

**Unapproved
Minnetonka Planning Commission
Minutes**

June 15, 2023

1. Call to Order

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

2. Roll Call

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

Staff members present: City Planner Loren Gordon, Assistant City Planner Susan Thomas and Planner Bria Raines.

3. Approval of Agenda

Waterman moved, second by Banks, to approve the agenda as submitted with additional comments provided in the change memo dated June 15, 2023.

4. Approval of Minutes: June 1, 2023

Henry moved, second by Waterman, to approve the June 1, 2023 meeting minutes as submitted.

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

5. Report from Staff

Gordon briefed the commission on steps being taken to complete a climate action and adaptation plan and future sustainability public outreach events.

The next planning commission meeting is scheduled to be held July 6, 2023.

6. Report from Planning Commissioners

Powers shared that the farmer's market held at the Ridgedale Commons Park was wonderful. Acting Chair Hanson agreed.

7. Public Hearings: Consent Agenda

No items were removed from the consent agenda for discussion or separate action.

Powers moved, second by Banks, to approve the items listed on the consent agenda as recommended in the respective staff reports as follows:

A. Interim use permit for TNT Fireworks at 4795 County Road 101.

Recommend that the city council adopt the resolution approving an interim use permit for temporary fireworks sales by TNT Fireworks at 4795 County Road 101.

B. Conditional use permit for an accessory dwelling unit at 1505 Traymore Road.

Recommend that the city council adopt the resolution approving a conditional use permit for a detached-accessory-dwelling unit at 1505 Traymore Road.

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

8. Public Hearings

A. Amendment to the sign plan for Crescent Ridge Corporate Center as it pertains to 10900 Wayzata Blvd.

Acting Chair Hanson introduced the proposal and called for the staff report.

Thomas reported. She recommended denial of the application based on the findings listed in the staff report.

David Ketcham, representing Piedmont Office Realty Trust, owner of 10900 Wayzata Blvd., applicant, stated that:

- He requested the proposal be approved.
- He believes in the spirit of the sign ordinance, but an additional sign would not be too much.
- Alerus would have a competitive disadvantage if it did not have a sign visible from the I-394 corridor.
- Alerus will not locate in Minnetonka if it does not have a sign visible from I-394. He did not want to lose a good corporate citizen like Alerus.

Jenny Coates, representing Piedmont Office Realty Trust, owner of 10900 Wayzata Blvd., applicant, stated that:

- The sign ordinance treats office buildings 200,000 square feet in size and those 3,000 square feet in size the same. Office buildings should have different sign ordinance regulations based on the building's size.
- There are only six other buildings in Minnetonka that are over 200,000 square feet in size.

Powers asked how many tenants are located in the building. Ms. Coates answered 23. She stated that previous potential tenants chose to locate in Plymouth and St. Louis Park due to not being able to have a sign on the exterior of the building.

Ms. Coates noted that there are smaller, non-office buildings along the I-394 corridor that have multiple signs. Alerus has made it clear that it would look at locating in another city if it could not have a sign on the outside of the building.

The public hearing was opened. No testimony was submitted and the hearing was closed.

Powers stated that:

- He is in favor of allowing Alerus to have a sign on the outside of the building in either proposed location. He wants to find a way to make this happen without every tenant requesting a sign on the outside of the building.
- Alerus is a fine organization that is growing. He wants to support growth of a business.
- Since the only sign on the building is “Siemens,” it appears that Siemens is the only tenant in the building.
- He appreciates the applicant’s presentation.

Banks stated that:

- He agrees with Powers. He felt that the 200,000-square-foot office building could support two exterior signs.
- He suggested looking at the sign ordinance to make the sign regulations in relation to the size of the building and the amount of square footage that the tenant occupies.
- He likes the aesthetic of the Alerus sign being located on the lower tier of the building.
- He appreciated the applicant’s presentation.
- He supports approving the applicant’s request to locate a sign on the outside of the building.

Waterman stated that:

- He struggled with this one. He understood the desire for a property owner to showcase a marquee tenant.
- The biggest issue for him is setting a precedent.
- The size of the large building and its location on I-394 are pushing him to find a second sign acceptable if it could be contingent on the building meeting a minimum size requirement and being located on I-394.

- He did not want to allow any tenant occupying at least 11 percent of a building to have an exterior sign on the building.

