

**Minnetonka Planning Commission
Minutes**

November 3, 2016

1. Call to Order

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

2. Roll Call

Commissioners Powers, Hanson, Knight, O'Connell, Odland, and Kirk were present. Calvert was absent.

Staff members present: Community Development Director Julie Wischnack, Assistant City Planner Susan Thomas, Senior Planner Ashley Cauley, Water Resources Technician Tom Dietrich, and Natural Resources Manager Jo Colleran.

3. Approval of Agenda

Odland moved, second by Hanson, to approve the agenda with the removal of Item 8A, a modification and additional comments for Item 8B, and additional comments for Item 9A as outlined in the change memo dated November 3, 2016.

Powers, Hanson, Knight, O'Connell, Odland, and Kirk voted yes. Calvert was absent. Motion carried.

4. Approval of Minutes: October 20, 2016

Odland moved, second by O'Connell, to approve the October 20, 2016 meeting minutes as submitted.

Powers, Hanson, Knight, O'Connell, Odland, and Kirk voted yes. Calvert was absent. Motion carried.

5. Report from Staff

Thomas briefed the commission on land use applications considered by the city council at its meeting of October 24, 2016:

- Adopted an ordinance amending the floodplain districts to match changes made by FEMA.

- Adopted a resolution approving items for Unmapped Brewing Company.
- The applicant postponed the review of items for Enclave at Regal Oak on Shady Oak Road.
- Adopted a resolution approving Mayfair at Copperfield.
- Concept plan review of an application for a monopole to be located at the Williston water tower site.

The next planning commission meeting is scheduled for November 17, 2016.

6. Report from Planning Commission Members

Odland completed the city's Citizens' Police Academy. Minnetonka is fortunate to have such dedicated police officers who go the extra mile to keep residents safe. She thanked Officer Sheldon for the ride along.

7. Public Hearings: Consent Agenda: None

8. Public Hearings

A. Final site and building plans with parking variance for a self-storage facility at 6150 Baker Road.

Review on this item was postponed at the request of the applicant.

B. Items concerning the redevelopment of the property at 10101 Bren Road East.

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

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

Powers confirmed with Cauley that staff worked with the developer and determined that it would be difficult for any type of development to save all of the central grove of trees. The proposal would remove a portion of the trees. The remaining trees would be removed when the pedestrian bridge that crosses Blue Circle Drive would be replaced in the near future.

Odland asked where trees would be added. Cauley reviewed the landscape plan.

Tom Hayden, with Lecesse Development, applicant, stated that the proposal would have an attractive, high-density building with amenities commiserate with a luxury, residential community. He thanked his engineers for figuring out a way to realign the utilities to allow a trail. The property on the west is incorporated into the design and would be part of the luxury, community experience. To offset the tree removal, the site would be loaded up with as much greenery as possible. He has spent a great deal of time with staff to work through all of the issues. The applicant is proud of the design.

Chair Kirk asked what type of trees would be added. Colleran answered that the concept plan shows that trees with a diameter of 2.5 to 3-inch trees would be planted for deciduous trees. The final species has not yet been determined. By ordinance, no more than 25 percent of one type of tree may be planted to ensure a variety.

Chair Kirk noted that there is no on-street parking. Mr. Hayden stated that parking is a big priority. Due to the area's demographics, there would be 60 percent 1-bedroom and studio apartments and 40 percent 2-bedroom apartments. Fewer 2-bedroom apartments would allow the parking ratio to be 1.8 parking stalls per unit. There are a few areas that could provide additional parking if it would be deemed necessary in the future.

Chair Kirk asked how the future SWLRT influenced the proposal. Mr. Hayden said that the majority of tenants would be local and live within three to five miles. Maybe five percent would commute downtown. The SWLRT would be great for the overall Opus campus. The proposal would be the first large, multi-family dwelling within the campus. Having the commercial, activity, and SWLRT would be beneficial to the proposal in the long term.

O'Connell noted that 10 percent of the units would be rent restricted. He asked what the income limit would be. Cauley answered 80 percent of the area's median income.

The public hearing was opened.

Annette Bertelsen, 13513 Larkin Drive, stated that:

- She spoke on behalf of residents in the Essex neighborhood.
- She asked if the rent restriction would count toward the Metropolitan Council's goal for the city.

