized fronts.

Tim Whitten, Whitten and Associates, landscape planner and architect for the applicant, stated that:

- The product is designed for empty nesters and is a needed product in Minnetonka.
- The proposal would provide housing for seniors who want to downsize, which would free up their larger single-family residences.

Mr. Waldo stated that he and Mr. Whitten are available for questions and appreciate the commissioners' feedback.

Chair Sewall looks forward to learning how many units per buildable acre the site would have if an application with detailed plans is submitted in the future.

In response to Waterman's question, Mr. Waldo stated that the concept plan is already in compliance with the tree protection ordinance.

Jay Jensen, 4209 Lindsey Lane, stated that:

- He has a paver driveway, and a conservation easement on his property and all of the stormwater runoff is contained on his property.
- There is a stewardship agreement managed by the city for his property.
- He wants to protect the otters he has seen near his property.
- He does not want the proposal to have a detrimental impact.
- He would appreciate the applicant meeting with neighbors again before the applicant submits an application to the city.
- Lindsey Lane is a narrow public street. He would like a driveway created for construction traffic to minimize the impact on Lindsey Lane.
- He encouraged paver driveways to be used to help with water infiltration and create a better appearance.
- He would like the proposed road moved to the south to save some very old pine trees and minimize the slope that carries water down the hill.

- His backyard has natural vegetation instead of grass. He would like the proposal to have the same conservation markers in their backyards as he does to protect the wetlands.
- He suggested a traffic control device like a stop sign or speed bump be added to the public road to protect the pedestrians and bikers using the regional trail.
- He noted that Mr. Waldo mentioned that spruce trees would be added along Lindsey Lane to minimize the headlight impact.
- He appreciated everyone's time.

Mary Ann Coleman, 18317 Kylie Court, stated that:

- She is 100 percent against the project.
- She has seen 24 eagles perch in the trees where the proposed houses would be located and eat from the pond.
- There are otters, egrets, blue herons, ducks, geese, and two trumpeter swans in the area.
- She was worried about construction vehicles jeopardizing the safety of trail users.
- Coyotes and deer live in the area.
- She questioned what a "green designated home" meant.
- The area would be harmed by the proposal.
- She did not find a road easement on the plat drawing. The minutes from a meeting held Sept. 15, 2003, state that a road and utility easement was provided to the city on Outlot C.
- A migratory bird permit may be required since eagles feed from the pond.
- She requested the project be scaled down. She wants the wildlife to stay there.
- The proposal would decrease her property value.

Alicia Copa, 18008 Powderhorn Drive, stated that:

- Since Deephaven Cove was constructed, her property has had massive flooding, and she has spent thousands of dollars to install and maintain culverts.
- Her variance application to construct an addition to her house within the wetland setback was denied.
- The wildlife is amazing.
- Her property has lost half of an acre of dry usable space because of the Deephaven Cove water redistribution.
- She was concerned the proposal would disturb the natural water runoff and cause more home and property damage.

John Coleman, 18317 Kylie Court, stated that:

- He thought Legacy Oaks has high density, limited trees, and a bland development due to a lack in variety in colors.
- The proposal should have affordable housing.
- He requested that the conservation done for the marshes continue with this property.
- He will continue to review recorded documents for the property.
- He asked what interesting things could be done with the large piece of property on the north that the current concept plan would not change. He thought something could be done to enhance the area.

Ms. Coleman stated that the six years of construction done to create Legacy Oaks scared away wildlife. She requested that the construction equipment stays on the applicant's property and not use Lindsey Lane.

Pat Montgomery, 17833 Powderhorn Drive, stated that:

- The utility ditch in the rear of his property is 30 to 40 feet wider than it was 15 years ago.
- He thinks the development of the Marshes of Meadowwood caused more stormwater to travel onto his property.
- The wetland delineator he hired said that the utility ditch was blocked in three areas. One was from beavers making a damn, and two were caused by the stormwater pipes becoming plugged from dirt.
- The residents of Powderhorn Circle have standing water on their properties from March through August. He was concerned their properties would end up like his.
- His lot used to have .65 acres, not in a wetland. Now only the first 10 feet of property from his back door is not a wetland.
- He was concerned that water movement that cannot be predicted or controlled would impact the residents on Powderhorn Drive more and more.
- He was concerned when the city offered him a curb and gutter at no cost.
- He opposes a street connecting with Powderhorn Drive.

No additional testimony was submitted, and the hearing was closed.

Hanson confirmed with Cauley that Lindsey Lane is a public street, and the proposed street in the concept plan would be public.

In response to Henry's question, Gordon explained how the Marshes of Meadowwoods is a unique conservation project that restored wetlands that were being used as a golf course and created home sites. The concept plan would only change the upland areas and not change the wetland areas of the property.

Hanson stated:



- He appreciated the presentation from the applicant and the neighborhood speakers being organized.
- Ron Clark has been a patient and flexible developer who listened to neighbors during previous projects. He values that.
- He supports making driveways wide enough for two vehicles to be parked on the driveways and still be able to open their doors.
- He encouraged the applicant to find ways for the proposal to be harmonious with its unique neighbor to the west.
- Like Chair Sewall, he is interested in learning how many units per buildable acre the site has if an application with detailed plans is submitted in the future.
- He would like to see the aesthetics of the proposed houses blending with the neighboring houses.

Waterman stated that:

- He appreciated the comments from neighbors.
- He agrees that Ron Clark's development does a good job working with neighbors and doing a high-quality project.
- There is a lot to like about the concept plan.
- The site is a large, developable piece of property.
- He supports villa-style residences that support a little more density than R-1 single-family lots to free up other housing and create natural affordability. This style of house with a size of 2,300 to 2,500 square feet would provide more affordability than what would be built on a lot zoned to meet R-1 requirements.
- He was a little concerned the residences would be too close together.
- The addition of single-floor living would be a public benefit since it is needed in the city and could justify a planned unit development (PUD). The property on the north end of the site could also be utilized to provide a public benefit.
- The proposal should complement The Marshes of Meadowwoods.
- Issues to be careful of include stormwater runoff, snow management, and the water table.
- He appreciated the work already done with neighbors to agree upon buffering.
- The concept plan would already comply with the tree ordinance.
- He was not sure if he was comfortable with the density.

Powers stated that:

- He likes Ron Clark's development a lot.
- He thought the concept plan was too dense.

- He did not think houses that would sell for over \$1 million would qualify as a public benefit.
- Legacy Oaks was a very good project.
- He was concerned with stormwater runoff. The effects would be far-reaching.
- The ability to effectively provide stormwater management must be determined before deciding how many houses would be appropriate.

Henry stated:

- He would like to learn more about the possibility of providing effective stormwater management before commenting on other facets of the concept plan. He has full faith in each staff expert tasked with reviewing an application's stormwater management requirements.
- He appreciated the neighbors providing feedback on what is seen in the area on a day-to-day basis.
- He thanked the developer for working with the neighbors.
- The Marshes of Meadowwoods development is unique. He encouraged the applicant to preserve the environment as much as possible.
- He likes the preservation of 19 acres.
- The proposal would be too dense, and the houses would be located too close together.

Maxwell stated that:

- The property is unique and provides an opportunity for the applicant to be a good steward of the beauty of Minnetonka.
- There would be too much density.
- The concept plan would have too much impervious surface in an area that already has a lot of water issues.
- She would like to see a thorough water runoff and stormwater management plan.
- She thought a two-vehicle garage might work in this case.
- She likes the extra surface parking for visitors.
- She did not think adding villa-style houses was enough of a public good to justify a PUD. The northern part of the property may be able to be utilized as a public good.

Chair Sewall stated:

- The biggest issue is water. The worst-case scenario would be for the property's stormwater runoff to stay the way it is now. The best case would be a decrease in the amount of water runoff provided by stormwater management features completed with the proposal.

- He would like the spirit of the conservation practices being done across the street applied to the proposal.
- He favors rezoning but did not know if there is a strong enough case to justify a PUD.
- He was more concerned with the density in relation to the number of units per buildable area. Using the entire property to calculate density is misleading.
- He encouraged the applicant to keep working with neighbors.

Chair Sewall called for a brief recess.

**B. Concept plan review for Marsh Run II Redevelopment at 11816 Wayzata Blvd.**

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

Raines reported. Staff recommends commissioners provide feedback on the key topics identified by staff and any other land-use-related items that commissioners deem appropriate. This discussion is intended to assist the applicant in the preparation of more detailed development plans.

Tony Kuechle, Doran, and Co., applicant, stated that:

- The applicant plans on acquiring both properties. The concept plan only covers 11816 Wayzata Blvd. That acquisition would help with the neighborhood's lack of parking.
- The design of the building would be similar to Birke.
- Neighbors expressed issues with a lack of parking, the mass of the building, the trail disrupting natural habitat, and the number of units.
- The proposed building be located on the existing building footprint.
- Three options were provided for exterior materials to receive feedback.
- The current buildings have been deemed blighted, so the applicant would apply for TIF funds.
- The applicant is discussing with staff having 10 percent of the units meet 80 percent area-median-income (AMI) affordable-housing requirements.
- The applicant supports prohibiting parking on Fairfield Ave. The applicant is willing to cover the cost of the city by adding more "no parking" signs.
- The property the applicant purchased on the east could be assigned parking from 5 p.m. to 8 a.m.
- Raines did a great job explaining the concept plan.
- He was available for questions and looked forward to receiving feedback.

Powers asked Mr. Kuechle if he would have done anything differently with the Birke project. Mr. Kuechle answered that he would double the amount of surface parking. The

internal, heated, dry visitor parking is not being used. The units maintain 96 percent occupancy.

Powers asked how many electric vehicle chargers would be provided. Mr. Kuechle responded that 10 percent of the stalls would have electric chargers right away, and the facility would have the ability for 20 percent of the stalls to provide electric chargers if needed in the future.

In response to Henry's question, Mr. Kuechle noted that the wetland is a man-made wetland, and the applicant would agree not to install the trail if that is what neighbors and the city would prefer.

In response to Maxwell's question, Mr. Kuechle explained that the concept plan would raise the ground area of the office building about two feet. When the building is excavated, a clay bathtub will be created to prevent water from coming in. The lake to the south determines the underwater groundwater level. He learned that through the development of Birke. An effective method was found to fix that issue, and the same would be done to fix the proposed site. The building would sit two feet above the ordinary-high-water level.

In response to Waterman's question, Mr. Kuechle explained how restrictions had to be put in place to prevent non-tenants and guests-of-non-tenants of Birke from parking vehicles for extended periods of time in the free, underground parking area. The proposal would have more surface parking available for tenants and an additional parking lot available for after-business-hour parking.

Chair Sewall confirmed with Mr. Kuechle that there would be receptacles available to collect the dog waste.

The public hearing was opened.

Jane Gordon, a resident of Bay Hill Condominiums, stated:

- She was glad that the proposal would replace an unattractive building and make the area more attractive.
- She represents many residents of Bay Hill Condominiums.
- When a vehicle parks on Fairfield Road, it becomes a one-lane road.
- She requested more parking signs be installed that state "no parking" instead of signs that have a circle and slash around a "P."
- She called the police when seven vehicles were parked on the street, and a police officer ticketed the vehicles.
- She requested that the number of parking stalls included in the concept plan be repeated before the end of the meeting.

- Residents of Birke use parking stalls that belong to Bay Hill Condominiums and the office building because they do not want to pay for underground parking at Birke.
- She is concerned that there would not be enough parking stalls available for the proposal's tenants.
- The left turn to get to I-394 is very dangerous since it is an uncontrolled intersection, and the sight line is obstructed.
- She supports new residents joining the area but wants to make sure that there is enough parking and traffic hazards are fixed.
- She was available for questions.

Mr. Kuechle stated:

- He agrees that there needs to be more "no parking" signs on Fairfield Road that make it clear that no parking is allowed throughout the entire stretch of the street and not just the spots in front of the signs.
- He explained that Birke has 1.4 parking stalls per living unit. The concept plan would have 1.52 stalls per living unit. He agreed that there is currently a parking issue at Birke that he is working to solve.

Pam Lewis, 980 Fairfield Court, stated that:

- The existing building is not attractive, but the neighborhood behind it has a beautiful wetland area. There is a lot of wildlife, including deer and swans.
- She is still adjusting to the addition of the Birke building. It is a giant building.
- She had predicted that visitors, Uber drivers, and door-dash drivers would not want to use underground parking stalls. She appreciated the applicant acknowledging the problem, but the neighbors are stuck living with the problem.
- There is still a problem with vehicles being parked on Fairfield Road and in the guest parking stalls.
- Dog walkers walk through the neighborhood to Overland Park and leave bags of dog poop along the road.
- An even bigger building would exasperate the parking problem.
- She understands that housing and density make sense at the proposed location.
- She would like the grove of trees preserved to provide a buffer for her view of the site, provide privacy, and provide a habitat for wildlife.
- A left-turn lane to I-394 and a bike lane would make the area safer. Bicyclists currently travel on the sidewalks.
- There would be more of a parking shortage when the office building site is redeveloped in the future.
- The proposed building would add too much density.

Charlie Ross, 992 Fairfield Court, stated that:

- There is a lot of wildlife, including deer, swans, and birds, that he fears would disappear.
- No trees should be cut down because they provide a buffer between the proposed building and the neighborhood.
- The trees on the boulevard were removed when Birke was built.
- There are three “no parking” signs on Fairfield Road. He counted ten vehicles parked illegally on the street last night.
- There are no bags or dog waste receptacles on Fairfield Road.
- The proposed building would be too gargantuan. Similar huge apartment buildings in other communities are not located in residential areas.
- He asked for the acreage of the site.
- He did not understand why this building would be so huge.

No additional testimony was submitted, and the hearing was closed.

Mr. Kuechle stated:

- The site is 4.03 acres in size.
- The site would require less grading than Birke, which would reduce the amount of tree removal.
- The Birke site did not remove any trees that were not approved for removal by the tree protection ordinance and approved in a tree removal plan.
- A tree preservation plan and tree removal plan will be submitted if a formal application is submitted to the city.
- A tree survey will be completed if the applicant moves forward with submitting an application.
- A grove of trees located between the two buildings is located in a wetland, so they are not allowed to be removed.
- Pet waste bags are available for anyone on the Birke property, but the applicant cannot legally locate them on someone else's property or in a public street right of way. He would be happy to provide bags to the neighbors.
- The concept plan would have 43 surface parking stalls. Birke has seven surface parking stalls.

Maxwell stated that:

- She appreciated that the footprint of the proposed building would align with the existing footprint to prevent a large amount of impervious surface from being added so close to the wetland.

- She favors decreasing the height of the building by one story to help the neighbors be more comfortable with the mass of the building.
- The site is a reasonable place to have a multi-family building with its location on a frontage road.
- She would prefer a building with a little more design character.
- She supports keeping the trail to help keep dog walkers off of the road.

Hanson stated:

- He enjoyed his Birke tour. He appreciates that the developer has been transparent and has learned from the mistakes made with the Birke.
- It was quiet in the Birke building. He assumed the proposed building would be made of the same quality.
- He would like to learn the apartment sizes that would be available in the proposed building. He hopes there will be three-bedroom units.
- He likes the trail around the building and would like it to be impervious by using materials like gravel or limestone.
- He encouraged the applicant to educate the residents on parking regulations.
- He suggested the applicant keep neighbors informed on the status of the buffer located between the proposed building and the neighbors.

Powers stated that:

- He was happy that the proposal would have more surface parking than Birke.
- He does not like the appearance of the Birke building, but he is glad Doran would create a complementary building.
- He suggested that the office building parking lot be made a permanent parking solution.
- He loves the trail for walking dogs.
- Residents need to be taught what to do to be good neighbors.
- He would like 20 percent of the units to be affordable at 80 percent AMI.

Henry stated:

- He appreciated the comments from neighbors and the applicant responding to the comments.
- The building would be too massive. He would like something with more character that would complement the area.
- He suggested moving the pool so it would have more sun.
- The uncontrolled intersection to reach I-394 is dangerous and needs to be addressed.
- The east parking lot should be a long-term solution.

Waterman stated that:

- He supports the proposal. It is a nice idea.
- He likes that the existing footprint would be utilized.
- He likes the third rendering of the building the best to help decrease the view of the mass. The building is large to look at from the north to the south.
- He likes the dog run and trail.
- He encouraged the applicant to provide 20 percent of the units at 80 AMI.
- He looks forward to seeing an application in the future.
- He would like the parking lot on the east to be a permanent parking solution.

Powers stated that:

- He would like the developer to utilize the dog-run area to also attract birds and other wildlife.

Chair Sewall stated:

- He likes that the proposed building would use the same footprint as the existing building to prevent more impervious surfaces from being added.
- He supports the trail and would like the trail to be a continuous loop.
- He likes that the proposal would have more surface area parking than Birke.
- He invited residents to call the police when witnessing parking and pet waste violations.
- The mass of the building would be too large. Its shadow would get too close to the existing condominium building. People do not own a view, but it is unreasonable for one building to cast a shadow over another property. That is the biggest challenge for the proposal.
- He likes this site better than the Birke site.
- He looks forward to seeing the process move forward.

The city council is scheduled to review the concept plan at its meeting on Jan. 30, 2023.

## 9. Adjournment

***Hanson moved, second by Powers, to adjourn the meeting at 9:46 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**  
**Feb. 2, 2023**

**Brief Description**                      Conditional use permit for a 2,100 square foot, detached accessory structure at 14730 Stone Road.

**Recommendation**                    Recommend the city council approve the request

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**Proposal**

The property at 14730 Stone Road is 2.67-acres in size. It's generally located north of the Stone Road and Meeting Street intersection.

Topography generally slopes downwards in all directions from the existing house, which is constructed on the highest point of the property.

Other improvements on the property include a sport court, patios, pool, and a 120 sq. ft. pool structure.

Chad Haller, on behalf of 10K Architecture, PLLC and the property owners, is proposing to construct a 2,100 square foot pool house, south of the existing house and pool. The structure would include parking, eating, restroom and living areas.<sup>1</sup>

**Staff Analysis**

The proposal is reasonable and would meet the intent of the standards outlined in city code for an accessory structure in excess of 1,000 square feet. 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 proposal would meet the general standards outlined in city code for conditional use permits.
- **Setbacks and location:** The setback of the proposed structure would be 53 feet. By code, 15 feet would be required. The structure would also be located to minimize tree loss by being located in an existing open, manicured lawn area.



