



Planning Commission Agenda

June 22, 2017—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: May 18, 2017
5. Report from Staff
6. Report from Planning Commission Members
7. Public Hearings: Consent Agenda
 - A. Conditional use permit to allow the demolition and reconstruction of a larger accessory structure at 3841 Baker Road.

Recommendation: Recommend the city council approve the request (4 votes)

 - Recommendation to City Council (Tentative Date: July 10, 2017)
 - Project Planner: Drew Ingvalson
8. Public Hearings: Non-Consent Agenda Items
 - A. Sign plan for Ridgedale Corner Shoppes at 1801 and 1805 Plymouth Road.

Recommendation: Adopt the resolution approving the sign plan (5 votes)

 - Final Decision Subject to Appeal
 - Project Planner: Susan Thomas

- B. Items concerning a parking lot expansion at Minnetonka Executive Plaza, 10275 Wayzata Boulevard.

Recommendation: Recommend the city council deny the request (4 votes)

- Recommendation to City Council (Tentative Date: July 10, 2017)
- Project Planner: Susan Thomas

- C. A conditional use permit for Creo Arts and Dance Academy at 3792 Williston Road.

Recommendation: Recommend the city council approve the request (4 votes)

- Recommendation to City Council (Tentative Date: July 10, 2017)
- Project Planner: Ashley Cauley

- D. Items concerning Minnetonka Hills Apartments at 2800 and 2828 Jordan Avenue.

Recommendation: Recommend the city council deny the request (4 votes)

- Recommendation to City Council (Tentative Date: July 10, 2017)
- Project Planner: Ashley Cauley

9. Adjournment

Notices

1. Please call the planning division at (952) 939-8274 to confirm meeting dates as they are tentative and subject to change.
2. Applications and items scheduled for the July 6, 2017 Planning Commission meeting:

Project Description: The applicant is requesting an amendment to the existing sign plan to allow additional signage at 6030 Clearwater Drive.

Project No.: 15033.17a

Staff: Ashley Cauley

Ward/Council Member: 1—Bob Ellingson

Section: 35

WELCOME TO THE MINNETONKA PLANNING COMMISSION MEETING

This outline has been prepared to help you understand the public meeting process. The review of an item usually takes the following form:

1. The chairperson of the meeting will announce the item to be reviewed and ask for the staff report on the subject.
2. Staff presents their report on the item.
3. The Commission will then ask City staff questions about the proposal.
4. The chairperson will then ask if the applicant wishes to comment.
5. The chairperson will open the public hearing to give an opportunity to anyone present to comment on the proposal.
6. This is the time for the public to make comments or ask questions about the proposal. Please step up to the podium, speak clearly, first giving your name (spelling your last name) and address and then your comments.
7. At larger public hearings, the chair will encourage speakers, including the applicant, to limit their time at the podium to about 8 minutes so everyone has time to speak at least once. Neighborhood representatives will be given more time. Once everyone has spoken, the chair may allow speakers to return for additional comments.
8. After everyone in the audience wishing to speak has given his or her comments, the chairperson will close the public hearing portion of the meeting.
9. The Commission will then discuss the proposal. No further public comments are allowed.
10. The Commission will then make its recommendation or decision.
11. Final decisions by the Planning Commission may be appealed to the City Council. Appeals must be written and filed with the Planning Department within 10 days of the Planning Commission meeting.

It is possible that a quorum of members of the City Council may be present. However, no meeting of the City Council will be convened and no action will be taken by the City Council.

**Unapproved
Minnetonka Planning Commission
Minutes**

May 18, 2017

1. Call to Order

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

2. Roll Call

Commissioners Knight, Powers, Schack, Sewall, Calvert, and Kirk were present. O'Connell was absent.

Staff members present: City Planner Loren Gordon, Senior Planner Ashley Cauley, Planner Drew Ingvalson, Natural Resource Manager Jo Colleran, and Water Resources Technician Tom Dietrich.