- She asked how the proposal would align with future plans for the area. The proposed location for the trail further south seems logical and beneficial.
- She asked how the proposal would connect with Bren Road.
- She questioned the justification for using park dedication fees to pay for the trail. She calculated the park dedication fee for 322 units at \$500 per unit to be \$1.61 million. She requested that the developer pay the fee to the city so it can be used for a future trail that may or may not fit with the overall plan. She questioned where the proposed site falls within the city's list of priorities for using park dedication funds to improve the trails and park.

Stuart Lind, of Annex Medical, part of the CondoBusiness Association, stated that:

- He did not want the driveway curb cut in the proposed location.
- He estimated that a lot of employees would live in the proposed building. He would not be surprised if 50 percent of the units would be filled by United Health employees.
- He pointed out the heavy traffic areas.
- United Health employees purposely drive the wrong way on a one-way street to take a shorter route. A small revision would help.
- He was concerned for foot traffic. He suggested improving the bottom area to make it a more pleasing area to walk.
- He pointed out where he requested a fence be located.
- He suggested adding lights and paving the path where it is obvious that pedestrians are already walking.

No additional testimony was submitted and the hearing was closed.

Cauley asked Mr. Lind where he would like the fence located. Mr. Lind pointed it out south of the shared driveway. It would make pedestrians choose to walk down the path.

Knight suggested requesting a police officer monitor the exit of the parking ramp for drivers going the wrong way on the one-way street. Cauley will pass that along to police department staff.

Wischnack explained that the developer is not requesting financial assistance such as tax increment financing (TIF) and is not providing rent control of 10 percent of the units as part of the approval of the development. Ten percent of

the units would have restricted rent and would be available to renters who make no more than 80 percent of the median income. The city has been performing quite well in relation to meeting its affordability goals. Thrive 2040 is the new housing policy plan that stratifies affordability goals to provide affordable housing to workers with incomes 30 to 50 percent and 50 to 80 percent of the area median income. The city received 94 out of 100 for its housing performance score given by the Metropolitan Council. That means that the city is meeting its affordability requirements.

Chair Kirk confirmed with Wischnack that the affordability component of the proposal is a benefit for a planned unit development (PUD).

Wischnack confirmed that a residential development pays \$5,000 per unit in park dedication fees. Staff works with developers to connect trails. Moving the trails around for the proposal would be funded by the developer. Park dedication fees are kept in the park dedication fund and there are regulations restricting for what the money can be used. There is a prioritization in the capital improvement plan that guides the order in which improvements will be made. Lighting for the entire six miles of trails in the Opus Business Park is budgeted to be done in the 2018-2019 capital improvement budget.

Chair Kirk confirmed with Wischnack that the applicant would pay the entire park dedication fee, but the applicant could subtract the cost of the trail to the north since it is not located on the proposed site.

Cauley reviewed the trail map of the area and connection to the future SWLRT.

Mr. Hayden explained that once the topography was completed, it was discovered that it would be necessary to move the median to the south. The median would be landscaped with trees and shrubs. He is hoping to make it dense enough to discourage pedestrians from walking through it. He would prefer a natural barrier instead of a fence. The entrance on the south is close to the trail system to access United Health Care. He agreed that lighting throughout the entire six-mile stretch of trail makes sense. He estimated that residents would leave in the morning out the west side instead of Bren Road because it would be the path of least resistance.

Chair Kirk and staff discussed the traffic backups that occur on Bren Road at 4:30 p.m. Wischnack stated that the entrance issue may be worked out by the property owners before the city council meeting.

Nick Mannel, Loucks and Associates, engineer for the applicant, explained the technical challenges. There is a four-foot difference between the entry drive and parking lot elevation. The parking elevation is set by the first-floor elevation of the building. That prevents the connection between the two drive aisles. There is a grade plan requirement that prevents raising or lowering the floor elevations.

Chair Kirk thought that the proposal would be great.

Powers agreed that the project would be wonderful.

Hanson appreciated the additional permanent green space and addition of more trees than required. It is a good design. Something this size is needed to kick off development in the area.