Figure 1: Existing Aerial

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<sup>1</sup> The structure is not considered an accessory dwelling unit as it does not contain a sleeping area. By definition, an "accessory dwelling unit" is a secondary dwelling unit located on the same property as a principal dwelling such as areas for sleeping, cooking, and sanitation, as determined by a city planner. This definition includes secondary dwelling units attached to or detached from the principal dwelling unit.

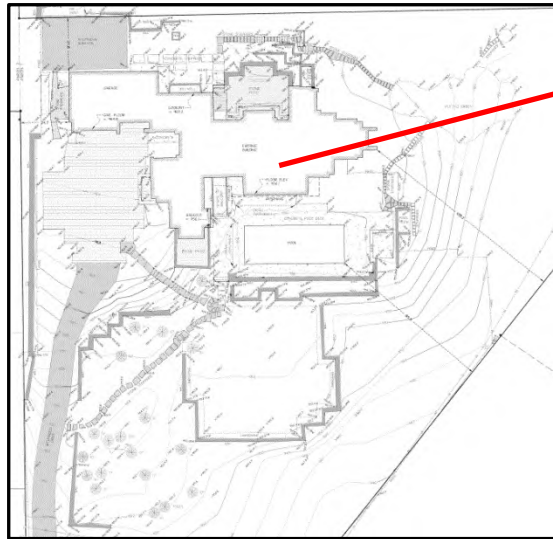


Figure 2: Existing Conditions

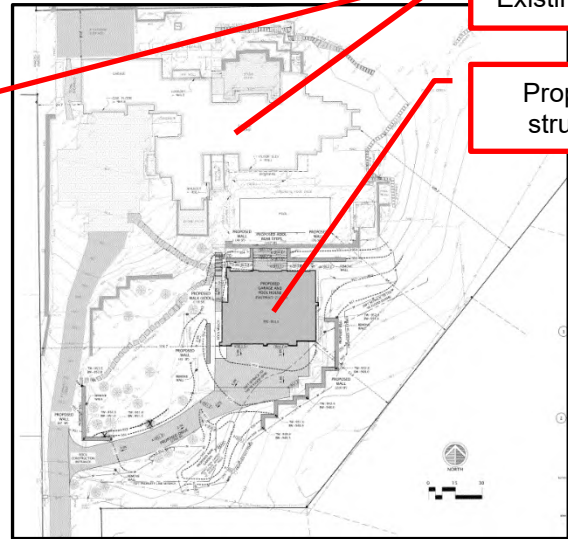


Figure 3: Proposed Conditions

Existing home

Proposed structure

- **Design and landscaping:** The proposed structure would be architecturally consistent with the existing house. The landscaping plan includes a mix of grasses, evergreens, birch, and perennials. The structure would also be screened by existing vegetation.



### Staff Recommendation

Recommend that the city council adopt the resolution approving a conditional use permit for a 2,100 square foot, detached accessory structure at 14730 Stone Road.

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

### Supporting Information

#### Surrounding Land Uses

The subject property and surrounding properties are improved with single family residential homes, zoned R-1, and guided for low density residential.

#### CUP Standards

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 this 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 the public health, safety, or welfare.

The proposal would meet the general conditional use permit standards as outlined in City Code §300.16 Subd. 3(f):

1. Side and rear setbacks equal to the height of the structure or 15 feet, whichever is greater;

**Finding:** The required setback is 15 feet. The setback for the proposed structure is 53 feet.

2. No additional curb cuts to be permitted;

**Finding:** No additional curb cuts are proposed as the proposed drive will connect to the existing driveway.

3. Not to be used for commercial activities;

**Finding:** The structure is to be used as a pool house and a garage. It is not proposed for commercial activities. Nonetheless, this has been added as a condition of approval.

4. Structure to be architecturally consistent with the principal structure;

**Finding:** The proposed structure would architecturally complement with the principal structure.

5. Landscaping to be required to buffer views when the structure is highly visible from adjoining properties; and

**Finding:** The structure setback is over 50 feet and more than 150 feet from the nearest residential structure. The structure would be reasonably screened by existing and proposed vegetation.

6. Site and building plan subject to review pursuant to section 300.27 of this ordinance;

**Finding:** The proposal meets the site and building plan standards as outlined below.

### **SBP Standards**

The proposal would comply with all site and building standards as outlined in City Code 300.27 Subd.5

1. Consistency with the elements and objectives of the city's development guides, including the comprehensive plan and water resources management plan;

**Finding:** The project has been reviewed by the city's planning, building, engineering, natural resources, fire, and public works staff. Staff finds it generally consistent with the city's development guides.

2. Consistency with this ordinance;

**Finding:** The proposal is consistent with the ordinance.

3. Preservation of the site in its natural state to the extent practicable by minimizing tree and soil removal and designing grade changes to be in keeping with the general appearance of neighboring developed or developing areas;

**Finding:** The proposed structure would be located in an open area to minimize tree removal and unnecessary grading.

4. Creation of a harmonious relationship of buildings and open spaces with natural site features and with existing and future buildings having a visual relationship to the development;

**Finding:** The proposed structure would be harmonious with the existing building and open space.

5. Creation of a functional and harmonious design for structures and site features, with special attention to the following:

- a) an internal sense of order for the buildings and uses on the site and provision of a desirable environment for occupants, visitors and the general community;

- b) the amount and location of open space and landscaping;

- c) materials, textures, colors, and details of construction as an expression of the design concept and the compatibility of the same with the adjacent and neighboring structures and uses; and
- d) vehicular and pedestrian circulation, including walkways, interior drives, and parking in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangement and amount of parking.

**Finding:** The proposal would balance open space, landscaping, and an internal sense of order, allowing for appropriate circulation through the site. The proposed materials and colors are complementary to the existing house and would allow for.

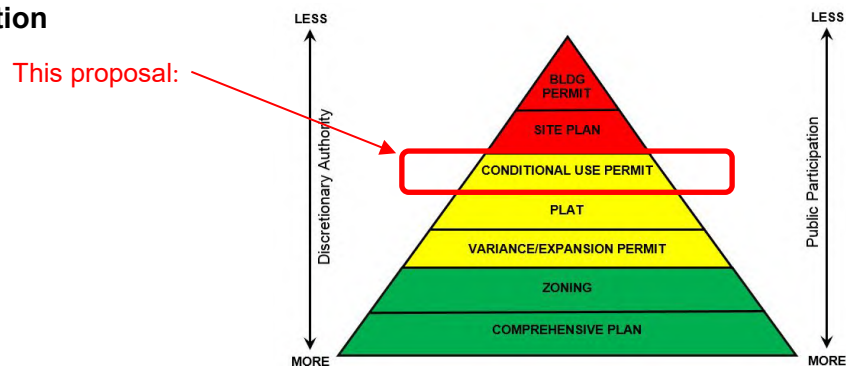
- 6. Promotion of energy conservation through design, location, orientation and elevation of structures, the use and location of glass in structures and the use of landscape materials and site grading; and

**Finding:** The new structure would require a building permit and would require compliance with the energy code.

- 7. Protection of adjacent and neighboring properties through reasonable provision for surface water drainage, sound and sight buffers, preservation of views, light and air, and those aspects of design not adequately covered by other regulations which may have substantial effects on neighboring land uses.

**Finding:** The structure would be located roughly 150 feet from the nearest residential structure and is separated by existing and proposed vegetation.

### 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 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 46 area property owners and received no comments.

**Deadline for  
Decision**

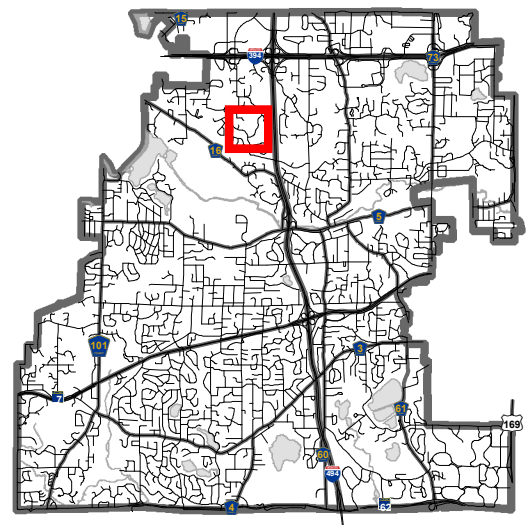
April 27, 2023





### Location Map

Project: Kayan Residence  
Address: 14730 Stone Road





10K Architecture, PLLC  
Enterprise Business Center  
525 15<sup>th</sup> Avenue South  
Hopkins, Minnesota 55343  
10karch.com

Conditional Use Permit Submittal Cover Sheet: New Detached Accessory Structure at 14730 Stone Road

Application fee: see included check.

Legal Description: please see "LEGAL DESCRIPTION" included on the Proposed Improvements Survey and both sheets of the Boundary/Topographic Survey prepared by Cornerstone Land Surveying (CLS).

Survey: please see sheet 1 and 2 of the Boundary/Topographic Survey (CLS).

Site Plan: see surveys.

Grading and Drainage Plan: please see Proposed Improvements Survey (CLS) for existing and proposed two-foot contours and location and size of stormwater treatment area. Please see Stormwater Management narrative prepared by Kevin Gardner (Pierce Pini & Associates) for associated engineering calculations.

Landscape Plan: please see sketch over survey background provided by Yardscapes, Inc., the project's design-build landscape designer.

Building Renderings: please see (4) renderings provided by 10K Architecture depicting all elevations of the building with materials noted.

Floor Plan: please see conceptual proposed floor plan provided by 10K Architecture.

Written Statement: please see written statement provided by 10K Architecture.

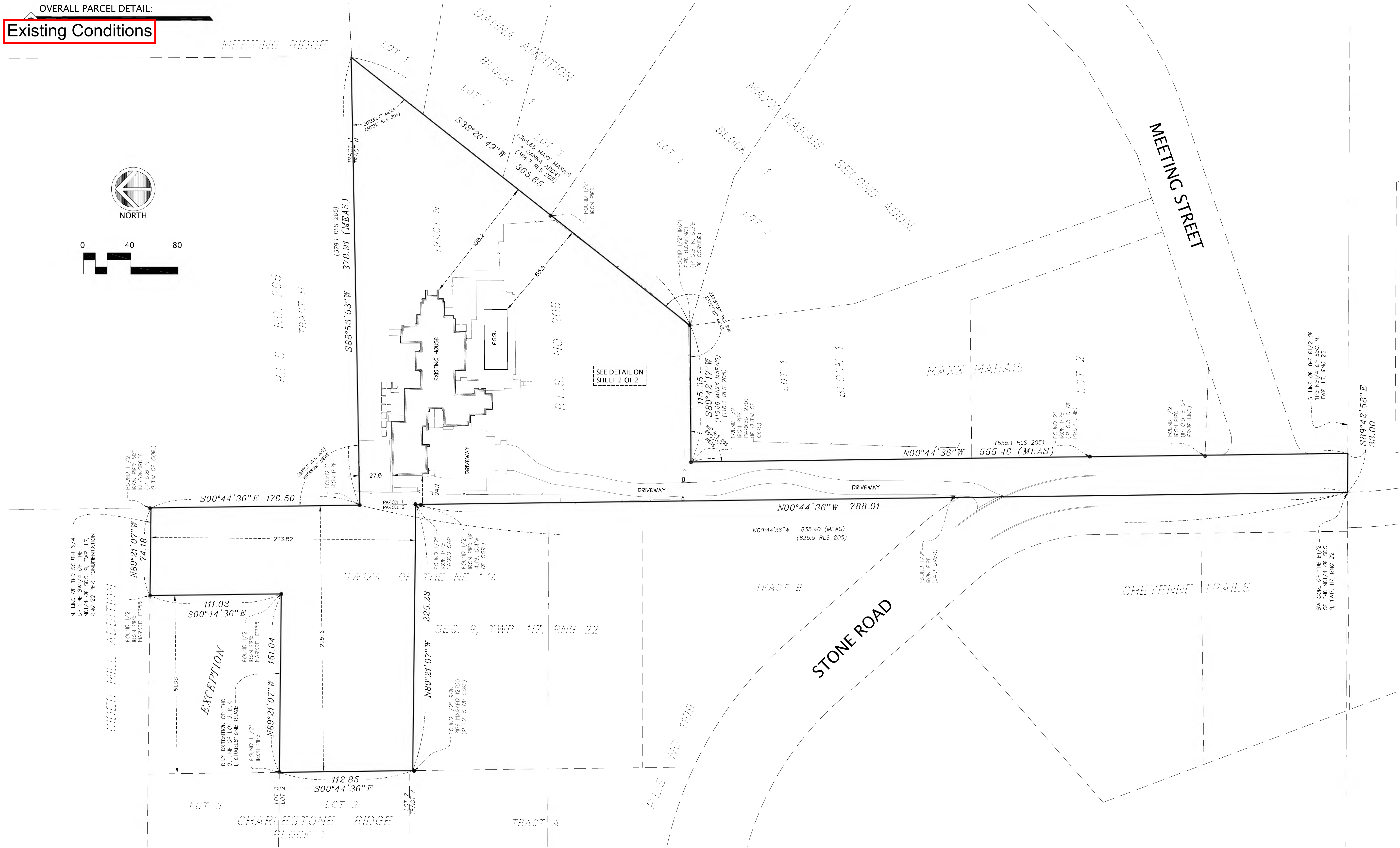
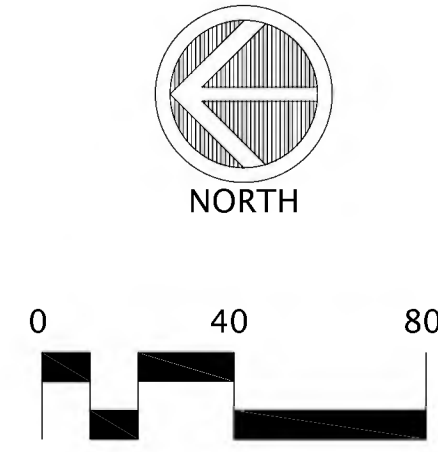
Written Statement: New Detached Accessory Structure at 14730 Stone Road

The spaces included in this proposed new structure provide for the practical functions needed to support the use and enjoyment of the existing pool area for the owners and their guests and add needed private vehicle parking. The lounge, bar/dining, and living spaces accommodate poolside entertaining so that the owners and guests can interact with people using the pool area. Food and refreshments for family events are supported by refrigerator storage space and buffet/serving counter space. Pool guests will now have access to a restroom to prevent dripping wet guests from going through the house. The garage space will make available infrastructure for the charging of electric vehicles and increase indoor vehicle parking while mechanical equipment for the building will reside in the utility room. Minimal modification to the site wall on the south side of the pool is needed to connect the pool deck to the new building and a low impact drive links the existing driveway to the new garage stalls.

Section 300.16.f (points 1-6) of the city code outlines the conditional use permit standards for an accessory structure in excess of 1,000 square feet of gross floor area and 12 feet in height (the proposed structure is +/- 2,112 square feet of gross floor area and a height of +/-13'-10 ¾" (see Section 300.02.17.a). The outlined standards and the proposed structure's accordance are as follows:

1. *Side & rear setbacks equal to the height of the structure or 15 feet, whichever is greater;*
  - The smallest setback is to the diagonal property line to the east of the structure, which equals +/- 53.8 feet.
2. *No additional curb cuts to be permitted;*
  - No curb cuts are proposed.
3. *Not to be used for commercial activities;*
  - The building is for residential use.
4. *Structure to be architecturally consistent with the principal structure;*
  - This is one of the most important goals of the development of the design of the structure for the owners and architect. Much care has been taken to pour over the original construction and presentation drawings of the existing main house for the detached structure to seamlessly compliment the existing built environment and carry through the materiality and architectural language into the contemporary proposed new structure.
5. *Landscaping to be required to buffer views when the structure is highly visible from adjoining properties;*
  - The proposed structure is 160-280 feet and the property area surrounding it is heavily wooded. In addition, new evergreen trees are planned on the east side of the structure, which will increase privacy and screen visibility from adjoining properties.
6. *Site and building plan subject to review pursuant to section 300.27 of this ordinance.*

OVERALL PARCEL DETAIL:  
**Existing Conditions**



**LEGAL DESCRIPTION:**

(LEGAL DESCRIPTION IS PER WARRANTY DEED DOC. NO. 668873 - TRACT N IS ALSO SHOWN ON CERTIFICATE OF TITLE NO. 1446128)

Parcel 1:  
 Tract N, Registered Land Survey No. 205, Hennepin County, Minnesota, Torrens Property.

Parcel 2:  
 The East 225.16 feet of the North 223.82 feet of the South three-fourths of the Southwest Quarter of the Northeast Quarter of Section 9, Township 117 North, Range 22 West of the 5th Principal Meridian, EXCEPT the West 151.00 feet of said East 225.16 feet which lies north of the easterly extension of the South line of Lot 3, Block 1, Charlestone Ridge, Hennepin County, Minnesota, Abstract Property.

**PARCEL AREA:**

PARCEL AREA = 126,250 SQ. FT. / 2.90 ACRES

**TITLE NOTES:**

(NO TITLE INFORMATION WAS PROVIDED FOR OUR REVIEW)

CERTIFICATE OF TITLE NO. 1446128 LISTS THE FOLLOWING ITEMS RELATING TO THE PORTION OF THIS PROPERTY KNOWN AS TRACT N, REGISTERED LAND SURVEY NO. 205. (SEE DOC. NO. 637050 FOR ORIGINAL REGISTRATION DOCS.)

- RESTRICTIONS PER DOC. NO. 546188
- EASEMENT FOR PASSAGE PER DOC. NO. 643371
- AGREEMENT PER DOC. NO. T1311399
- NOTICE PER DOC. NO. T1948222

THERE MAY BE ADDITIONAL EASEMENTS OR ENCUMBRANCES THAT ARE NOT SHOWN OF WHICH WE ARE UNAWARE.