3. Approval of Agenda

Sewall moved, second by Schack, to approve the agenda as submitted with modifications provided in the change memo dated May 18, 2017.

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

4. Approval of Minutes: May 4, 2017

Knight moved, second by Sewall, to approve the May 4, 2017 meeting minutes.

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

5. Report from Staff

Gordon briefed the commission on land use applications considered by the city council at its meeting of May 8, 2017:

- Adopted a resolution approving the final plat for Mayfair Copperfield.
- Adopted a resolution approving a final plat with front setback variances and a waiver of the McMansion Policy for the Enclave at Regal Oak subdivision.

- Approved phase three of the Ridgedale Center build out which would include three restaurants pads added to the parking lot.

The annual boards and commissions' dinner will be held Wednesday, May 31, 2017 at 6:15 p.m. The dinner starts at 6:30 and the program at 7 p.m. The results of the Imagine Minnetonka study, strategic profile, and comprehensive guide plan will be reviewed.

The next planning commission meeting is scheduled to be held June 8, 2017.

6. **Report from Planning Commission Members:** None

7. **Public Hearings: Consent Agenda:** None

8. **Public Hearings**

A. Expansion permit for additions to the existing house at 5013 Mayview Road.

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

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

Alan Hanson, applicant, stated that staff covered the proposed project well. The lot is challenging. The survey showed that the neighbors' hedge row is six feet further than the property line. Since the proposal would not expand the setbacks, they found a way to make it work. It would be a nice project. He is looking forward to getting it done. The front tree would remain.

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

Calvert moved, second by Powers, to adopt the resolution approving an expansion permit for additions to the existing home at 5013 Mayview Road with a modification provided in the change memo dated May 18, 2017.

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

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

B. Items concerning additions and landscaping at 2807 McKenzie Point Road.

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

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

Powers asked if impervious pavers could be added later. Ingvalson answered that the property owner would need approval from the city to increase a nonconformity.

In response to Knight's question, Ingvalson explained that the proposal would not change the driveway.

Grant Dattilo, 2807 Mckenzie Point Road, applicant, stated that the impact would be minimized. A gutter would be added. The two-foot expansion would not be visible from the lake because of the planters.

The public hearing was opened.

John Kretsch, 2805 Mckenzie Point Road, stated that water currently travels onto his sidewalk on the side which his disabled brother needs to use in the winter. Mr. Dattilo said that he would fix the water drainage problem. Mr. Kretsch was concerned with a fire hazard since the structures would be so close. He learned that the materials used would be fire resistant. He is impressed with the plans. The house would look much nicer than it does currently.

No additional testimony was submitted and the hearing was closed.

Calvert confirmed with Ingvalson that separate approval would be needed to make an addition that would connect walls to the proposed overhang. A building permit and approval of expansion of a nonconformity would be required. The proposal would allow for more floodplain storage on the site.

Chair Kirk said that all of the houses on the street have similar setbacks. The request is fair.

Knight stated that residents of the neighborhood choose to have close neighbors in exchange for being on the lake. The proposal did not bother him.

Powers moved, second by Calvert, to adopt the resolution approving an expansion permit and variance for the roof overhang and the bump out with a modification provided in the change memo dated May 18, 2017.

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

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

Calvert moved, second by Schack, to recommend that the city council adopt the resolution approving setback variances, floodplain alternation permit, and conditional use permit for a deck expansion and landscaping with a modification provided in the change memo dated May 18, 2017.

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

This item is tentatively scheduled to be reviewed by the city council at its meeting on June 12, 2017.

C. Preliminary plat with lot width at setback variances for Homestead Place, a two-lot subdivision at 3625 Plymouth Road.

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.

Tom Bakritges, Homestead Partners, applicant, stated that staff has done a nice job explaining the history of the surrounding area. He concurred with the staff report as written and the recommendation proposed by staff. He appreciated the commissioners' time. He was available for questions.

The public hearing was opened.