Odland moved, second by Powers, to recommend that the city council adopt the following for 10101 Bren Road East with a modification to address the driveway and connect the trail from Blue Circle; replace the demo and tree removal plan with page 27 of the staff report as referred to in the change memo dated November 3, 2016; and include an incentive for pedestrians to stay on the path such as extensive landscaping:

- 1. Ordinance rezoning the property from I-1, Industrial, to a PUD, planned unit development, and a master development plan.***
- 2. A resolution approving final site and building plans with parking variance.***

Powers, Hanson, Knight, O'Connell, Odland, and Kirk voted yes. Calvert was absent. Motion carried.

9. Other Business

- A. Concept plan for development of the properties at 1911 and 1935 Linner Road.**

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

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

In response to Chair Kirk's questions, Thomas explained the exhibit that provides the square footage of lots in the area. R-1A is a zoning classification that allows for lots smaller than 22,000 square feet in size in order to promote construction of new, smaller-than-usual-sized houses. The ordinance states that R-1A zoning would be appropriate if more than 60 percent of surrounding properties are less than 22,000 square feet in size and a new, public street would be built to create its own neighborhood. The city has broad discretion when considering a rezoning application. There is a restriction on the size and height of the house and on the amount of impervious surface.

Eric Zehnder, Zehnder Homes, applicant, stated that the cul-de-sac would provide a nice feel for a neighborhood. Rezoning the property to R-1A would allow a cul-de-sac for four houses. Linner Road is a busy road and a cul-de-sac would be safer than 4 driveways accessing Linner Road. There are 12 lots less than 22,000 square feet within a close proximity. The average lot size for the proposed lots would be 18,624 square feet in size. The houses would be limited by the floor area ratio (FAR) requirement. There would be minimal tree impact. Most of the trees on the property are boxelder trees. There are 13 high-priority trees. All ordinance requirements would be met in regard to tree removal. A cul-de-sac would be a better approach. The area is more served by cul-de-sacs. The financial implications are a wash. He did not anticipate the need for any variances.

Chair Kirk invited those present to speak.

Jocelyn Anderson, 1901 Linner Road, stated that:

- She was concerned with the neighborhood character and change from R-1 to R-1A. R-1 zoning would keep the character of the neighborhood.
- The front and side yard setbacks are greatly reduced in R-1A zoning. The proposed house could be 10 feet from the property line.
- She was concerned how it would impact her property.
- She and her neighbor Harriet Carlson, who resides at 1939 Linner Road, advocate for the R-1, four-house plan or a cul-de-sac with three houses that conform to R-1 zoning to allow for a larger front setback.

Chris Dylan, 1902 Deerhill Court, stated that:

- Five houses would be too many in this neighborhood. Three or four would fit beautifully.
- The main problem would be the way houses would be set. The houses on the cul-de-sac would be pushed back much further than they would if four houses would have driveways on Linner Road.
- He would prefer something more straight forward without a stubby cul-de-sac.
- There would be the same amount of traffic with a cul-de-sac or driveways on Linner Road.

Dennis Mcfadden, 1813 Linner Road, stated that:

- The density would increase from three to eight or nine. Traffic is already problematic.
- He is a proponent of three or four houses without the cul-de-sac.

Susan Dubbs, 1910 Deerhill Court, stated that:

- The applicant said that it would be easier to sell houses located on a cul-de-sac. She did not think a cul-de-sac should be done to make the seller's job easier.

Powers felt that five houses would be too many. The area has large lots with houses setback further from the road. He thought four houses on a cul-de-sac would be a mistake.

Mr. Zehnder explained that the front setback would be 25 feet from the property line which would be 50 feet from the paved street. Thomas explained that, legally, a front yard is one that abuts a public right of way independent of the orientation of the house. A corner lot, technically, has 2 fronts.

Mr. Zehnder clarified that it would be three to six or seven houses, instead of three to eight or nine houses. Across the street at Linner Ridge is a cul-de-sac with the exact situation. There are two houses with similar front setbacks facing Linner Road. There are a lot of cul-de-sacs in the area and lots that have side yards adjacent to Linner Road. He provided the four-lot concept. The lots would be larger and conform to all ordinance requirements, but the third lot would look kind of strange. The five-lot subdivision looks like it makes sense. It would not make a difference financially. The houses in both proposals would be easy to sell. The five-lot subdivision is a better product and would be more aesthetically pleasing.