**BENCHMARKS**

ELEVATIONS BASED ON INFORMATION AS SHOWN ON THE MNDOT GEODETIC WEBSITE. SURVEY DISK 2789 AA WITH AN ELEVATION OF 1004.36 WAS USED TO ESTABLISH VERTICAL CONTROL FOR THIS SURVEY (NAVD 88)

**SURVEY NOTES:**

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**LEGEND:**

● FOUND MONUMENT	◻ FLARED END SECTION	— 14 — UNDERGROUND ELECTRIC
○ SET 1/2" IRON PIPE MARKED RLS NO. 25718	◻ STORM MANHOLE	— 15 — UNDERGROUND CABLE TV
◻ CABLE TV PEDESTAL	◻ HYDRANT	— 16 — UNDERGROUND FIBER OPTIC
◻ AIR CONDITIONER	◻ CURB STOP	— 17 — UNDERGROUND TELEPHONE
◻ ELECTRIC MANHOLE	◻ WATER WELL	— 18 — OVERHEAD UTILITY
◻ ELECTRIC METER	◻ WATER METER	— 19 — UNDERGROUND GAS
◻ ELECTRIC PEDESTAL	◻ POST INDICATOR VALVE	— 20 — SANITARY SEWER
◻ ELECTRIC TRANSFORMER	◻ WATER VALVE	— 21 — STORM SEWER
◻ LIGHT POLE	◻ BOLLARD	— 22 — WATERMAIN
◻ GUY WIRE	◻ MAIL BOX	— 23 — FENCE
◻ POWER POLE	◻ TRAFFIC SIGN	— 24 — CURB (TYPICAL)
◻ GAS MANHOLE	◻ UNKNOWN MANHOLE	— 25 — CONTOURS
◻ GAS METER	◻ SOIL BORING	
◻ TELEPHONE PEDESTAL	◻ X 450.0 SPOT ELEVATION	
◻ SANITARY CLEANOUT	◻ TELEPHONE SIGNAL	
◻ SANITARY MANHOLE	◻ TRAFFIC SIGNAL	
◻ CATCH BASIN	◻ CONIFEROUS TREE	
◻ STORM DRAIN	◻ DECIDUOUS TREE	

CALL BEFORE YOU DIG!  
**Gopher State One Call**  
 TWIN CITY AREA: 651-454-0002  
 TOLL FREE: 1-800-252-1166

**STONE ROAD RESIDENCE**

**CONTACT:**  
 DAVID AINE  
 10K Architecture, PLLC  
 525 15<sup>th</sup> Ave. South  
 Hopkins, MN 55343  
 Phone: 951.532.8921  
 Email: david.aine@10Karch.com

**COUNTY/CITY:**  
**HENNEPIN COUNTY**  
**CITY OF MINNETONKA**

**REVISIONS:**

DATE	REVISION
09-15-2022	INITIAL ISSUE

**CERTIFICATION:**  
 I hereby certify that this plan 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.  
*Daniel L. Thurmes*  
 Daniel L. Thurmes Registration Number: 25718  
 Date: 09-15-2022

**PROJECT LOCATION:**  
**14730**  
**STONE ROAD**  
 PID#0911722140034

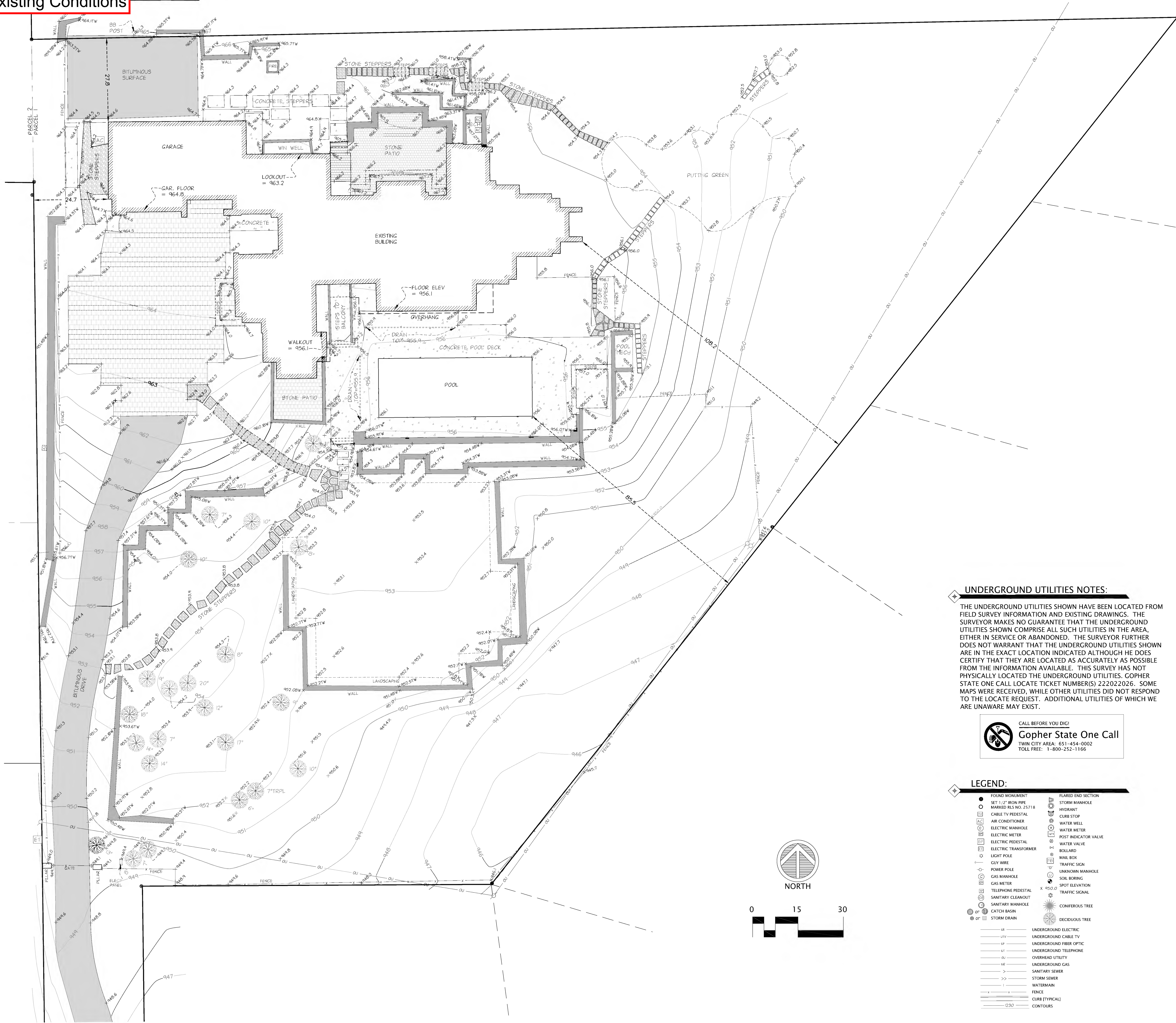
Suite #200  
 1970 Northwestern Ave  
 Stillwater, MN 55082  
 Phone 651.275.8969  
 Fax 651.275.8976  
 dan@cssurvey.net

**CORNERSTONE LAND SURVEYING, INC.**

FILE NAME: SURV10K01  
 PROJECT NO.: 10K001

**BOUNDARY/TOPOGRAPHIC SURVEY**

**TOPOGRAPHIC DETAIL**  
**Existing Conditions**



**STONE ROAD RESIDENCE**

**CONTACT:**  
**DAVID AINE**  
 10K Architecture, PLLC  
 525 15<sup>th</sup> Ave. South  
 Hopkins, MN 55343  
 Phone: 951.532.8921  
 Email: david.aine@10Karch.com

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 Abstract Property.

**PARCEL AREA:**  
 PARCEL AREA = 126,250 SQ. FT. / 2.90 ACRES

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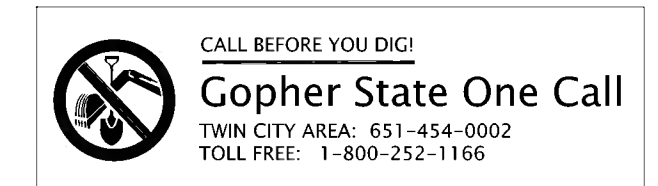
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 Daniel L. Thurmes Registration Number: 25718  
 Date: 09-15-2022

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**LEGEND:**

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>○ FOUND MONUMENT</li> <li>○ SET 1/2" IRON PIPE MARKED RLS NO. 25718</li> <li>□ CABLE TV PEDESTAL</li> <li>□ AIR CONDITIONER</li> <li>□ ELECTRIC MANHOLE</li> <li>□ ELECTRIC METER</li> <li>□ ELECTRIC PEDESTAL</li> <li>□ ELECTRIC PEDESTAL</li> <li>□ ELECTRIC TRANSFORMER</li> <li>□ LIGHT POLE</li> <li>□ GUY WIRE</li> <li>□ POWER POLE</li> <li>□ GAS MANHOLE</li> <li>□ GAS METER</li> <li>□ TELEPHONE PEDESTAL</li> <li>□ SANITARY CLEANOUT</li> <li>□ SANITARY MANHOLE</li> <li>○ CATCH BASIN</li> <li>□ STORM DRAIN</li> </ul> | <ul style="list-style-type: none"> <li>□ FLARED END SECTION</li> <li>□ STORM MANHOLE</li> <li>□ HYDRANT</li> <li>□ CURB STOP</li> <li>□ WATER WELL</li> <li>□ WATER METER</li> <li>□ POST INDICATOR VALVE</li> <li>□ WATER VALVE</li> <li>□ BOLLARD</li> <li>□ MAIL BOX</li> <li>□ TRAFFIC SIGN</li> <li>□ UNKNOWN MANHOLE</li> <li>□ SOIL BORING</li> <li>□ SPOT ELEVATION</li> <li>□ TRAFFIC SIGNAL</li> <li>○ CONIFEROUS TREE</li> <li>○ DECIDUOUS TREE</li> </ul> |
| <ul style="list-style-type: none"> <li>— UR — UNDERGROUND ELECTRIC</li> <li>— UV — UNDERGROUND CABLE TV</li> <li>— UF — UNDERGROUND FIBER OPTIC</li> <li>— UT — UNDERGROUND TELEPHONE</li> <li>— OU — OVERHEAD UTILITY</li> <li>— UG — UNDERGROUND GAS</li> <li>— SS — SANITARY SEWER</li> <li>— ST — STORM SEWER</li> <li>— W — WATERMAIN</li> <li>— F — FENCE</li> <li>— C — CURB (TYPICAL)</li> <li>— 230 — CONTOURS</li> </ul>   |   |

**BENCHMARKS**

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**PROJECT LOCATION:**  
**14730**  
**STONE ROAD**  
 PID#0911722140034

Suite #200  
 1970 Northwestern Ave  
 Stillwater, MN 55082  
 Phone 651.275.8969  
 Fax 651.275.8976  
 dan@cssurvey.net

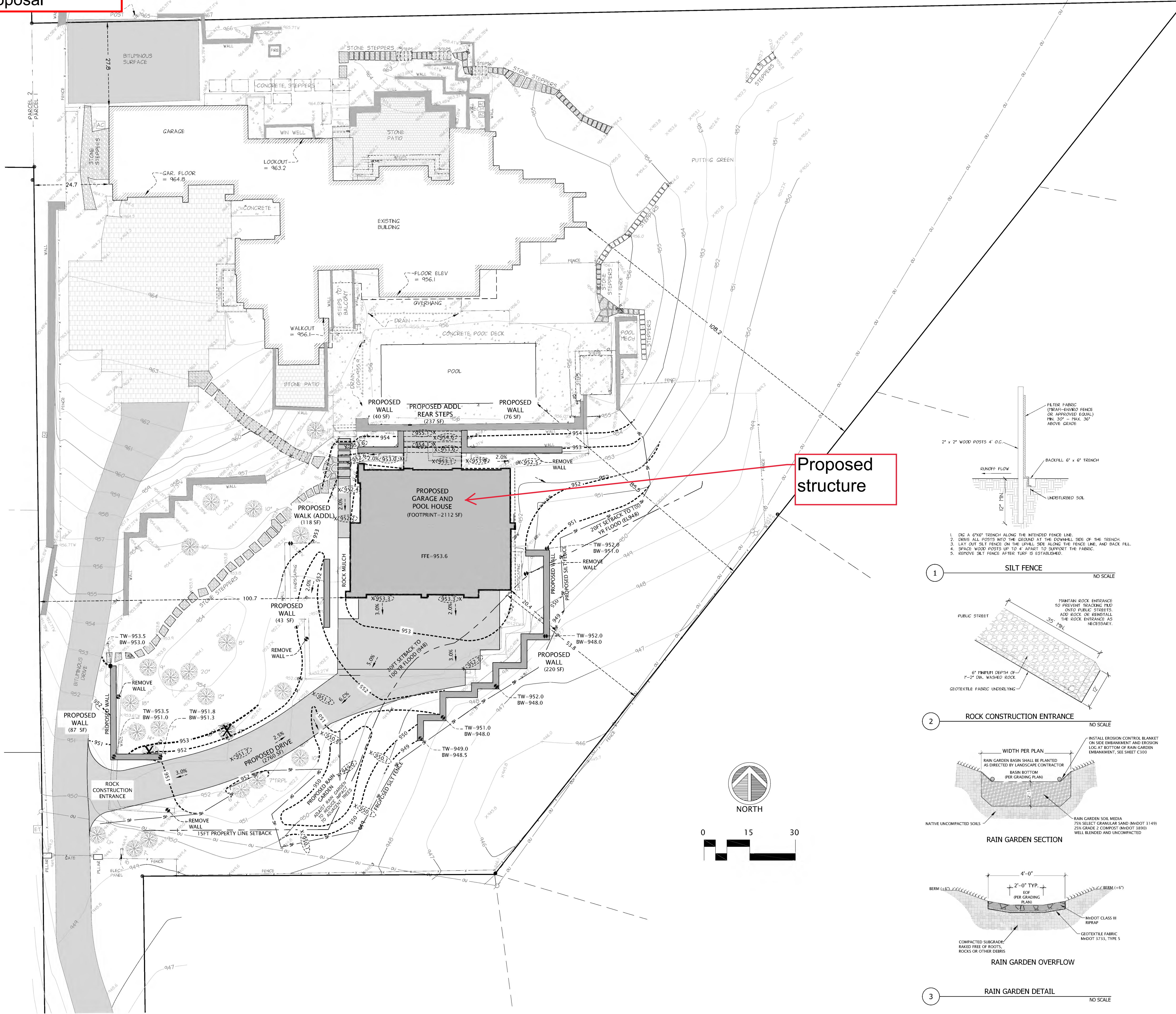
**CORNERSTONE LAND SURVEYING, INC.**

FILE NAME SURV10K01  
 PROJECT NO. 10K001

**BOUNDARY/TOPOGRAPHIC SURVEY**

Proposal

STONE ROAD RESIDENCE



Proposed structure

LEGAL DESCRIPTION:

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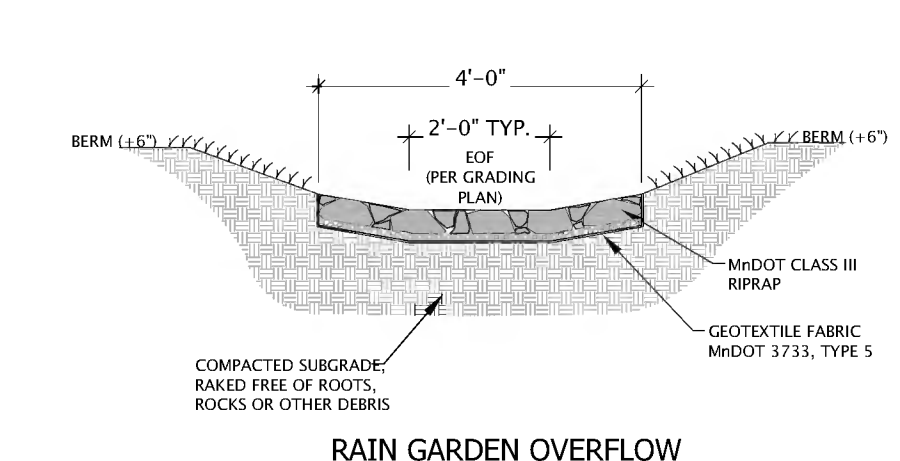
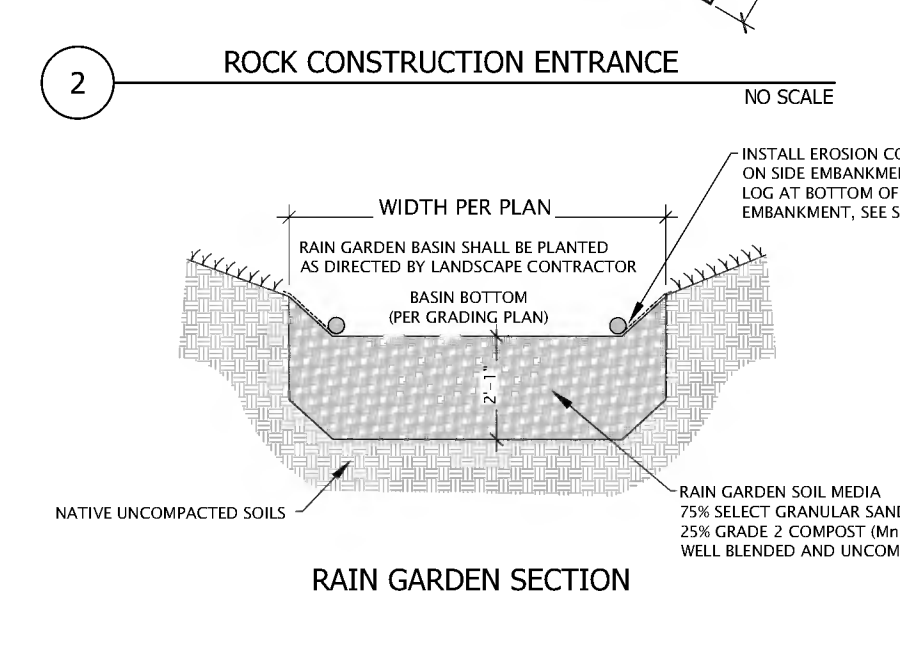
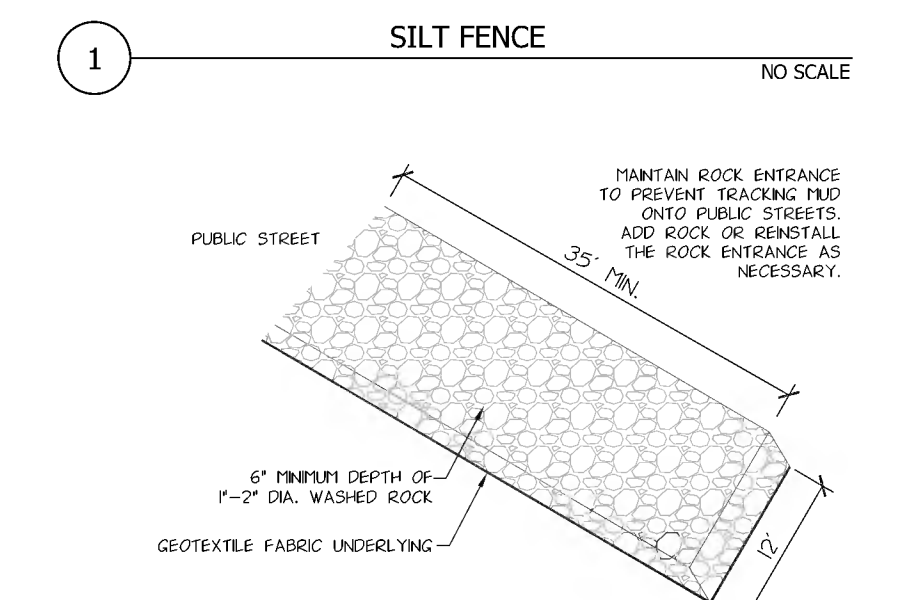
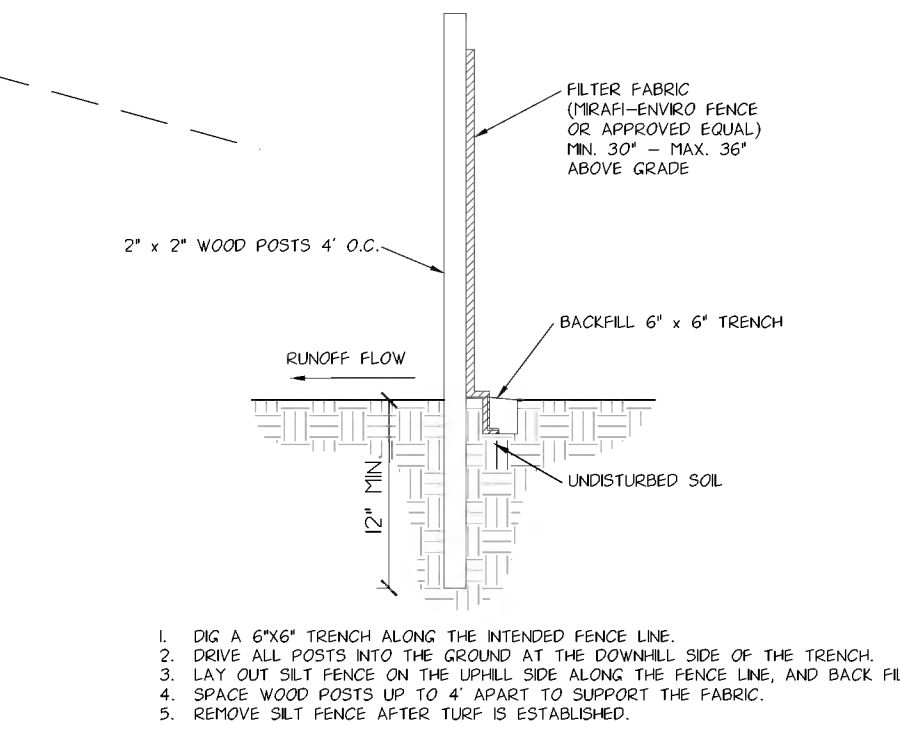
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LEGEND:

● FOUND MONUMENT	○ SET 1/2" BRON PIPE MARKED PER NO. 25718	○ FLARED END SECTION	○ STORM MANHOLE
○ CABLE TV PEDESTAL	○ AIR CONDITIONER	○ HYDRANT	○ CURB STOP
○ ELECTRIC METER	○ ELECTRIC PEDESTAL	○ WATER WELL	○ WATER METER
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○ GLY WIRE	○ POWER POLE	○ MAIL BOX	○ TRAFFIC SIGN
○ GAS MANHOLE	○ GAS METER	○ UNKNOWN MANHOLE	○ SOIL BORING
○ TELEPHONE PEDESTAL	○ SANITARY CLEANOUT	○ TELEPHONE PEDESTAL	○ SPOT ELEVATION
○ SANITARY MANHOLE	○ CATCH BASIN	○ SANITARY MANHOLE	○ TRAFFIC SIGNAL
○ STORM DRAIN	○ STORM DRAIN	○ CONIFEROUS TREE	○ DECIDUOUS TREE
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— OVERHEAD UTILITY	— UNDERGROUND GAS	— UNDERGROUND GAS	— SANITARY SEWER
— STORM SEWER	— WATERMETER	— FENCE	— CURB (TYPICAL)
— CONTOURS			



CONTACT:

DAVID AINE  
10K Architecture, PLLC  
525 15<sup>th</sup> Ave. South,  
Hopkins, MN 55343  
Phone: 951.532.8921  
Email: david.aine@10Karch.com

COUNTY/CITY:

HENNEPIN COUNTY  
CITY OF MINNETONKA

REVISIONS:

DATE	REVISION
09-15-2022	INITIAL ISSUE
10-14-2022	SETBACKS AND RG
11-29-2022	LANDSCAPE UPDATE

CERTIFICATION:

I hereby certify that this plan 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.

Daniel L. Thurmes  
Registration Number: 25718  
Date: 09-15-2022

PROJECT LOCATION:

14730  
STONE ROAD  
PID#0911722140034

Suite #200  
1970 Northwestern Ave  
Stillwater, MN 55082  
Phone 651.275.8969  
Fax 651.275.8976  
dan@cssurvey.net

CORNERSTONE LAND SURVEYING, INC.

FILE NAME SURV10K01  
PROJECT NO. 10K001

PROPOSED IMPROVEMENTS SURVEY



**LEGAL DESCRIPTION:**

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Tract N, Registered Land Survey No. 205, Hennepin County, Minnesota, Torrens Property.

Parcel 2:  
The East 225.16 feet of the North 223.82 feet of the South three-fourths of the Southwest Quarter of the Northeast Quarter of Section 9, Township 117 North, Range 22 West of the 5th Principal Meridian, EXCEPT the West 151.00 feet of said East 225.16 feet which lies north of the easterly extension of the South line of Lot 3, Block 1, Charlestone Ridge, Hennepin County, Minnesota.  
Abstract Property.

**PARCEL AREA:**

PARCEL AREA = 126,250 SQ. FT. / 2.90 ACRES

**TITLE NOTES:**

(NO TITLE INFORMATION WAS PROVIDED FOR OUR REVIEW)

CERTIFICATE OF TITLE NO. 1446128 LISTS THE FOLLOWING ITEMS RELATING TO THE PORTION OF THIS PROPERTY KNOWN AS TRACT N, REGISTERED LAND SURVEY NO. 205. (SEE DOC. NO. 637050 FOR ORIGINAL REGISTRATION DOCS.)

- RESTRICTIONS PER DOC. NO. 546188
- EASEMENT FOR PASSAGE PER DOC. NO. 643371
- AGREEMENT PER DOC. NO. T1311399
- NOTICE PER DOC. NO. T1948222

THERE MAY BE ADDITIONAL EASEMENTS OR ENCUMBRANCES THAT ARE NOT SHOWN OF WHICH WE ARE UNAWARE.

**BENCHMARKS**

ELEVATIONS BASED ON INFORMATION AS SHOWN ON THE MNDOT GEODETIC WEBSITE. SURVEY DISK 2789 AA WITH AN ELEVATION OF 1004.96 WAS USED TO ESTABLISH VERTICAL CONTROL FOR THIS SURVEY (NAVD 88)

**SURVEY NOTES:**

1. BEARINGS ARE BASED ON COORDINATES SUPPLIED BY THE HENNEPIN COUNTY SURVEYORS OFFICE.
2. UNDERGROUND UTILITIES SHOWN PER GOPHER ONE LOCATES AND VISIBLE UTILITIES.
3. THERE MAY BE SOME UNDERGROUND UTILITIES, GAS, ELECTRIC, ETC. NOT SHOWN OR LOCATED.

**UNDERGROUND UTILITIES NOTES:**

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THIS SURVEY HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. GOPHER STATE ONE CALL LOCATE TICKET NUMBER(S) 222022026. SOME MAPS WERE RECEIVED, WHILE OTHER UTILITIES DID NOT RESPOND TO THE LOCATE REQUEST. ADDITIONAL UTILITIES OF WHICH WE ARE UNAWARE MAY EXIST.

CALL BEFORE YOU DIG!  
**Gopher State One Call**  
TWIN CITY AREA: 651-454-0002  
TOLL FREE: 1-800-252-1166

**LEGEND:**

● FOUND MONUMENT	○ FLARED END SECTION
○ SET 1" IRON PIPE MARKED BY NO. 25718	○ STORM MANHOLE
○ CABLE TV PEDESTAL	○ HYDRANT
○ AIR CONDITIONER	○ CURB STOP
○ ELECTRIC MANHOLE	○ WATER WELL
○ ELECTRIC METER	○ WATER METER
○ ELECTRIC PEDESTAL	○ POST INDICATOR VALVE
○ ELECTRIC TRANSFORMER	○ WATER VALVE
○ LIGHT POLE	○ BOLLARD
○ CUY WIRE	○ MAIL BOX
○ POWER POLE	○ TRAFFIC SIGN
○ GAS MANHOLE	○ UNBORN MANHOLE
○ GAS METER	○ SOIL BOSSING
○ TELEPHONE PEDESTAL	○ SPOT ELEVATION
○ SANITARY CLEANOUT	○ TRAFFIC SIGNAL
○ SANITARY MANHOLE	○ CONIFEROUS TREE
○ CATCH BASIN	○ DECIDUOUS TREE
○ STORM DRAIN	
○ UNDERGROUND ELECTRIC	
○ UNDERGROUND CABLE TV	
○ UNDERGROUND FIBER OPTIC	
○ UNDERGROUND TELEPHONE	
○ OVERHEAD UTILITY	
○ UNDERGROUND GAS	
○ SANITARY SEWER	
○ STORM SEWER	
○ WATERMAIN	
○ FENCE	
○ CURB (TYPICAL)	
○ CONTOURS	

**CONTACT:**

DAVID AINE  
10K Architecture, PLLC  
525 15<sup>th</sup> Ave. South,  
Hopkins, MN 55343  
Phone: 951.532.8921  
Email: david.aine@10Karch.com

**COUNTY/CITY:**

**HENNEPIN COUNTY**  
**CITY OF MINNETONKA**

**REVISIONS:**

DATE	REVISION
09-15-2022	INITIAL ISSUE
10-14-2022	SETBACKS AND RG

**CERTIFICATION:**

I hereby certify that this plan 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.

*Daniel L. Thurmes*  
Daniel L. Thurmes Registration Number: 25718  
Date: 09-15-2022

**PROJECT LOCATION:**

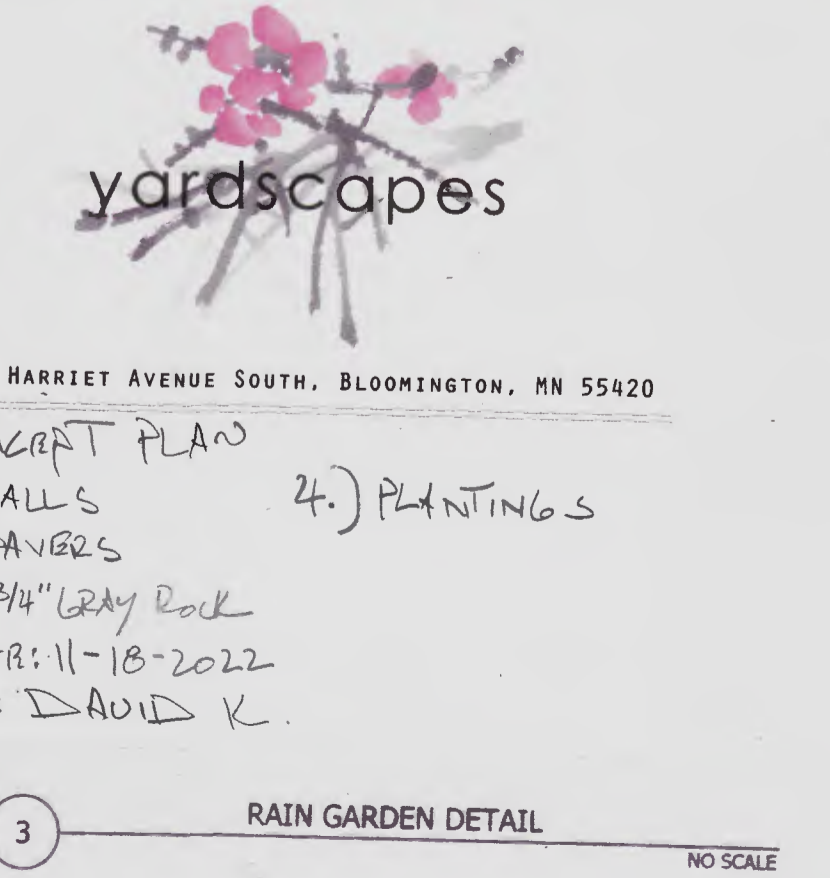
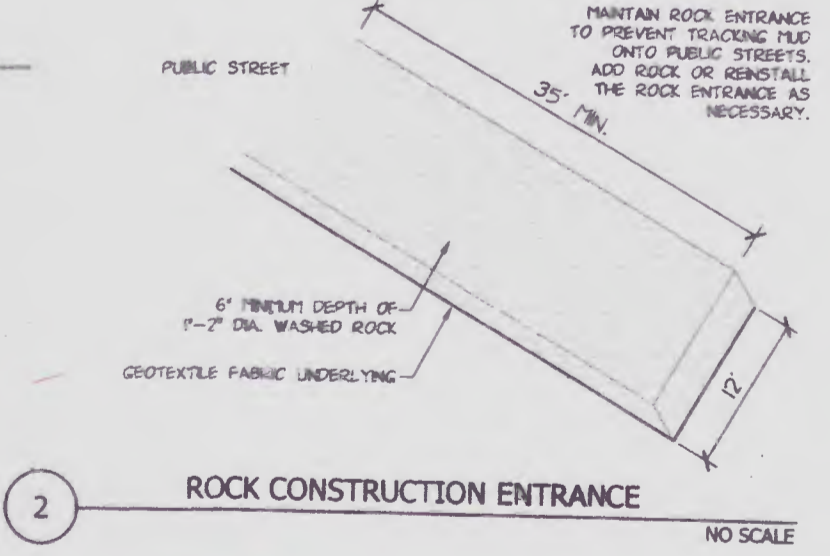
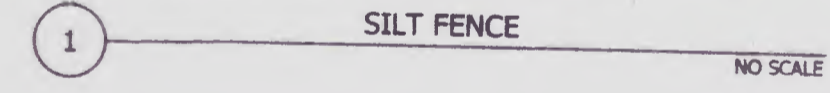
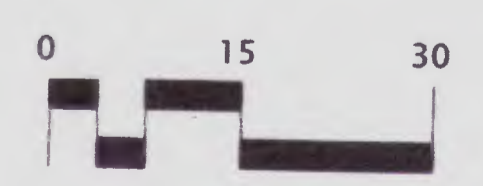
**14730**  
**STONE ROAD**  
PID#0911722140034

Suite #200  
1970 Northwestern Ave  
Stillwater, MN 55082  
Phone 651.275.8969  
Fax 651.275.8976  
dain@csurvey.net

**CORNERSTONE LAND SURVEYING, INC.**

FILE NAME SURV10K01  
PROJECT NO. 10K001

**PROPOSED IMPROVEMENTS SURVEY**



8609 HARRIET AVENUE SOUTH, BLOOMINGTON, MN 55420

CONCEPT PLAN  
1.) WALLS 2.) PLANTINGS  
3.) PAVERS 4.) 3/4" LAYER ROCK  
DATE: 11-18-2022  
BY: DAVID K.



NOTE: ALL EXTERIOR MATERIALS HAVE BEEN  
SELECTED TO CLOSELY MATCH &  
COMPLIMENT ORIGINAL MATERIALS OF THE  
PRINCIPAL BUILDING ON THE SITE (MAIN  
HOUSE), TYP.

SOFFIT PANEL PAINTED TO MATCH STUCCO, TYP.

STUCCO, TYP.



STUCCO, TYP.

FLUSH WOOD SECTIONAL OVERHEAD DOORS, TYP.

CEDAR ROOF SHINGLES, TYP.

COPPER UPPER FASCIA, TYP.



STONE VENEER, TYP.

PREFINISHED METAL LOWER FASCIA, TYP.

SOUTH FACADE (SOUTHWEST & SOUTHEAST CORNERS, LEFT TO RIGHT)

NEW DETACHED GARAGE | 14730 STONE ROAD  
MINNETONKA, MN 55391 | 01/03/23 |



NOTE: ALL EXTERIOR MATERIALS HAVE BEEN  
SELECTED TO CLOSELY MATCH &  
COMPLIMENT ORIGINAL MATERIALS OF THE  
PRINCIPAL BUILDING ON THE SITE (MAIN  
HOUSE), TYP.

COPPER UPPER FASCIA, TYP.



NATURAL WOOD PHENOLIC PANELS, TYP.

CLAD WOOD WINDOW & DOOR FRAMES, TYP.

SOFFIT PANEL PAINTED TO MATCH STUCCO, TYP.