Peggy Thomson, 3618 Plymouth Road, stated that she is happy that one would be torn down and two would be constructed. Her one concern is that the one lot that is not built on is quite low. She was concerned water would drain from the raised lots onto her property. She already has a river travel through her front yard when it rains. She questioned how the drainage would be handled.

No additional testimony was submitted and the hearing was closed.

Cauley explained that the sites would be graded to direct stormwater east to stormwater facilities.

Calvert stated that the neighborhood currently has houses of all shapes and sizes. She was concerned that the houses in the renderings would be too large. She favored the new houses fitting in with the neighborhood.

Powers agreed. The area is lovely. He would favor the new houses to be built a little smaller than they are depicted in the rendering.

Mr. Bakritges explained that the rendering was provided as an example of the elevations for staff. His company also developed the houses in the neighborhood on the east side. The buyer would determine the size of their house. He noted keeping the size compatible with the neighborhood.

In response to Chair Kirk's request, Cauley provided the floor area ratios (FAR) for houses in the area. The ordinance requirements for an R-1 housing district would restrict the size of a new house. The FAR restriction would allow houses with up to 6,500 square feet in size to be built on the proposed lots.

Powers supported recommending that the FAR restriction be applied. Calvert agreed.

Sewall supported limiting the house size to 6,500 square feet.

Kirk noted that the neighborhood is already eclectic. Calvert said that building anything would change the feel of the neighborhood.

Schack noted that the lots would be very deep which would limit the view of the mass of the houses from the street.

Schack moved, second by Powers, to recommend that the city council adopt the resolution approving the preliminary plat with a modification to restrict the size of the houses to an FAR of .22 and lot width at setback variances for Homestead Place.

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

D. Items concerning a trail, boardwalk, and pedestrian bridge at 5709 Rowland Road and 5624 Shady Oak Road.

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

Gordon reported. He recommended approval of the application based on the findings and subject to the conditions listed in the staff report. Colleran stated that she visited the site four times. Twelve significant trees and two high-priority trees of marginal health would be removed. Another stand of healthier oaks would be preserved.

Joshua Howe of Optimistic Partners, developer, stated that the trail would be positioned to minimize loss of healthy trees. It would be nice to connect the development and fire station to Lone Lake Park. It would provide a loop for pedestrians. Chair Kirk noted that there is an access easement already in place. Mr. Howe said that the area is already well signed.

Powers asked for the width of the trail. Mr. Howe answered 8 feet.

In response to Schack's question, Gordon provided an illustration of the proposed bridge. It would be similar in design to current bridges on Minnehaha Creek.

Sewall asked if a new property owner could remove the trail. Gordon answered in the negative. Legal agreements would be recorded.

The public hearing was opened.

Gary Fisher, 11814 Bren Road, asked where vehicles would park to access the trail at the Chase Apartments and for more information on the Shady Oak Road component. He was all for improvements to help people enjoy Lone Lake Park.

Jason Esser, 11409 Bren Road, stated that there is an existing off-road trail already along Bren Road that hooks into the park. He did not think that the proposed trail would be necessary.

No additional testimony was submitted and the hearing was closed.

Gordon said that the management of Chase Apartments would decide whether to allow non-resident parking in their lots. There would be a parking lot down the street at the trail head. A person driving to the trail would probably park in the trail head parking lot. The access at Chase Apartments would be a good access for Chase Apartment residents as well as residents west of Rowland Road. It would provide an opportunity for more people to get to the park. Lone Lake Park's address is Shady Oak Road, but the proposal has no component related to Shady Oak Road.

Mr. Howe said that he would not prohibit trail patrons from parking in the Chase Apartments' parking lot for an hour, unless it would become a problem for residents to have available stalls. There is a nice trail head with a parking lot that he has never seen full.

In response to Chair Kirk's question, Gordon explained that the developer would pay \$5,000 for every residential unit constructed for park dedication fees which can only be used for parks and trails.

Calvert noted that the Imagine Minnetonka envisioning survey received comments from residents who want more access to natural amenities and listed it as a high priority. Gordon said that there would be more investment in parks and trails over the years.