Powers left the meeting.

Odland felt that four houses would fit better than five.

Hanson thought that houses lined up on Linner Road would look denser than setting a couple back further. The neighborhood has character. He liked the five-house proposal.

Chair Kirk agreed with Hanson. The cul-de-sac on the west has narrow, deep lots. The front-yard setbacks would be similar to the proposal. He is concerned about the two smaller lots. The other layout that meets R-1 zoning requirements does not seem very attractive. The street is not very wide. Linner Road acts as a collector street for the cul-de-sacs. The more driveways added to Linner Road would complicate that. It would be better for the vehicles to access Linner Road from a cul-de-sac than separate driveways. He was on the fence.

O'Connell was also on the fence. He thought that R-1A subdivisions are generally located near a busier street. He asked if an R-1A housing subdivision had ever been approved in a similar neighborhood. Thomas stated that only two other R-1A subdivisions have been approved. One is located near County Road 101 and Excelsior Boulevard and the other is located on Highview Place, near Interstate 494 and Highway 7. Chair Kirk noted that similar subdivisions had previously been approved as planned unit developments (PUD). Thomas explained that a seven-lot proposal would have located four lots on Linner Road. The area has different vegetation, but is a steep, wooded slope. The area was put into a conservation easement to concentrate development near Linner Road and preserve the wooded area.

Knight asked how large a house could be built on the lot 16,300 square feet in size. Thomas answered that there would be a floor area ratio (FAR) restriction of .24. Knight noted that the house across the street at 15002 Linner Ridge is huge. He confirmed with Thomas that the house at 15002 Linner Ridge would not have been built if the site had been zoned R-1A. Under the old PUD ordinance, the FAR applied to the entire development area which often resulted in large houses on small lots and small houses on large lots. Knight stated that the R-1A zoning would create lots and houses that would fit each other and look more appropriate.

Knight prefers the five-lot with a cul-de-sac plan better than the long, four lots on Linner Road. The cul-de-sac would hide the other houses.

Chair Kirk stated that it is obvious that the area is ready to be redeveloped. The 1930 stucco seems out of place with the character.

Knight felt that the cul-de-sac would fit better and create a nice neighborhood rather than just driveways on Linner Road.

Hanson suggested keeping five lots, but somehow pulling the fifth house back.

O'Connell thought knowing the house placement would be helpful. He was also on the fence.

Chair Kirk stated that the concept plan is schedule to be reviewed by the city council December 1, 2017.

B. Concept plan for development of a 110-unit senior care facility at 17710 and 17724 Old Excelsior Boulevard.

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

Thomson reported. Staff recommends that commissioners provide comments and feedback on the identified key issues. The discussion is intended to assist the applicant with future direction that may lead to the preparation of more detailed development plans.

Chair Kirk confirmed with Thomas that the side setbacks would be equal to one and a half times the height of the building.

Della Kolpin, with Mesaba Capital Development, applicant, stated that:

- The site is 2.54 acres. The applicant plans on purchasing both parcels and selling .38 acres, for a result of 2.24 acres. The .38 acres would be used for the South Lake Pediatrics building's parking.
- The proposed building would be oriented to get natural light to as many residents as possible.
- The facility would have 110 units. For senior housing, parking is one stall for each unit. There would be 70 underground parking stalls as well as 40 above grade. The cross parking easement with South Lake Pediatrics would be beneficial for the holiday weekends and events throughout the year. The South Lake Pediatrics building is closed on weekends, so the parking lot would be available for the

applicant. She pointed out where an additional 40 parking stalls would be located.

- The proposal would include a new sidewalk along the road and trails that would go around the site. Benches and lighting would also be looked at.
- The facility would provide continuum of living which would include independent, assisted, and memory care. There would be studio, one-bedroom, one-bedroom with den, and two-bedroom units. There would be resident common areas.
- The capital investment would be \$22 million.
- The attributes of the site include that it is located near a major intersection, commercial businesses, and North Memorial Medical Center.
- There will be relatively low traffic.
- The high density offers an ideal redevelopment option for the area.
- In 2011, the site was noted as high-density residential in the vision study.
- There would be 4 levels. Each level would be around 28,000 square feet in size. The green space would be 1 and the building 1.6.
- The site would have to be rezoned and platted.
- The front setback would be 50 feet, side setbacks 40 feet, and rear setback of 30 feet. The underground parking wall could be used as part of the retaining wall with a rear setback of 20 feet. That would require a variance.
- She described the entrance to the building and parking ramp.
- The roof would be flat with a covered main entrance. Natural colors would be used. Main-level patios would be included on the south and west sides.
- Memory care would be on the north wing and have a memory care garden.
- There would be gardens, sidewalks, and benches throughout the site.
- The applicant's most recent project has almost been completed in Edina at 71st and York Avenue. The applicant would partner with the best operator for the market place.