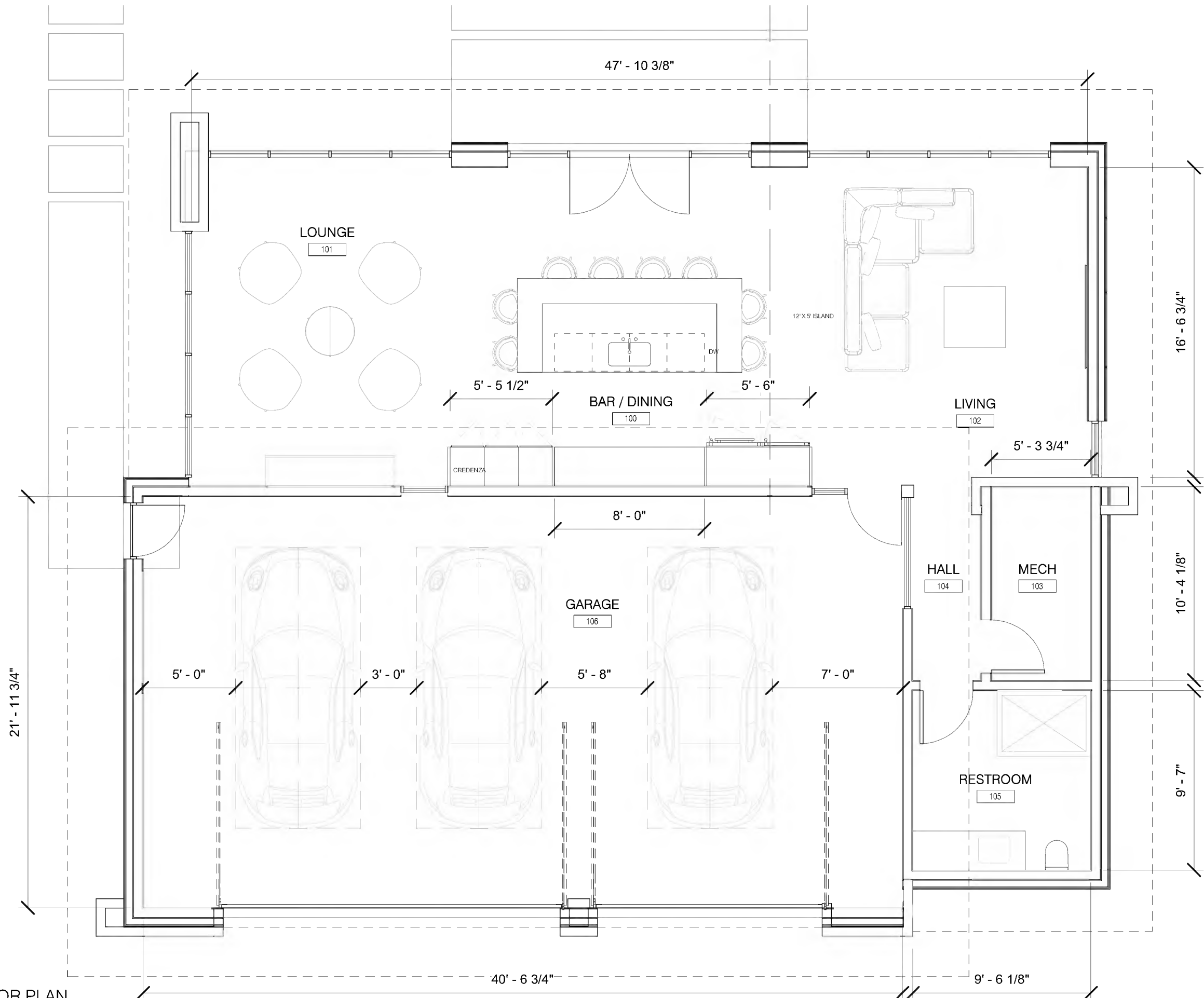
STUCCO, TYP.

STONE VENEER, TYP.

PREFINISHED METAL LOWER FASCIA, TYP.

NORTH FACADE (NORTHEAST & NORTHWEST CORNERS, LEFT TO RIGHT)

NEW DETACHED GARAGE | 14730 STONE ROAD  
MINNETONKA, MN 55391 | 01/03/23 |



CONCEPT FLOOR PLAN

NEW DETACHED GARAGE | 14730 STONE ROAD  
 MINNETONKA, MN 55391 | 01/03/23 | 3/16" = 1'-0"

PIERCE PINI & ASSOCIATES, INC.  
CONSULTING CIVIL ENGINEERS

December 13, 2022

10K Architecture  
Attn: David Aine  
525 15<sup>th</sup> Avenue South  
Hopkins, MN 55343

RE: Kayan Residence - Stormwater Management Narrative for Proposed Improvements

Mr. Aine,

The following is a narrative of the stormwater management design for the proposed pool house and garage addition at the Kayan residence. The following analysis and design description should be provided to the city of Minnetonka in conjunction with the certificate of survey by Cornerstone Land surveying for the proposed site improvements.

Existing Conditions

The subject property is a 126,250 sq. ft. (2.90 acre) residential parcel located at 14730 Stone Road in Minnetonka. The existing property currently has a residential house, bituminous driveway, paver auto court, front walkway and a rear stone terrace as well as a swimming pool and pool deck. The site drainage is directed southeast to the low area located at the southeast corner of the property. An undelineated wetland is noted at this location on the property survey. There is currently no implemented stormwater management systems on the site.

Proposed Conditions

The project includes the construction of a new pool house and garage as well as a new bituminous driveway to service the new garage. The proposed work will disturb approximately 15,000 sq. ft. and will increase the site impervious area by 4,892 sq. ft. A new rain garden will be constructed to mitigate the additional impervious area.

Soil Analysis

A geotechnical exploration report has been prepared by Haugo Geotechnical Services, report no. 22-0930, dated December 9, 2022. Two borings were performed in the general location of the proposed pool house, driveway extension, and rain garden. Both borings note surficial topsoil with underlying undocumented fill primarily consisting of sandy lean clay. All soils were wet in nature. This soil description is consistent with hydrologic soil group C/D. Based on this information, it is assumed that the site will have a relatively low infiltration rate of 0.06 – 0.20 inches per hour, consistent with the Minnesota Stormwater Manual.

PIERCE PINI & ASSOCIATES, INC.  
CONSULTING CIVIL ENGINEERS

Stormwater Management

The local government unit for stormwater is the City of Minnetonka. The project is a residential addition resulting in more than 5,000 sq. ft. or 50 cu. yds. of disturbance. The city stormwater management plan requires a best management practice (BMP) that will capture and treat 1.1-inches of runoff over the new and disturbed impervious area.

In addition to the required treatment volume, BMPs are required to provide a drawdown time within 48 hours for surface stormwater management features. The underlying soils are sandy lean clays with an estimated infiltration rate of 0.13 inches per hour. In order to maintain the maximum drawdown time of 48 hours, the maximum basin depth is 6 inches.

A summary of the design parameters for the new rain garden are as follows:

1. New/Disturbed Impervious Area

- Bituminous driveway – 2,390 sq. ft.
- Garage & pool house – 2,112 sq. ft.
- Sidewalk & stairs – 118 sq. ft.
- Concrete pavement – 272 sq. ft.

*Total = 4,892 sq. ft.*

2. Required Treatment Volume

- New/disturbed impervious area – 4,892 sq. ft.
- Rainfall depth – 1.1 inches
- (4,892 sq. ft.) x (1.1 inches) x (1 ft. / 12 inches)

*Required Treatment Volume = 448 cu. ft.*

3. Design Treatment Volume

- Rain garden bottom contour (949.50) – 786 sq. ft.
- Rain garden overflow contour (950.00) – 1,027 sq. ft.
- Treatment volume depth – 6 inches

*Design Treatment Volume = 453 cu. ft.*

If you have any questions, please feel free to give me a call at 763-537-1311.

Sincerely,



Kevin Gardner, PE

Cc: Chad Haller – 10K Architecture  
Connie Villari – Cornerstone Land Surveying

**Resolution No. 2023-**

**Resolution approving a conditional use permit for a 2,100 square foot  
accessory structure at 14730 Stone Road**

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

Section 1. Background.

1.01 Chad Haller, on behalf of 10K Architecture, PLLC and the property owners, has requested a conditional use permit for a 2,100-square-foot detached accessory structure to be used as a pool house. (Project No. 22032.22a).

1.02 The property is located at 1730 Stone Road. It is legally described as:

TRACT N IS ALSO SHOWN ON CERTIFICATE OF TITLE NO. 1446128

Parcel 1:

Tract N, Registered Land Survey No, 205, Hennepin County, Minnesota, Torrens Property.

Parcel 2:

The East 225.16 feet of the North 223.82 feet of the South three-fourths of the Southwest Quarter of the Northeast Quarter of Section 9, Township 117 North, Range 22 West of the 5th Principal Meridian, EXCEPT the West 151.00 feet of said East 225.16 feet which lies north of the easterly extension of the South line of Lot 3, Block 1, Charlestone Ridge, Hennepin County, Minnesota.  
Abstract Property.

1.03 On Feb. 2, 2023, 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(f) outlines the following specific standards that must be met for granting a conditional use permit for oversized accessory structures:
1. Side and rear setbacks equal to the height of the structure or 15 feet, whichever is greater;
  2. No additional curb cuts to be permitted;
  3. Not to be used for commercial activities;
  4. Structure to be architecturally consistent with the principal structure;
  5. Landscaping to be required to buffer views when the structure is highly visible from adjoining properties; and
  6. Site and building plan subject to review pursuant to section 300.27 of this ordinance;
- 2.03 City Code §300.27, Subd. 5, states that in evaluating a site and building plan, the city will consider its compliance with the following:
1. Consistency with the elements and objectives of the city's development guides, including the comprehensive plan and water resources management plan;
  2. Consistency with the ordinance;
  3. Preservation of the site in its natural state to the extent practicable by minimizing tree and soil removal and designing grade changes to be in keeping with the general appearance of neighboring developed or developing areas;
  4. Creation of a harmonious relationship of buildings and open spaces with natural site features and with existing and future buildings having a visual relationship to the development;
  5. Creation of a functional and harmonious design for structures and site features, with special attention to the following:
    - a) an internal sense of order for the buildings and uses on the site and provision of a desirable environment for occupants, visitors, and the general community;
    - b) the amount and location of open space and landscaping;
    - c) materials, textures, colors, and details of construction as an expression of the design concept and the compatibility of the same with the adjacent and neighboring structures and uses; and

- d) vehicular and pedestrian circulation, including walkways, interior drives, and parking in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, and arrangement and amount of parking.
6. Promotion of energy conservation through design, location, orientation, and elevation of structures, the use and location of glass in structures and the use of landscape materials and site grading; and
7. Protection of adjacent and neighboring properties through reasonable provision for surface water drainage, sound and sight buffers, preservation of views, light and air, and those aspects of design not adequately covered by other regulations which may have substantial effects on neighboring land uses.

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(f).
  1. The required setback is 15 feet. The setback for the proposed structure is 53 feet.
  2. No additional curb cuts are proposed as the proposed drive will connect to the existing driveway.
  3. The structure is to be used as a pool house and a garage. It is not proposed for commercial activities. Nonetheless, this has been included as a condition of this resolution.
  4. The proposed structure would architecturally complement with the principal structure.
  5. The structure setback is over 50 feet and more than 150 feet from the nearest residential structure. The structure would be reasonably screened by existing and proposed vegetation.
  6. The proposal meets the site and building plan standards as outlined in the following section.

- 3.03 The proposal would meet site and building plan standards outlined in the City Code §300.27, Subd. 5.
1. The project has been reviewed by the city's planning, building, engineering, natural resources, fire, and public works staff. Staff finds it generally consistent with the city's development guides.
  2. The proposal is consistent with the ordinance.
  3. The proposed structure would be located in an open area to minimize tree removal and unnecessary grading.
  4. The proposed structure would be harmonious with the existing building and open space.
  5. The proposal would balance open space, landscaping, and an internal sense of order, allowing for appropriate circulation through the site. The proposed materials and colors are complementary to the existing house and would allow for.
  6. The new structure would require a building permit and would require compliance with the energy code.
  7. The structure would be located roughly 150 feet from the nearest residential structure and is separated by existing and proposed vegetation.
- 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. Prior to the issuance of the building permit:
    - a) Submit a cash escrow in the amount of \$1000. 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 following:
      - 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.
- b) Submit a tree mitigation plan. This plan must:
- Include all trees within 30 feet of the proposed construction and grading.
  - Meet the minimum mitigation requirements as outlined in the ordinance. However, at the sole discretion of staff, mitigation may be decreased.
- c) Install a temporary rock driveway, erosion control, tree and wetland protection fencing, and any other measures as identified by the SWPPP for staff inspection. These items must be maintained throughout the course of construction.
4. The accessory structure must not be used for commercial activities unless approved by the city or ordinance updates occur to allow such use.
  5. The city council may reasonably add or revise conditions to address any future unforeseen problems.
  6. Any change to the approved use that results in a change in character, including conversion to an accessory dwelling unit, would require a revised conditional use permit.

Adopted by the City Council of the City of Minnetonka, Minnesota, on Feb. 27, 2023.

---

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. 27, 2023.

---

Becky Koosman, City Clerk

# **Minnetonka Planning Commission Meeting**

## **Agenda Item 8**

Public Hearing: Non-Consent Agenda

**MINNETONKA PLANNING COMMISSION**  
**Feb. 2, 2023**

**Brief Description**            An ordinance amending city code 300.28 subdivision 12 regarding parking and loading requirements and adding a new section 315

**Recommendation**            Recommend the city council adopt the ordinance.

---

**Planning Commission Feedback**

On Oct. 20, 2022, staff introduced a draft parking ordinance to the commission. The draft ordinance focused on two goals:

- **Goal #1.** Ensuring that the average parking demand associated with new and existing land uses can be reasonably met.
- **Goal #2.** Providing flexibility in parking regulations in support of city goals related to community aesthetics, environmental protection, and economic sustainability.

During the meeting, commissioners ask a variety of questions. These included:

- How does the ordinance account for employee parking?
- Is there any way to “future-proof” the ordinance?
- Does the ordinance benefit small businesses?

All of the questions raised are summarized, and staff responses are given in the attached memo.

**Additional Feedback**

Following the October commission meeting: (1) the draft ordinance was provided to the city’s traffic and parking consultant; (2) the ordinance was posted on the Minnetonka Matters website; and (3) city staff conducted a virtual discussion/meeting with business owners.

1.        **Consultant.** The city’s parking consultant reviewed the draft ordinance. The full consultant memo is attached; generally, comments can be summarized as follows:
  - Wording. The consultant made some wording/clarification suggestions.
  - Hotel. The consultant suggested that one parking stall per guest room is higher than the parking rate required by comparable cities and suggested a 0.75 rate.
  - Educational Facilities. The proposed ordinance requires parking at educational facilities based on the number of classrooms and the size of assembly spaces. The consultant questioned whether the rate should be based on student and teacher population, as it is in the existing ordinance. Though this number would provide a useful "snapshot" of potential parking demand, it is the planning staff’s professional opinion that this number is simply too fluid to base a parking

requirement on. Just as the number of employees in an office building can vary significantly from year to year – and vary without city knowledge – so too can a student population. A regularly changing population may result in a school regularly moving between conformance and non-conformance. The number of classrooms and size of assembly space are typically static; if there are changes, the city is made aware of those changes through the building permit review process.

- **Religious Facilities.** The proposed ordinance requires parking at religious facilities based on the size of the assembly spaces. The consultant questioned whether the rate should be based on the number of seats in the space, as is the existing ordinance. Given that religious facilities may have stationary seating, movable seating, or no seating at all, planning staff is reluctant to base the parking requirement on the number of seats. Instead, the size of the assembly space is typically known and static; if there are changes, the city is made aware of those changes through the building permit review process.
- **Outdoor Seating.** The proposed ordinance does not specifically require parking for outdoor seating areas associated with restaurants. The city has historically been of the opinion that these outdoor areas do not generate increased parking demand, as customers who would otherwise be seated inside are simply seated outside. The consultant: (1) noted that some cities take this same view, while others require parking for these outdoor spaces; (2) suggested that the ordinance specifically note whether restaurant space does/does not require parking; and (3) indicated that the most conservative approach would be to require parking. By city code, outdoor seating areas require a conditional use permit (CUP). Additional requirements for outdoor seating may be beneficial in certain circumstances; for example, when a patio is significantly larger relative to the size of a restaurant or when shared parking is not readily available or easily accessible. However, rather than including a requirement in the parking ordinance, staff believes these areas would be best addressed during the review of the individual CUP request.

2. **Minnetonka Matters and Emails.** The draft ordinance was posted on the Minnetonka Matters website on Nov. 9, 2022; the website can be viewed by any member of the public, and feedback/questions can be posted directly on the page. In addition, emails requesting feedback were sent directly to 1,515 members of the Minnetonka business community and seven multi-family residential developers. Despite the public outreach, the city received just four comments from the website/emails. The full comments are attached; excerpts include:

- *“There are already too many retail properties with not enough parking. I'd like to see residential properties such that are multi-dwelling (apartments and condos, for example) properties have enough parking, so it is not necessary to park on the street.”*
- *“Parking lots take up too much space and do not help the ability to walk from location to location. They also do not let us increase our density and thus*

*increase tax revenue from more businesses and individuals. The parking lots could also be converted into more parks. It'd like to see the ordinance remove any parking requirements per establishment so that the free market can take over. This will likely result in parking ramps which can be cash flowing businesses on their own accord and would ultimately allow for a more walkable city."*

- *"It would be really nice if things could be slowly made to reduce car dependency and continue to make more alternative day-to-day transport options that are equally safe, practical, more eco-friendly, and convenient to participate in our community. Making more accessible, safe, walkable, and bikeable areas that are safely separated where possible from cars. Increasing mixed-use residential and business areas, while also reducing parking requirements and making it easier and safer to walk and bike to these places, will also help decrease demand for cars over time if people can do more and more of their errands and jobs without."*

3. **Virtual Meeting.** Given the lack of response to the webpage and direct emails, staff held a virtual meeting on Jan. 12, 2023, to present the draft ordinance to members of the business community. Email invitations were again sent to 1,515 subscribers on the Thrive mailing list.<sup>1</sup> One person attended the meeting representing the Minneapolis Chamber of Commerce. The attendee generally commented that the amendments seemed reasonable and that the flexibility of the ordinance would be appreciated. They indicated the Chamber might have a more formal written response; none has been received at the time of this report.

From the lack of response, staff presumes that business owners, developers, and residents are generally not concerned about parking. Rather, questions or concerns are posed related to specific projects they may be involved in, either directly or indirectly.

### **Changes to the Proposed Ordinance**

Based on the community, commissioner, councilmember, consultant, and city staff feedback, the following changes were made and are reflected in the proposed ordinance attached to this report.

- **Definitions.**
  - ✓ The term "Electric Vehicle Charging Station/EVCS" has been changed to "Charging Station" in order to capture charging technologies that may present themselves in the future.
  - ✓ The term "Assembly Use" is generalized to gatherings for a specific purpose. The all-inclusive definition includes religious or educational institutions, community centers, and sporting venues.

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<sup>1</sup> [Thrive Minnetonka](#) is a business publication put together by the city's Economic Development and Communications staff.