Henry stated that:

- He was divided. He was open for a healthy debate on the issue.
- If this sign application would be approved, then he anticipates the building west of it would apply for a second sign. The other buildings in Minnetonka would raise the same issue. The sign plan created for this building was created for good reasons.
- He wants Alerus to stay, but he is not a fan of an applicant threatening to leave if the applicant does not get what they want.
- He had no trouble finding Alerus when he did business with them. He hopes Alerus will stay in Minnetonka.
- One of the reasons Minnetonka is a premier city to do business in is because of the sign ordinance decreasing sign clutter.
- He did not want approval of the application creating a snowball effect.
- The proposed sign would not detract from the building. He prefers the lower, proposed sign location two.
- He leaned toward approving the applicant's request, but he would do that with serious reservations.
- Staff does a thorough job and staff's recommendation is quite reasonable.

Acting Chair Hanson stated that:

- He would like Alerus to stay in Minnetonka.
- There would be consequences for the action taken regarding the application.
- He agreed that there would be similar sign requests if the proposal would be approved.
- He wants to support business growth and job opportunities, but also less sign clutter.

Powers agreed with being aware of setting a precedent, but commissioners should not be afraid of setting an acceptable precedent.

Acting Chair Hanson stated that:

- Minnetonka supports businesses.
- The applicant cares about the aesthetics of the building.
- The next property manager may not meet the unique conditions of this site including the building's large size, its location on I-394 and the tenant occupying 11 percent of the building's square footage.
- He supports the applicant's request due to those standards being met.

Thomas recommended that if commissioners make a motion to approve the application, then a condition restricting the height of an exterior wall sign to a maximum of five feet be included in the resolution. The sign location preference should also be included in the motion.

Acting Chair Hanson prefers proposed sign location option two as illustrated in the staff report.

Powers moved, second by Banks, to deny staff's recommendation denying adoption of a resolution approving an amendment to the sign plan for Crescent Ridge Corporate Center at 10900 and 11100 Wayzata Blvd.

Waterman, Banks, Henry, Powers and Hanson. Maxwell and Sewall were absent. Motion carried.

Henry noted that the decision to approve the application is dependent on the building size being at least 200,000 square feet; the building's location on I-394; and the tenant being the second largest tenant of the building.

Henry moved, second by Powers, to adopt a resolution approving an amendment to the sign plan for Crescent Ridge Corporate Center at 10900 and 11100 Wayzata Blvd. to allow an exterior wall sign no taller than five feet in height to be located in proposed option two as illustrated in the staff report.

Waterman, Banks, Henry, Powers and Hanson. Maxwell and Sewall were absent. Motion carried.

Acting Chair Hanson stated that an appeal of the planning commission's decision must be made in writing to the planning division within 10 days.

B. Conditional use permit for an accessory structure at 2507 Sherwood Hills Road.

Acting Chair Hanson introduced the proposal and called for the staff report.

Raines reported. She recommended approval of the application based on the findings and subject to the conditions listed in the staff report.

Todd Frostad, 2507 Sherwood Hills Road, stated that:

- The proposal would enclose vehicles to make his property look nicer.
- The dormer and bonus space would make the addition look matched to the other 35-foot high peak.
- He is trying to create something aesthetically pleasing.
- The architecture style was selected to match the existing building.
- The bonus room space would not be used as an accessory dwelling unit.

The public hearing was opened. No testimony was submitted and the hearing was closed.

Powers stated that:

- He agrees that the proposal would improve the applicant's ability to live on the property.
- The proposal would not impact the neighbors.
- He supports the proposal.

Waterman stated that:

- He concurs with Powers.
- The proposal would cause minimal tree loss and fit with the existing grade.
- It would not be too close to the neighbors. The site is very large.
- He looks forward to seeing it on its completion.

Banks stated that:

- He would prefer a beautiful garage that would complement the house; have less mass; and meet ordinance requirements without a conditional use permit.
- The structure would be visible from the street.
- He did not feel compelled to approve the proposal due to the sport court and bonus room.

Henry stated that:

- A previous application reviewed by the commission proposed an accessory structure twice the size of the principle structure. This proposal's structure would be much smaller than the principle structure.
- Henry felt that there is a better way to design the proposal to better match the house and come closer to meeting ordinance regulations.

Gordon noted that use of the space is not part of a conditional use permit application.

Acting Chair Hanson supports staff's recommendation.

Waterman moved, second by Powers, to recommend that the city council adopt the resolution approving a conditional use permit for a 1,400-square-foot-detached-accessory structure at 2507 Sherwood Hills Road.

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

The city council is scheduled to review this item at its meeting scheduled to be held June 26, 2023.

9. Adjournment

Banks moved, second by Waterman, to adjourn the meeting at 8 p.m. Motion carried unanimously.

By: _____
Lois T. Mason
Planning Secretary