Karen Swanson, 17809 Old Excelsior Boulevard, stated that:

- She has concerns with the size, density, traffic flow, parking, impact to the neighborhood, and quality of life to the residents.

- Four stories would overpower the neighbors, except for the large commercial building on the east side.
- Residents would need support staff.
- The street is two lanes and is extremely busy and backs up before and after school and during school events. The high school has grown tremendously over the years. Getting in and out of the site would be difficult.
- The proposed driveway would be just passed the median at the Excelsior Boulevard and County Road 101 intersection. Drivers now make a u-turn around the median to access the daycare.
- It would be difficult to extend a sidewalk down the street and may cause the removal of a huge tree. The residents would be contained to the trails on the site.
- She was concerned with sirens that would visit the site.

Ms. Kolpin stated that:

- Her kids go to Wayzata High School and she has been to the Minnetonka High School many times. Senior housing is an ideal opportunity because the seniors do not have to travel during peak traffic times.
- About 20 of the 110 units would be memory care and 40 would be assisted living, so those residents would not drive or have vehicles. Senior housing would provide high density, but much less traffic.
- The details of making the site walkable have not been completed, but there would be an opportunity for a sidewalk, benches, and lighting along Old Excelsior Boulevard. She would work closely with city staff to determine what the city would like to link the site with neighboring properties.
- There would be approximately 30 staff members working across 3 shifts.
- The residents would have first priority for underground parking, but employees would have the opportunity if there would be some available. The surface stalls would be for visitors.
- The median is located further to the east.
- The cottonwood tree is located to the west of the proposed site.

Knight asked how much senior housing is available and if more is needed. Wischnack answered that in the last few years, 1,438 units of housing have been or are in the process of being built in Minnetonka. Of those, senior-focused housing includes Cherrywood which is 100 units and 2 cooperative projects

which have 54 and 84 units. That is 238 units out of the 1,438. The majority of new housing being built is not considered senior housing. The baby boomers are at the 65 year to 67 year of age right now.

Chair Kirk noted that Applewood sold out very quickly.

O'Connell agreed with the current traffic issues, but thought that senior housing would add less traffic issues than an office use. The proposal seems to fit the long-range plan. He did not oppose it.

Odland saw nothing wrong with the product, but did not think it would be the right location. Staff change shifts at 7 a.m. and 3 p.m. A semi would deliver food and the site does not have a turnaround.

Knight asked how delivery vehicles would navigate the site. He liked the site's proximity to health care providers. That would be a benefit.

O'Connell said that the building may appear large until the rest of the area catches up with the master plan.

Odland noted that 71st and York in Edina already has high-density residential uses surrounding the facility. The proposal would have traffic challenges.

Hanson noted that the proposal would be the first new project in the neighborhood. There is a fair amount of existing senior housing. The developer has done a number of great projects. Senior housing is hard to repurpose. There are better sites for senior housing in Minnetonka.

Chair Kirk felt that the site may be a little tight for the height of the building. The west side would be almost a four-story building adjacent to one-story office buildings. The east side faces the MedTech Building which is already large in mass. He would prefer the mass of the building set back further from Old Excelsior Boulevard. There is not a lot of site to play with. He struggled with the amount of activity that would be generated on Old Excelsior Boulevard. He would like to see the traffic study. The product is right. Senior housing is selling out fairly quickly.

Chair Kirk stated that the concept plan is schedule to be reviewed by the city council November 14, 2017.

10. Adjournment

***Odland moved, second by Knight, to adjourn the meeting at 9:46 p.m.
Motion carried unanimously.***

By: _____
Lois T. Mason
Planning Secretary