- **Required Parking Chart.**
  - ✓ The required number of visitor parking has been reduced from 25% to 10% of units.
  - ✓ The number of parking stalls required for hotels has been reduced from 1 per room to 0.75 per room.
  - ✓ A footnote has been added to note that the number of enclosed and unenclosed parking stalls must meet the design standards of the same code section.
  - ✓ A footnote has been added noting that the city may require additional parking for outdoor seating areas as part of the conditional use permit for the area. In determining if additional parking is necessary, the city will consider things such as the size of the area relative to the size of a restaurant, if the seating area includes an outdoor bar, if off-street shared parking is readily available or easily accessible, and observed parking demand at other similar seating areas.
- **Existing Development.** A section has been added requiring that a parking study be conducted when changes in use, tenancy, or occupancy are proposed for a property or building where the city has documented parking problems. The intent of this new section is to ensure that the city has the authority to review and require changes to existing parking situations, even for proposals that do not involve significant site or building changes. For example, staff may conduct a parking study and require additional parking when there is a change in the type of commercial user of tenant space or when a school divides one classroom into two.
- **Visitor Parking.** A section has been added requiring that visitor parking at multi-household developments be fully accessible to the public. No gates, doors, or other physical barriers may be erected to limit access to the parking area, and signage must be installed directing visitors to the parking area. The intent of this new section is to ensure that on-site visitor parking is intuitive for its users, with the goal of reducing on-street parking.
- **Stormwater Management.** A provision has been added noting that the construction of proof-of-parking may require stormwater management facilities.

### Summary Comments

It is the staff's opinion that the proposed ordinance appropriately establishes general parking expectations while allowing developers, business owners, property owners, and the city the flexibility to recognize unique aspects of specific land uses and properties in our community.

### Staff Recommendation

Recommend the city council adopt the ordinance amending city code 300.28 subdivision 12 regarding parking and loading requirements and adding a new section 315.

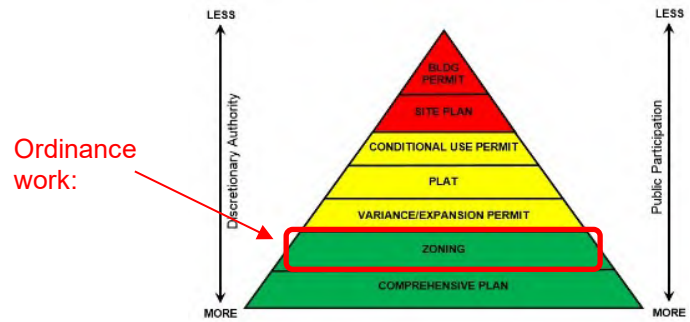
Originators: Susan Thomas, AICP, Assistant City Planner  
Bria Raines, Planner

Through: Loren Gordon, AICP, City Planner



## Supporting Information

### Pyramid of Discretion



### Deadline for Action

N/A. There is no deadline for action on an ordinance amendment proposed by the city.



14600 Minnetonka Blvd. | Minnetonka, MN 55345 | 952-939-8200 | [eminnetonka.com](http://eminnetonka.com)

**TO:** Planning Commissioners and City Councilmembers  
**FROM:** Bria Raines, Planner  
**DATE:** Jan. 5, 2023  
**SUBJECT:** Parking Ordinance Amendment

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This memo is intended to respond to questions raised at the planning commission's Oct. 20, 2022 meeting.

- **Banks comment: When would a parking study need to come to planning commission versus being administratively approved according to the proposed parking ordinance?**

Staff response: Generally, parking studies would be reviewed by the group that has the final decision on the application associated with the parking study. For example, a study provided with a building permit application would be reviewed only by city staff. Conversely, a parking study provided as part of a conditional use permit application would come before the commission.

A specific recent example is the Taco Bell on Highway 7. The proposal required 43 parking stalls per city code or 19 stalls per ITE standards. However, the proposal met neither. Instead a parking study was conducted and proved that proposed 14 parking stalls was adequate. Because the restaurant required a conditional use permit, setback variances and – under the existing ordinance a parking variance – the proposal needed to come before the planning commission. Under the proposed ordinance, the parking study would eliminate the need for a parking variance. The proposal would still have been brought to the planning commission for the CUP and the setback variance. The parking study would be provided by staff for information, but no parking variance decision would have been necessary. Note, had the parking study suggested that parking stalls would not be adequate, then a parking variance would also have been required.

- **Maxwell comment: Would the number of accessible parking stalls be reduced in proportion to the overall parking?**

Staff response: In accordance with Minnesota State Statute §§ 1341.0005, the International Building Code (IBC) is adopted by reference. IBC section 1106, parking and passenger loading facilities, requires “2% of parking spaces provided shall be

accessible for buildings required to have accessible dwelling units, accessible parking spaces shall also be provided within or beneath the building or carports”. The table to the right shows of the number of required accessible spaces based on the total number of parking stalls.

In short, a reduction of the overall number of parking stalls for a project would reduce the number of required accessible parking stalls. A property owner could certainly allocate more.

TOTAL PARKING SPACES PROVIDED	REQUIRED MINIMUM NUMBER OF ACCESSIBLE SPACES
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
More than 1,000	20 plus one for each 100 over 1,000

- **Waterman comment: The parking ordinance should be future proofed. Are these standards taking into account future transportation trends?**

Staff response: City staff recognizes that parking demand can change based on business practices, consumer decisions, and household composition. The parking ordinance does look to the future by allowing greater flexibility for individual sites when it can be proven that the site can operate at the reduced number of parking. Teleworking was a mentioned factor for reduced parking. Staff has considered this trend when creating the parking ordinance. In the event of a site with atypical practices, the site could be allowed a reduced number of required parking if a travel demand management (TDM) plan is approved by the city. The plan would consider factors such as hours of operation, the proximity to a light rail station or other transportation services used in lieu of single-occupancy vehicles, and remote work options for employees.

Approximately 2% of Minnetonka residents utilize pedestrian and bicycle modes of transportation; the City of Minneapolis is at roughly 4%.

- **Waterman comment: Bicycle parking minimum of one space per unit seems unrealistic.**

Staff comment: To clarify, the staff recommendation is less than the required amount of parking for a multi-dwelling building. The proposed parking amendment would require one parking space per bedroom and additional visitor parking spaces. This proposed ordinance would require one bicycle parking space per unit. For example, the Birke is a 175-unit multi-family dwelling. The city code required 236 parking stalls, whereas the proposed parking ordinance would require 175 bicycle spaces.

While this recommendation may seem like a significant requirement, it is intended to to accommodate daily bicycle users and bicycle storage for all units. Planning staff has revised the ordinance recommendation for the location, interior or exterior, to be a decision by the developer.

- **Waterman comment: Do the proposed parking standards consider employees?**

Staff response: The parking ordinance has used research from peer cities, the APA parking standards, and the Institute of Transportation Engineers (ITE) standards. The proposed standards follow the ITE standards in using calculations per 1,000 square feet of gross floor area.

According to the ITE website, “variables for similar sites should be provided directly and not be merely estimated from a different variable. For example, the number of employees at a site may appear to be a valid independent variable, but it should not be used if the value is typically derived by factoring in another independent variable, such as gross square footage of the development site”.

The gross floor area is used to calculate parking without the use of other independent variables. Put another way, the rate accounts for all users of a particular square footage, regardless of why they are in the space.

- **Waterman comment: Can staff provide information on the parking variances granted and if there have been any issues with parking at those sites?**

Staff response: Staff has no knowledge of any parking issues at any of the sites approved for a parking variance. Staff has provided aerials of some projects with small businesses sharing shopping center parking lots. These projects required parking variances. The aerial photos, see Exhibits A-D, identify that there is adequate parking for these smaller businesses. The tables within the exhibits determine that all the shown sites would have been permitted by the proposed parking ordinance without the need for a variance request. The sites either met the Institute of Transportation Engineer (ITE) standards, provided a proof of parking plan, or provided a parking study affirming the reduced parking.

- **Sewall comment: New restaurants are described to have more patronage surrounding a new opening. How is the influx of patrons considered in the parking ordinance?**

Staff response: The parking ordinance understands that an influx of patronage does not mean an inadequacy of parking in general. The parking ordinance plans for the average parking demand of the site, which would not be based on an influx surrounding a new business opening.

- **Sewall comment: Single-family residences are not included in this ordinance. Does parking in R-1 areas need to be included? Are there issues in residential neighborhoods?**

Staff response: Residential parking is not an issue. During recent public hearings on development proposal, some residents have voiced concern regarding extra services such as nannies, delivery trucks, and landscaping vehicles utilizing most of the on-street parking. These issues are generally seasonal, temporary, or created by property owners, not based on inadequate parking regulations. With the required front yard setbacks, residents should be able to accommodate parking of four vehicles in their driveways; this

does not include parking within the garage. Staff does not typically receive parking complaints within single-family neighborhoods.

- **Powers comment: Would like staff to consider how the parking ordinance helps smaller businesses.**

Staff comment: The existing and proposed parking ordinance helps large and small businesses alike. The calculations are based on the size of the tenant space and the land use. This means that the calculations are individualized so that the requirements for Dick's Sporting Goods would not be the same required for a small barber shop.

The parking ordinance allows both businesses the same options to meet city code, ITE standards, provide a parking plan, or provide a parking study affirming the reduced number of parking.

- **Maxwell comment: The prohibitions section is too generalized.**

Staff response: The section is reaffirming the uses that are not allowed in parking lots. This would not include uses that have special permits or if allowed as an accessory use. The prohibited uses would not be allowed in parking lots as they would not fall into the permitted or accessory uses for a parking lot. This section is not new, but is explicitly stating the uses are not allowed. This section is reinforced by the uses section per zoning district and the standards found in the existing parking ordinance section.

The prohibition section would not allow "for sale" vehicles to be placed in a parking lot of a shopping center, or for items to be stored outdoor such as pallets of merchandise waiting to be brought into a store. This prohibition section would not prevent garden centers or other similar interim uses as those uses require a special use permit.

Exhibit A: Chipotle Parking Variance

Project	Required Spaces	Variance Approved	Is variance required per proposed parking ordinance?
Chipotle (2019)	126	88	NO – Meets ITE standards



2022 aerial photo

Exhibit B: Westwind Plaza Parking Variances

Project	Required Spaces	Variance Approved	Is variance required per proposed parking ordinance?
Chase Bank (2019)	477	419	NO – Meets ITE standards
Goldfish Swim School (2022)	487	423	NO – Meets ITE standards



2022 aerial photo

Exhibit C: Unmapped Brewing Parking Variance

Project	Required Spaces	Variance Approved	Is variance required per proposed parking ordinance?
Unmapped Brewing (2022)	237	137	NO – Parking study provided



2022 aerial photo



Exhibit D: Country Village Shopping Center Parking Variance

Project	Required Spaces	Variance Approved	Is variance required per proposed parking ordinance?
Nautical Bowls (2022)	587	433	NO – Proof of parking provided and ITE standard met



2022 aerial photo



## Review Summary

SRF No. 16251.00

**To:** Susan Thomas, Assistant City Planner  
City of Wayzata  
**From:** Tom Sachi, PE, Project Manager  
**Date:** November 18, 2022  
**Subject:** Review of Minnetonka City Parking Code

### Introduction

As requested, SRF has completed a review of the draft Minnetonka City Parking Code. A review of the draft code language identified the following questions and comments for consideration.

### Section 315.14 Parking and Loading Requirements

#### Section 1: Findings

1. No Comments

#### Section 2: Definitions

2. Definition of Assembly Area – Do you want to include sporting venues (ice rink, ballfields, etc.)? Are those uses assumed as part of Community Centers in the definition?
3. Restaurants -where do you define patio space? Is it included?

#### Section 3: Numerical Requirements

4. Multi-Family Dwellings there is a mandate for a certain amount to be enclosed in the Design section. Can a footnote referencing the Design section or note be added in the required numbers indicating this as well?
5. Educational Facility High School – no rate per students is assumed in this parking requirement, only spaces per square feet of assembly hall. What is the assembly hall defined as for a school? Is it the performing center or fieldhouse? I lean toward a rate per students + rate per employee, as that is typically more consistent with the parking needs on the day to day basis and a review for events can be completed separately, if needed.
6. Places of Worship – was a per seat rate considered?
7. Hotel – a 1 space per guest room rate appears high as compared to other sources. I have seen this lowered to around 0.75 to account for typical occupancy.
8. Restaurants – How to handle patio space? Is this considered as part of the square footage? This has been a common item popping up on studies for SRF in other communities. Sometimes it can depend, given circumstances. At times the patio space simply just expands the capacity of a busy restaurant and more people are able to visit at one time, in others we have seen it just simply move the similar typical seating operations and shift people from inside to outside without adding more

guests to the site. Clarification on this would be helpful. The conservative route would be to simply include it in the overall square footage. This can apply to brewery space as well.

9. Restaurants: Is the square footage used in these calculations combining the seating area + kitchen space?
10. Parking calculations item 4: should this specify when to round up or down (i.e. greater or equal to 0.5, round up, or less than 0.5 round down?)

#### **Section 4: Design**

11. Item h: It appears you removed the distance requirement (400 feet from the door) from the code. Is there any definition of “reasonable” or will this be reviewed on a case by case basis? Developers may greatly differ in their definition or reasonable from City staff and may cause issues when reviewing applications.

## Comments Received via Minnetonka Matters

- I find it hard to assess the ordinance, as I am simply a resident and neither a business-owner nor a facility professional. The following would help: (1) How does this compare to the current ordinance? (2) What aspects of the current ordinance have been problematic? (3) How does it compare to surrounding communities?  
PR , 15 Nov 2022, 05:24 PM
- It wasn't clear to me what the changes were. There were only a few letters underlined indicating new changes and nothing crossed out. Generally speaking we live in the suburbs, most people have a car and ample parking is a necessity. There are already too many retail properties with not enough parking. I'd like to see residential properties such that are multidwelling (apartments and condos for example) properties have enough parking so it is not necessary to park on the street.  
Runnymede Resident , 15 Nov 2022, 10:07 PM
- Parking lots take up too much space and do not help the ability to walk from location to location. They also do not let us increase our density and thus increase tax revenue from more businesses and individuals. The parking lots could also be converted into more parks. It'd like to see the ordinance remove any parking requirements per establishment so that the free market can take over. This will likely result in parking ramps which can be cash flowing businesses on their own accord and would ultimately allow for a more walkable city.  
bkl04, 16 Nov 2022, 12:13 PM
- Hi! I would love if we could make parking requirements more flexible. It would be really nice if things could be slowly made to reduce car dependency and continue to make more alternative day-to-day transport options that are equally safe, practical, more eco friendly, and convenient to participate in our community. Making more accessible, safe walkable and bikable areas that are safely separated where possible from cars. Foot traffic has been shown in walkable cities to generate lots of tax revenue from businesses and reduce infrastructure maintenance costs if you can do all your tasks by walking or bike trip. Most trips people make by car are short trips, that can be made by bike when biking infrastructure is safe and effective. Bike roads can also be plowed during the winter, and bikes can be designed more comfortably such as Dutch-style bikes which are more comfortably designed for practical daily use.

Increasing mixed-use residential and business areas, while also reducing parking requirements and making it easier and safer to walk and bike to these places will also help decrease demand for cars over time if people can do more and more of their errands and jobs without. This helps lower infrastructure maintenance costs for the city long term by reducing wear and tear on infrastructure and allowing increased space utilization for other things. Strong Towns did a study in Lafayette, Louisiana. Turns out when you crunch the numbers, that the infrastructure cost for a city to help maintain a store like Kohls or Target is not offset by the tax revenue of the store, often far in the red. While businesses that are easily walked to, often bring in quite a lot of revenue for the city compared to the costs. Eventually people realize it's unnecessarily expensive to own a car if it's not required anymore from improved walking, biking, and public transit infrastructure. If you don't need to buy \$30,000 2 ton machine, and pay for insurance and maintain it, then people don't.

This worked well in places like Amsterdam, who used to be far more car-centric in city planning. They transitioned over time to be more safely and conveniently bikable and walkable, with driving being optional. Now their infrastructure maintenance costs became lower as less people needed to use 2,000 lb vehicles to do every simple task, less wear and tear on roads. You can fit many bikes into the space of 1 parking space and use the extra space to build more housing and businesses. It's also much safer for children with less cars on the road long term, so less opportunities for unnecessary death. Getting hit by a bike is a lot less serious than getting hit by a car. Eventually driving becomes a choice rather than a requirement, which alleviates traffic as only people who want to own cars will own cars.

Feu , 03 Jan 2023, 03:00 PM

**Ordinance No. 2023-**

**An ordinance amending city code 300.28 subdivision 12,  
regarding parking and loading requirements, and adding a new section 315**

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The City Of Minnetonka Ordains:

Section 1. Section 300.28, Subdivision 12 of the Minnetonka City Code, regarding parking and loading requirements, Attachment A of this ordinance, is repealed in its entirety and replaced with the following.

12. Parking and Loading Requirements. As outlined in City Code Section 315.14

Section 2. The Minnetonka City Code is amended by adding a new Section 315.14 as follows:

315.14 Parking and Loading Requirements

1. Findings, Purpose, and Administration.

a) Findings. The City of Minnetonka finds that:

- 1) Parking requirements should promote public health, safety, and welfare.
- 2) Parking requirements can significantly influence land use density and design and, in doing so, influence the overall aesthetic of a community.
- 3) Parking requirements and resulting parking availability can influence the decisions of property owners, business owners, developers, and consumers.
- 4) Parking requirements can result in increased impervious surfaces and stormwater runoff while reducing groundwater recharge and areas for vegetation and other impervious site amenities.

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The ~~stricken~~ language is deleted; the single-underlined language is inserted.

- 5) Parking requirements alone do not determine parking availability. Rather, parking demand for any land use, and thereby parking availability, can change based on business practices, consumer decisions, and household composition. For example, a business may promote teleworking, the popularity of restaurants may vary over time, and households may have more or fewer cars as members of households age.
- b) Purpose. Consistent with the findings above, the purpose of the section is to establish parking regulations that promote public health, safety, and welfare by:
- 1) Ensuring that the average parking demand associated with new and existing land uses can be reasonably met.
- 2) Providing flexibility in parking regulations in support of city goals related to community aesthetics, environmental protection, and economic sustainability.
- c) Administration.
- 1) Administration and enforcement of this section 315.14 is governed by Section 300.03.
- 2) Citation. This section 315.14 may be cited as the Minnetonka parking ordinance.
- 3) Severability. Every section, subdivision, clause, or phrase of this section 315.14 is declared separable from every other section, subdivision, clause, or phrase. If any such part is held to be invalid by a competent authority, no other part is invalidated by such action or decision.

2. Definitions. For the purpose of this ordinance, the terms below have the meaning given to them:

- a) “Assembly Use” – a building or facility where a group of people gathers for specific purposes. Examples include educational buildings, religious facilities, fraternal clubs, sporting venues, community centers, and theaters.
- b) “Bicycle Parking Facilities” – bicycle storing equipment that accommodates secure parking of multiple bicycles.
- c) “Charging Station” – a parking space served by charging equipment that conducts energy to a battery or storage device to a vehicle that operates on something other than fossil fuels.
- d) “Daycare Service” – service use that provides care to persons or animals for periods of less than 24 hours per day. This definition does not apply to uses

operating as a permitted or accessory use under Sections 300.10, 300.11, 300.12, 300.13, 300.14, or 300.37.

- e) “Healthcare Service” – service use that includes areas for patient examination and treatment by physicians or dentists. Examples include hospitals, medical clinics, or dental clinics serving human or animal clients. Conversely, uses focused on mental health – such as psychiatry, psychology, or therapist offices – are considered personal care/wellness services uses for the purpose of calculating parking requirements.
- f) “Low Turnover Use” – residential, office, industrial use, and other uses with similar traffic characteristics, as determined by the city planner.
- g) “Personal Care/Wellness Services” – service use catering to personal care. Examples include psychiatry, psychology, or therapist offices, licensed chiropractor offices, hair and nail salons, licensed massage facilities, weight loss centers, athletic clubs, and workout facilities.
- h) “Proof-of-Parking” – parking stalls illustrated on site plans, which meet minimum design standards of this ordinance, but are not constructed.
- i) “Restaurant, with table service” – a restaurant in which wait staff take orders for food or drink from customers in a seating area. Sometimes called “sit-down restaurants.”
- j) “Restaurant, without table service” – a restaurant in which customers place orders for food or drink at a counter or via a computer or phone application and where seating is provided for the consumption of the food or drink. Examples include fast food restaurants, coffee shops, donut shops, or other similar food or drink-related spaces.
- k) “Restaurant, without seating” – a restaurant in which customers place orders for food or drink at a counter or via a computer or phone application and where no seating is provided for the consumption of the food or drink. Examples include take-out only businesses.

### 3. Numerical Requirements.

- a) General Parking. The change of use, tenancy, or occupancy of a parcel of land or building may change the parking demand associated with that parcel of land or building. To accommodate demand, the city will calculate parking requirements as outlined in this section.
  - 1) Unless otherwise excepted by Section 3(b) or 3(c) below, parking stalls must be provided for uses in conformance with the following parking rates. Square footage is based on gross floor area, except as otherwise noted.



<b><u>Table 1, Required Number</u></b>		
<b><u>Residential Uses</u></b>		
<u>Single-household detached dwelling*</u>		<u>2 per unit</u>
<u>Single-household attached dwelling*</u>		<u>2 per unit</u>
<u>Multi-household dwelling**</u>	<u>Apartment, condo, coop</u>	<u>1 per bedroom</u>
	<u>Senior independent</u>	<u>1 per unit</u>
	<u>Senior assisted/memory care</u>	<u>.5 per unit</u>
	<u>Continuous care</u>	<u>1 per unit</u>
	<u>Visitor parking</u>	<u>10% of units</u>
<u>Nursing, convalescent home, licensed care facility (CUP)*</u>		<u>1 per 3 beds</u>
<b><u>Assembly Uses</u></b>		
<u>General</u>		<u>10 per 1,000 sq.ft. of main assembly area, as determined by the city planner</u>
<u>Educational Facility</u>	<u>Pre-school</u>	<u>2.5 per 1,000 sq.ft.</u>
	<u>Elementary School</u>	<u>2 per classroom</u>
	<u>Middle School/Junior High</u>	<u>2 per classroom</u>
	<u>High School</u>	<u>1 per employee station, plus 10 per 1,000 sq.ft. of main assembly area, as determined by the city planner</u>
<b><u>Service Uses</u></b>		
<u>General</u>		<u>3 per 1,000 sq.ft.</u>
<u>Daycare Service</u>		<u>2.5 per 1,000 sq.ft.</u>
<u>Healthcare Service</u>		<u>3 per 1,000 sq.ft., with a minimum of 5 required</u>
<u>Hotel</u>		<u>0.75 per guest room</u>

The ~~stricken~~ language is deleted; the single-underlined language is inserted.

<u>Personal care service</u>	<u>3 per 1,000 sq.ft.</u>
<b><u>Office and Commercial Uses</u></b>	
<u>General Office</u>	<u>2.75 per 1,000 sq.ft.</u>
<u>General Retail**</u>	<u>3 per 1,000 sq.ft., with a minimum of 5 required</u>
<u>Brewery, Taproom, Distillery, Winery</u>	<u>1 per 1,000 sq.ft. for production area, plus 14 per 1,000 sq.ft. for all other area</u>
<u>Restaurant, with table service ^</u>	<u>14 per 1,000 sq.ft.</u>
<u>Restaurant, without table service, no drive-thru ^</u>	<u>10 per 1,000 sq.ft.</u>
<u>Restaurant, without table service, with drive-thru ^</u>	<u>9 per 1,000 sq.ft., plus 6 off-street stacking per drive thru lane</u>
<u>Restaurant, without seating</u>	<u>3 per 1,000 sq.ft., with a minimum of 5 required</u>
<u>Shopping Center</u>	<u>4 per 1,000 sq.ft., gross leasable area</u>
<b><u>Industrial Uses</u></b>	
<u>Warehousing or storage</u>	<u>0.5 per 1,000 sq.ft.</u>
<u>Manufacturing</u>	<u>1 per 1000 sq.ft.</u>
<p>* Residential uses must <b>also</b> meet Subd. 4, Design Standards, for enclosed and unenclosed parking spaces.</p> <p>** For single-tenant buildings only. Buildings with more than one tenant, use the Shopping Center calculation.</p> <p>^ Outdoor seating areas may be required to provide additional parking as part of a conditional use permit approval. In determining if additional parking is needed, a parking study may be conducted, and the city will consider things such as the size of the area relative to the size of a restaurant, if the seating area includes an outdoor bar, if off-street shared parking is readily available or easily accessible, and observed parking demand at other similar seating areas.</p>	

- 2) The parking requirement for a site will be calculated based on its component uses. For example, the total required parking for a hotel that includes a sit-down restaurant would be equal to 0.75 space per guest

- room (hotel parking rate) + 14 stalls per 1,000 square feet of restaurant space (restaurant with table service rate).
- 3) The parking requirement for uses not specifically outlined in this ordinance will be determined by the city planner based upon: (1) available published parking standards such as those compiled by the Institute of Transportation Engineers and American Planning Association; (2) observed local demand; or (3) a combination thereof.
- 4) When calculating parking, if the resulting number for the entire site is a fraction, the number will be rounded up to the closest whole number.
- b) Existing Development. When the city has documented that parking demand regularly exceeds parking supply on or around a particular property or building, the city may require that a parking study be conducted prior to a change in use, tenancy, or occupancy of the property or building. The results of the study may result in conditions of approval, including but not limited to providing additional parking, or findings for denial.
- c) Reduced Parking. The city may approve land use with parking stalls at a rate less than outlined in Table 1 without variance, if:
- 1) A parking study suggests fewer parking spaces would reasonably meet average parking demand. Such parking studies may be completed by city staff or a consultant hired by the city and referencing: (1) available published parking standards such as those compiled by the Institute of Transportation Engineers and American Planning Association; (2) observed local demand; or (3) a combination thereof. A memo outlining the results of the parking study must be saved in the associated building permit file or other appropriate city-maintained file; or
- 2) A travel demand management (TDM) plan is approved by the city. The plan may include a combination of modes of transportation, hours of operation, remote work options, incentives, and facilities that reduce parking demand. A memo outlining the TDM and any required reporting must be saved in the associated building permit file or another appropriate city-maintained file.
- d) Proof-of-Parking. The city may allow the use of proof-of-parking to achieve parking requirements. The parking area must meet the setback, dimension, and maneuverability standards of this ordinance and the stormwater management rules as outlined in the city's water resources management plan. When proof of parking is approved, an agreement must be recorded against the property outlining: (1) the proof-of-parking may not be constructed unless the city observes that parking demand regularly exceeds parking supply and approves such construction in writing; and (2) the property owner and successors are

responsible for the cost of the parking lot and stormwater management facility construction.

- e) Event Parking. The city may require that land uses provide a plan outlining how parking will be managed during reoccurring, high parking demand events.

4. Design Requirements.

- a) Enclosed and Unenclosed Parking. For residential land uses, parking must be designed as follows:

<b><u>Table 2, Required Location</u></b>	
<u>Single-household detached dwelling</u>	<u>Parking spaces may be enclosed or unenclosed. However, a suitable location on the site for a garage measuring at least 24-feet by 24-feet which does not require a variance must be designated on building permit plans.</u>
<u>Single-household attached dwelling</u>	<u>One space per unit must be enclosed</u>
<u>Multi-household dwelling</u>	<u>One space per unit must be enclosed</u>
<u>Nursing, convalescent home, licensed residential care facility (CUP)</u>	<u>Parking spaces may be enclosed or unenclosed</u>

- b) Visitor Parking. Visitor parking, whether enclosed or unenclosed, must be fully accessible to the public. No gates, doors, or other physical barriers may be erected to limit access to the parking area. In addition: (1) appropriate signage must be installed to direct visitors to the parking; and (2) the stalls and drive aisles must meet setback, dimension, and maneuverability standards of this ordinance.

- c) Setbacks. Minimum setbacks for parking lots, driving aisles, loading spaces, and maneuvering areas are as follows:

<b><u>Table 3, Required Setback</u></b>		<b><u>Subject Property</u></b>				
		<b><u>Low &amp; Med. Density Res.</u></b>	<b><u>High-Density Res.</u></b>	<b><u>Office, Comm.</u></b>	<b><u>Industrial</u></b>	<b><u>Institutional</u></b>
<b><u>Adjacent Property</u></b>	<b><u>Low &amp; Med.-Density Res.</u></b>	<u>20 ft</u>	<u>20 ft</u>	<u>20 ft</u>	<u>30 ft</u>	<u>20 ft</u>
	<b><u>High-Density Res.</u></b>	<u>20 ft</u>	<u>10 ft</u>	<u>20 ft</u>	<u>30 ft</u>	<u>20 ft</u>
	<b><u>Office, Comm.</u></b>	<u>20 ft</u>	<u>10 ft</u>	<u>10 ft</u>	<u>10 ft</u>	<u>20 ft</u>

	<u>Industrial</u>	<u>30 ft</u>	<u>30 ft</u>	<u>20 ft</u>	<u>20 ft</u>	<u>30 ft</u>
	<u>Institutional</u>	<u>20 ft</u>	<u>20 ft</u>	<u>20 ft</u>	<u>30 ft</u>	<u>20 ft</u>
	<u>Right-of-Way</u>	<u>20 ft</u>	<u>20 ft</u>	<u>20 ft</u>	<u>20 ft</u>	<u>20 ft</u>

- 1) For subject properties that contain multiple uses, the most restrictive setback outlined in Table 3 will apply.
- 2) If property lines bisect shared parking elements, the setback requirements do not apply. For example, if individual tenants in a retail center own a portion of a parking lot which serves the entire center, setbacks are not required between the separately owned areas, provided there is a recorded agreement outlining shared access and parking use.

d) Dimensions. Minimum parking stall and drive width dimensions are as follows:

<u>Table 4, Required Dimensions</u>	<u>Parking Stall</u>			<u>Drive Aisle Width**</u>	
	<u>Parking Angle</u>	<u>Stall Width</u>	<u>Stall Length</u>	<u>Standard</u>	<u>Low Turnover Uses Parking Structure</u>
<u>Standard Stall</u>	<u>45 degrees</u>	<u>12 ft</u>	<u>18 ft</u>	<u>13.5 ft, one-way only</u>	<u>12 ft</u>
	<u>60 degrees</u>	<u>10 ft</u>	<u>18 ft</u>	<u>18.5 ft, one way only</u>	<u>16 ft</u>
	<u>75 degrees</u>	<u>9 ft</u>	<u>19 ft</u>	<u>23 ft</u>	<u>18 ft</u>
	<u>90 degrees</u>	<u>8.5 ft</u>	<u>18 ft</u>	<u>26 ft*</u>	<u>24 ft</u>
	<u>Parallel</u>	<u>20 ft</u>	<u>8 ft</u>	<u>22 ft</u>	<u>22 ft</u>
<u>Compact stalls</u>	<u>45 degrees</u>	<u>10 ft</u>	<u>16 ft</u>	<u>13.5 ft, one-way only</u>	<u>12 ft</u>
	<u>60 degrees</u>	<u>8.5 ft</u>	<u>17.5 ft</u>	<u>18.5 ft, one way only</u>	<u>16 ft</u>
	<u>75 degrees</u>	<u>8 ft</u>	<u>16.5 ft</u>	<u>23 ft</u>	<u>18 ft</u>
	<u>90 degrees</u>	<u>7.5 ft</u>	<u>16 ft</u>	<u>26 ft*</u>	<u>24 ft</u>
* aisle serving one row of 90 degree parking spaces may be 22 ft wide					
** minimum drive aisle width(s) may vary from these standards as determined by the Fire Marshal.					

In addition: (1) all required parking spaces must be accessed by adequate maneuvering space; and (2) all dead-end parking rows must contain a

turnaround area at least 13 feet deep.

- e) Compact Parking. The city may allow low-turnover uses to use compact parking stalls, as follows:
- 1) The parking lot serving the use must contain at least 20 parking stalls.
  - 2) No more than 25 percent of the total required stalls may be compact stalls.
  - 3) Compact stalls must be appropriately signed.
- f) Loading and Unloading. Except on properties containing single-household attached and detached dwellings, parking must be provided for site services including, but not limited to, garbage collection, moving trucks, and inventory delivery.
- 1) The city may require parking spaces for the loading, unloading, or parking of trucks or semi-trailers. The number, configuration, and location of such spaces will be determined by the city based on individual use and site characteristics with an emphasis on minimizing interference with the use of the public right-of-way.
  - 2) Loading and unloading spaces and the associated maneuvering area must be set back at least 50 feet from properties containing single-household attached or detached dwellings.
  - 3) Unless approved by the city based on unique site characteristic or existing or proposed screening, loading and loading spaces must be located behind the building being served.
- g) Landscaping. All parking lots containing over 150 stalls must be designed with unpaved, landscaped islands consistent with City Code Section 300.27 Subd. 16.
- h) Construction. Parking improvements, including pavement expansion, reduction, or restriping, require city approval.
- 1) Properties containing or being developed for single-household dwellings must comply with Section 1105 of this code.
  - 2) On all other properties:
    - a. All parking and loading areas, aisles, and driveways must be bordered with raised concrete curbs or equivalent approved by the city.

- b. All parking, loading, and driveway areas must be surfaced with asphalt, concrete, or equivalent material approved by the city.
  - c. All parking stalls must be marked with painted lines not less than four inches wide in accordance with the approved site and building plan.
  - d. All parking lots must provide islands for traffic control as needed.
  - e. Parking lots must be designed such that vehicles are not required to back into public rights-of-way. The city may require turnaround areas to prevent such maneuvers.
- i) Off-Site Parking. Required parking must be provided on-site. However, the city may allow off-site parking when an applicant demonstrates that the off-site parking will be:
- 1) Reasonably accessible from the use being served, as determined by the city planner; and
  - 2) Protected by a recorded document. The document must be acceptable to the city and must include provisions binding any successor or assigns and allowing termination only as agreeable to the city.

#### 5. Miscellaneous Requirements.

- a) Occupancy. Parking required under this ordinance must be fully constructed and striped, where required, before occupancy of a parcel of land or building served by the parking.
- b) Accessible Parking. In addition to the standards outlined in this ordinance, all parking areas must conform to the requirements of Minnesota State Accessibility Code, Chapter 1341. Areas striped as “no parking” for accessibility purposes are not considered parking stalls.
- c) Bike Parking. New construction, redevelopment, or other proposals requiring planning commission or city council review must provide bicycle parking as outlined below. Single-household dwellings are exempt from these requirements.
  - 1) Multi-household Dwellings. The number of bicycle parking spaces provided must be at least equal to the required number of automobile parking spaces and must be located interior to the building(s). Spaces may be within bike storage rooms, lockers, or floor or wall-mounted racks.
  - 2) Non-Residential Dwellings. The number of bicycle parking spaces provided must be at least equal to ten percent (10%) of the required number of automobile parking spaces.

- 3) Bike parking must be visible, well-lit, and at least as conveniently located as the most convenient automobile spaces, other than those spaces for accessible parking.
  - 4) Spaces must be of sufficient dimension to accommodate a full-sized bicycle, including space for access and maneuvering.
  - 5) Bicycle parking facilities must be appropriately separated from motor vehicle parking areas to protect parked bicycles from damage by motor vehicles.
  - 6) Bicycle parking facilities must be visually compatible with the architectural design of the associated building(s).
  - 7) Bicycle parking must be securely anchored and must allow the bicycle wheel and frame to be locked to the facility.
- d) Charging Stations. New construction, redevelopment, or other proposals requiring planning commission or city council review are encouraged to appropriately plan for charging stations. Planning may include actual installation of stations, installation of station infrastructure, or installation of conduit to minimize site disruption for future installation of infrastructure. Projects receiving financial assistance from the city may be required to install charging stations as a percentage of total required parking.
- e) Prohibitions
- 1) Parking lots, driving aisles, loading spaces, and maneuvering areas may not be used for the storage, display, sales, or rental of goods; repair ~~of~~ ~~storage~~ of vehicles; or storage of snow unless approved by city staff.
  - 2) Gates or other limiting devices are prohibited unless approved in writing by city planning and emergency management staff.

Section 4. The city clerk is directed to correct any cross-references in the city code to Section 300.28, subdivision 12 that are made necessary as a result of this ordinance.

Section 5. This ordinance is effective immediately after publication.

Adopted by the city council of the City of Minnetonka, Minnesota, on \_\_\_\_\_, 2023.



Attest:

\_\_\_\_\_  
Becky Koosman, City Clerk

**Action on this ordinance:**

Date of introduction: Oct. 3, 2022

Date of adoption:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Ordinance adopted.

Date of publication:

I certify that the foregoing is a true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota at a regular meeting held on \_\_\_\_\_, 2023.

\_\_\_\_\_  
Becky Koosman, City Clerk

**Exhibit A****12. ~~Parking and Loading Requirements.~~**

a) ~~—~~ Parking and loading shall be provided and maintained in accordance with the following:

~~—1) —~~ No change of use, tenancy or occupancy of a parcel of land or building, including construction of a new building or an addition to a building, which requires additional parking or loading spaces shall be allowed until such additional parking or loading is approved and furnished. Review may be required under the site and building plan review procedures of section 300.27 of this ordinance.

~~—2) —~~ Required parking and loading areas and the driveways providing access to them shall not be used for storage, display, sales, rental or repair of motor vehicles or other goods or for the storage of inoperable vehicles or snow.

~~—3) —~~ Required parking and loading spaces shall be located on the same development site as the use served. The city may approve off-site parking if the city council finds the following:

a. ~~—~~ reasonable access shall be provided from the off-site parking facilities to the use being served;

b. ~~—~~ the parking shall be within 400 feet of a building entrance of the use being served;

c. ~~—~~ the parking area shall be under the same ownership as the site served, under public ownership or the use of the parking facilities shall be protected by a recorded instrument, acceptable to the city;

d. ~~—~~ failure to provide on-site parking shall not encourage parking on the public streets, other private property or in private driveways or other areas not expressly set aside for such purposes; and

e. ~~—~~ the off-site parking shall be maintained until such time as on-site parking is provided or an alternate off-site parking facility is approved by the city as meeting the requirements of this ordinance.

4) ~~—~~ Notwithstanding any other provision of this subdivision to the contrary, a land use may provide the required off-street parking area for additional land uses on the same development site if the following conditions are met:

~~—~~ a. because of the hours of operation of the respective uses, their sizes and their modes of operation there will be available to each use during its primary hours of

operation an amount of parking sufficient to meet the needs of such use; and

b. the joint use of the parking facilities shall be protected by a recorded instrument, acceptable to the city.

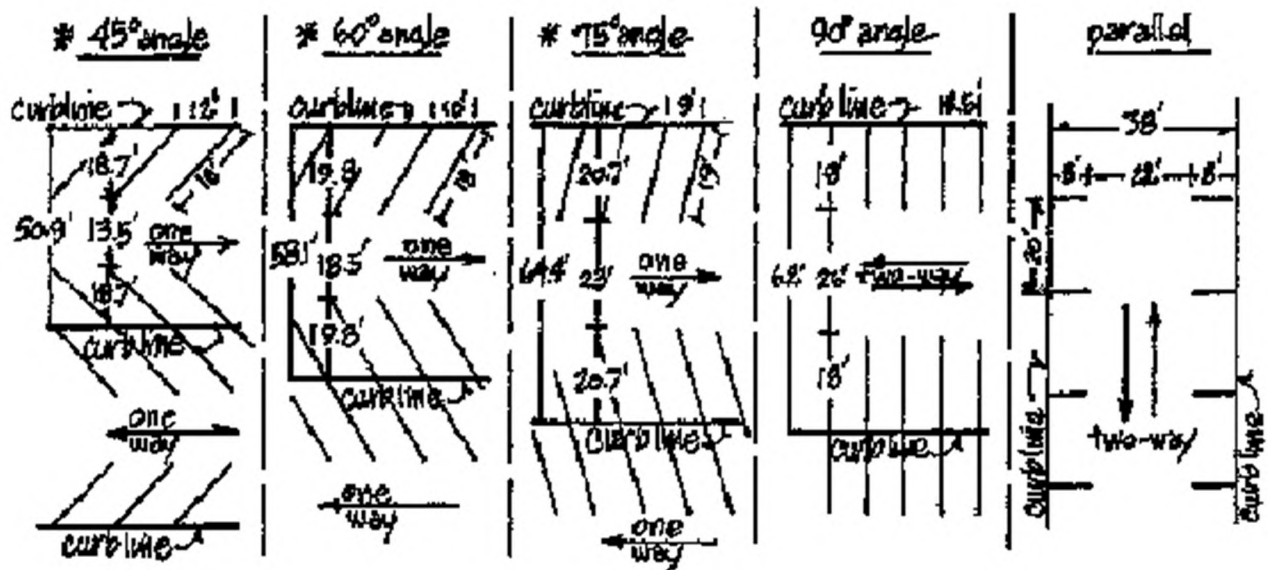
5) Bicycle parking facilities shall be provided in an amount and design adequate to the demand generated by each use.

6) Parking areas shall not be used to meet stormwater holding requirements as specified in the water resources management plan.

7) Parking areas and structures shall be designed and maintained to avoid vehicles queued within the public right-of-way. Gates or other access limiting devices may be installed only after a finding by the city that no adverse impacts on public right-of-way will result.

b) Parking areas shall be designed in conformance with the following: (Figure 26)

Figure 26



1) Parking stalls shall have a minimum paved dimension of 8.5 feet by 18 feet. Stall and aisle dimensions shall be as noted below for the given angle:

Angle	Curb Length	Stall Length	Aisle	Low-Turnover Parking Structure Aisle Width***
45°	12.0'	18.0'	13.5'*	12'
60°	10.0'	18.0'	18.5'*	16'
75°	9.0'	19.0'	23'	18'
90°	8.5'	18.0'	26'***	24'

~~Parallel 20.0' 8.0' 22' 22'~~

~~\* one way aisles only.~~

~~\*\* aisles serving one row of 90° angle parking spaces may be 22 feet wide.~~

~~\*\*\* aisle widths within parking structures for low turnover uses, such as offices, industrial facilities, residential complexes and hospitals. Retail uses and other uses with similar traffic characteristics are considered high turnover uses.~~

~~2) Up to 25 percent of the total number of required spaces may be for compact cars and have minimum paved dimensions as follows:~~

<del>angle</del>	<del>curb length</del>	<del>stall length</del>
<del>45°</del>	<del>10.0'</del>	<del>16.0'</del>
<del>60°</del>	<del>8.5'</del>	<del>17.5'</del>
<del>75°</del>	<del>8.0'</del>	<del>16.5'</del>
<del>90°</del>	<del>7.5'</del>	<del>16.0'</del>
<del>parallel</del>	<del>16.0'</del>	<del>8.0'</del>

~~Compact car parking may be provided if the following conditions are met:~~

- ~~a. the parking area shall have a total size of at least 20 stalls;~~
- ~~b. compact car stalls shall be identified by appropriate directional signs consistent with section 325 of the code of city ordinances;~~
- ~~c. compact car stalls shall be distributed throughout the parking area so as to have reasonable proximity to the structure served but shall not have generally preferential locations such that their use by non compact cars will be encouraged;~~
- ~~d. the design of compact car areas shall to the maximum feasible extent be such as to discourage their use by non compact cars; and~~
- ~~e. compact parking stalls shall not be permitted for high turnover parking lots.~~

~~3) All parking areas except those serving one and two family dwellings on local streets shall be designed so that cars shall not be required to back into the street. If deemed necessary for traffic safety, turn-around areas may be required.~~

~~4) Buffers and setbacks shall be provided as follows.~~

~~a. Access drives, driveways and aisles shall not be allowed to intrude into a required parking setback except at the access point or where a joint drive serving more than one property will provide better or safer traffic circulation; and~~

~~b. Parking lots, driving aisles, loading spaces and maneuvering areas shall have setbacks as indicated in the following table:~~

~~-~~

Required Parking Setbacks								
land use designation of adjacent property	zoning classification of subject property							
	R-1/R-2	R-3	R-4	R-5	B-1	B-2	B-3	I-1
R-1 with CUP for public buildings	20'	20'	20'	20'	20'	20'	20'	20'
low density	20'	20'	20'	20'	20'	20'	30'	30'
mid density	20'	40'	20'	20'	20'	20'	30'	30'
high density	20'	40'	20'	20'	20'	20'	30'	30'
commercial	20'	40'	40'	40'	40'	40'	40'	20'
industrial	20'	40'	40'	40'	40'	40'	40'	40'
office	20'	40'	40'	40'	40'	20'	20'	20'
institutional	20'	40'	20'	20'	20'	20'	20'	20'
public open space	20'	20'	20'	20'	20'	20'	20'	20'
right-of way	20'	20'	20'	20'	20'	20'	20'	20'

~~Land use of adjacent property is as designated in the comprehensive plan. Where a mix of land uses is indicated on the comprehensive plan for adjacent property, the most restrictive applicable buffering requirement shall be observed. The requirements of this table may be waived at points where shared access is utilized.~~

~~5) All parking and loading areas, aisles and driveways shall be bordered with raised concrete curbs or equivalent approved by the city. Single family and two family dwelling developments shall be exempted from this requirement.~~

~~6) All parking, loading and driveway areas shall be surfaced with asphalt, concrete or equivalent material approved by the city except single family homes which are subject to the driveway provisions of section 1105 of the code of city ordinances.~~

~~7) Except in the R-1 and R-2 districts, all parking stalls shall be marked with painted lines not less than four inches wide in accordance with the approved site and building plan.~~

~~8) All parking lots shall provide islands for traffic control as needed.~~

~~c) The number of required parking spaces shall comply with the following.~~

~~1) Calculating the number of spaces shall be in accordance with the following:~~

~~a. if the number of off-street parking spaces results in a fraction, each fraction of one-half or more shall constitute another space;~~

~~b. — in churches and other places of public assembly in which patrons or spectators occupy benches, pews or other similar seating facilities, each 24 inches of such seating shall be counted as one seat for the purpose of this subdivision;~~

~~c. — except in shopping centers or where joint parking arrangements have been approved, if a structure contains two or more uses, each use shall be calculated separately in determining the total off-street parking spaces required;~~

~~d. — for mixed-use buildings, parking requirements shall be determined by the city based on the existing and potential uses of the building. In cases where future potential uses of a building will generate additional parking demand, the city may require a proof of parking plan for the difference between minimum parking requirements and the anticipated future demand; and~~

~~e. — if warranted by unique characteristics, or documented parking demand for similar developments, or both, the city may allow reductions in the number of parking spaces actually constructed as long as the applicant provides a proof of future parking plan. The plan must show the location for all minimum required parking spaces in conformance with applicable setback requirements. The city may require installation of the additional parking spaces whenever the need arises.~~

~~—2) The minimum number of off street parking spaces of each use shall be as follows:~~

~~a. — single family dwelling and two family dwellings: two parking spaces for each dwelling unit. For single family dwellings, a suitable location for a garage measuring at least 20 feet by 24 feet which does not require a variance shall be provided for each dwelling unit. For two family dwellings, a suitable location for a garage measuring at least 13 feet by 24 feet, which does not require a variance, shall be provided for each dwelling unit. Such spaces must be shown on a survey or site plan to be submitted when applying for a building permit to construct a new dwelling or alter an existing space;~~

~~b. — multiple family dwelling: two parking spaces for each dwelling unit, of which one space per dwelling unit shall be completely enclosed. The two required parking spaces may not include the space in front of garage doors. Additional spaces for visitor parking shall be provided based on the specific characteristics of a development and the anticipated demand for visitor spaces as determined by the city. These characteristics may include, but shall not be limited to, the project size, the number of enclosed parking spaces, the accessibility of open parking spaces, access to on-street parking, topographical characteristics, the preservation of significant trees, the impact to surrounding property, and the site and building design. Developments of 12 or fewer dwelling units, where each unit has two enclosed parking stalls, must have a minimum visitor parking ratio of 0.75 spaces per dwelling unit. Visitor parking may include spaces in front of garage doors for individual units;~~

~~c. — senior citizen housing developments: one parking space for each unit shall be required. The city may require proof of parking of two spaces per unit if conversion to general housing appears possible. At least 50 percent of the required parking spaces shall~~

~~be within an enclosed weather controlled structure connected to the principal structure. The visitor parking requirements for multiple dwellings shall apply;~~

~~d. ——— boarding or lodging house: one parking space for each two persons for whom sleeping accommodations are provided;~~

~~e. ——— convalescent or nursing home: one parking space for each four beds for which accommodations are offered, plus three spaces for each four employees on the major shift. If the city determines that the building is convertible to market rate housing, two stalls may be required for each potential dwelling unit under a proof of parking plan. Each facility must provide a parking plan or agreement for special event parking, if there is not adequate on-site parking for these events;~~

~~f. ——— hospital: one parking space for each two hospital beds plus one space for each employee on the major shift;~~

~~g. ——— religious institutions and facilities, other buildings that include public assembly space, such as community centers and buildings of fraternal organizations, but excluding hotels, and related uses: one parking space for each 2.5 seats based on the design capacity of the main sanctuary or assembly space. The city may require additional spaces for offices, classrooms, day care centers or other uses operated on the grounds;~~

~~h. ——— senior high school: one parking space for each classroom plus one space for each 10 students based upon design capacity;~~

~~i. ——— elementary, junior high school or similar school: two parking spaces for each classroom;~~

~~j. ——— conditionally permitted schools which are not covered by paragraphs h. and i.: one parking space for every three students, plus one space for each instructor;~~

~~k. ——— municipal administration building, public library, museum, art gallery, post office or other municipal service building: 10 parking spaces plus one space for each 500 square feet of floor area plus one space for each vehicle customarily kept on the premises;~~

~~l. ——— golf course, golf clubhouse, country club, swimming club, tennis club, racquetball club or handball club: 20 spaces plus one space for each 500 square feet of floor area in the principal structure;~~

~~m. ——— general office building, bank and savings and loan association: one parking space for each 250 square feet of floor area with a minimum of 10 spaces required. For class A office buildings exceeding 100,000 square feet of floor area, parking requirements may be reduced based on parking studies of the anticipated parking demand of the specific building. Parking studies are to be prepared by a registered traffic engineer or certified planner;~~

~~n. — medical and dental office: one parking space for each 175 square feet of floor area with a minimum of 20 spaces required;~~

~~e. — shopping center:~~

~~1. — regional – a minimum of 5.5 spaces per 1,000 square feet of gross area;~~

~~2. — neighborhood or community – a minimum of 4.5 spaces per 1,000 square feet of gross area.~~

~~— If a center contains substantial interior common space, required parking spaces may be reduced based on an analysis of parking demand or proof of parking to be installed if needed at the request of city. Parking demand for restaurants and theaters located within the center will be added to the above figures based upon the requirements of this subdivision;~~

~~p. — automobile service or gas station: four parking spaces plus three parking spaces for each service stall, one parking space for each 250 square feet of building area used for the sale of goods or services and adequate parking for gas pump areas;~~

~~q. — bowling alley: five parking spaces for each bowling lane;~~

~~r. — hotel or motel: parking subject to the following:~~

~~1. — with no other facilities than guest rooms – one space per room plus one space per employee on the major shift;~~

~~2. — with other facilities, including restaurants, conference facilities or meeting rooms – one space per room plus one space per each 4.5 persons of capacity in other facilities.~~

~~s. — health or fitness center: one parking space for each 225 square feet of floor area;~~

~~t. — miniature golf course: 1.5 parking spaces per golf hole;~~

~~u. — archery or golf driving range: one parking space for each target or driving tee;~~

~~v. — assembly or exhibition hall, auditorium, sports arena, banquet facility, conference facility: one parking space for each three seats based upon design capacity;~~

~~w. — theater: one parking space for each three seats for a theater with 15 screens or less that does not share parking with a shopping center and one parking space for each four seats for all other theaters;~~

~~x. — restaurant, tavern or lounge:~~



1. ~~\_\_\_\_\_~~ sit down full service:

~~a) without on-sale intoxicating liquor or dance hall license  
—one space per 60 square feet of gross floor area or one space per 2.5 seats, whichever is  
greater;~~

~~b) with on-sale intoxicating liquor or dance hall license—  
one space per 50 square feet of gross floor area or one space per two seats, whichever is  
greater, except that in cases in which there is a bar area separate from the food service area, a  
dance area larger than 100 square feet, or other public areas, additional parking will be required  
as necessary.~~

2. ~~\_\_\_\_\_~~ fast food or self service: one space per 60 square feet of  
gross floor area.

~~y. \_\_\_\_\_ skating rink: one parking space for each 200 square feet of floor  
area;~~

~~z. \_\_\_\_\_ retail store or service establishment: one space for each 250  
square feet of gross floor area within the building with a minimum of five parking spaces;~~

~~aa. \_\_\_\_\_ wholesale business, storage or warehouse establishment: one  
space for each 1,000 square feet of gross floor area for any building used solely in a storage  
capacity. For a mixed-use building where storage and warehousing is an incidental use to other  
activity, required parking spaces shall be based upon the specific requirements for each use  
appearing in this subdivision. Parking requirements for a mixed-use building or a building  
designed to contain mixed uses shall be calculated by allocating a minimum of 50 percent of  
gross floor area to the most intense use;~~

~~bb. \_\_\_\_\_ manufacturing, processing or assembly plant: one parking space  
for each employee on the major shift or one parking space for each 350 square feet of gross  
floor area devoted to manufacturing plus one space per 250 square feet of gross floor area  
devoted to office use, whichever is greater, plus one space for each motor vehicle customarily  
kept on the premises;~~

~~cc. \_\_\_\_\_ licensed day care facility: one parking space for each six children  
based on the licensed capacity of the facility;~~

~~3) \_\_\_\_\_ One handicapped parking stall shall be provided for each 50 stalls.  
Handicapped parking spaces shall be in compliance with the uniform building code and state  
law.~~

~~4) \_\_\_\_\_ The parking requirement for uses not listed in this subdivision may be  
established by the city based on the characteristics of the use and available information on  
parking demand for such use.~~

~~d) \_\_\_\_\_ Loading and unloading requirements shall be in compliance with the following.~~

~~1) Any use which the city believes requires the provision of designated spaces for the loading, unloading or parking of trucks or semi-trailers shall provide such spaces and maneuvering area in the number and configuration which shall be deemed necessary in order to prevent interference with the use of the public right-of-way and with vehicles entering onto or exiting from the public right-of-way.~~

~~2) Semi-trailer spaces shall be at least 55 feet in length, 10 feet in width and 14 feet in height plus necessary additional maneuvering space.~~

~~3) Spaces shall not be located on a street side of any building, or, if so located, shall be provided with screening deemed adequate by the city.~~

~~4) Spaces and the associated maneuvering area shall be at least 50 feet from the property line of any property which is zoned for or designated in the comprehensive plan as residential.~~

~~5) No trucks shall be parked in areas other than those designed for such purpose on an approved site plan.~~

~~6) Delivery and service areas shall be sized in accordance with Minnesota Department of Transportation WB-60 standards.~~

~~e) Business establishments containing drive-up facilities, including restaurants and financial institutions, shall provide a stacking area for vehicles on the site. A minimum of 6 vehicle spaces per lane shall be provided.~~

~~—All such spaces shall be entirely on the site and shall be in addition to parking spaces required for the principal use. The vehicle stacking area shall not extend beyond the street right-of-way line and shall be delineated in such a manner that vehicles waiting in line will not interfere with nor obstruct the primary driving, parking and pedestrian facilities on the site.~~

~~f) All required parking spaces shall be accessed by adequate maneuvering space. All dead-end parking rows shall contain a turnaround area at least 13 feet deep.~~