Schack supports most trail projects. The park dedication funds would be put to good use. Giving residents who reside in an apartment access to the community makes them invested and gives them resources to value in Minnetonka. Being able to travel miles of continuous trails provides a positive experience for residents. Her grandma rented the same apartment for 60 years.

Chair Kirk suggested providing a graphic that would connect the greater trail system to the proposal for the city council meeting.

Knight moved, second by Sewall, to recommend that the city council adopt the resolution approving a conditional use permit, wetland setback variance, and floodplain alteration permit for a trail, boardwalk, and pedestrian bridge at 5709 Rowland Road and 5624 Shady Oak Road with modification provided in the change memo dated May 18, 2017.

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

Chair Kirk thanked those who spoke at the public hearing. This item is tentatively scheduled to be reviewed by the city council at its meeting on June 12, 2017.

9. Other Business

A. Concept plan review for Newport Midwest at 10400, 10500, and 10550 Bren Road East.

Gordon reported. Staff recommends that the planning commission provide comments and feedback on the identified key issues and others the planning commission deems appropriate. The discussion is intended to assist the

applicant with future direction that may lead to the preparation of more detailed development plans.

Becky Landon, of Newport Midwest, applicant, stated that the dog run would be located along the trail on the north side of the property or closer to the lite-rail track, depending on what information the soil borings provide. There would be separate, underground parking for each building. That would allow for two-way driving throughout the site and would assist with patrons moving in and out, deliveries, and dropping off and picking up residents.

Knight really likes the rooftop amenities. Ms. Landon said that a bridge is being considered between the two buildings as well as amenities located on several corners of both buildings. She was not sure how the roofs would be accessed. She described the options. Knight was glad the rooftop amenities would be done.

Calvert noted that this configuration would provide easier traffic access and a better traffic pattern for deliveries and emergency vehicles.

Powers likes the energy of the proposal. It would have forward-thinking architecture. He likes this so much better than the first proposal logistically and for the way it would look and feel. He applauded the developer for the concept.

Schack liked the design. It has more of an urban feel which would fit the area. The proposal would be a good draw for diversity and young people, especially since it would be near the lite rail. The design is great.

Sewall asked if the elevations would match the lite rail, so residents would be on the same elevation as the train. Ms. Landon stated that there would be a six-foot grade change from one side of the site to the other side.

Sewall asked if mixed uses had been considered. Ms. Landon said that the site is a little difficult to access right now to support mixed uses. The site next door would be a prime site for mixed uses. A use would be open to the public, but primarily utilized by the residents who would reside in the proposed buildings. The lobby would have a coffee shop and provide a high-energy, urban feel.

Chair Kirk felt this would be a great amenity for the lite-rail station. He asked when it would be completed. Ms. Landon stated that funding is being applied for this year and the best-case scenario would allow them to start construction mid-summer of 2018 and available for occupancy in late 2019. Completion of the lite rail is a huge factor in driving the project. Chair Kirk felt that the design has come a long way.

Chair Kirk noted that no one from the public was present to speak on the concept plan. He likes the affordable housing component. The use of color fits well with the design of the SWLRT. It is very exciting. People who live and work in Opus understand the traffic pattern. The site's proximity to Highways 62 and 169 make it a prime spot for the proposed density. Between the highways and the LRT, he saw the proposal as a homerun. He likes the pop of color and the textures. He had no concern with the massing. It seems like it would fit well. The height would be appropriate. He would not want it to be taller or shorter. It is a great plan.

Calvert agreed. She is committed to meeting the city's affordable housing goals. The proposal would be a great fit. The design is the kind of energy and modern feel that residents want. The site provides a big campus that would cause a ripple effect to the surrounding area. She is glad that it is so attractive.

Ms. Landon stated that the applicant is very aware that this proposal would set the stage. She was not in favor of beige or "unpainted white," but, other than those two colors, she would like the community to drive the choice of which colors to use. She welcomed the commission's input for the aesthetics and colors.

Chair Kirk thought that the second and third developments for the area would have a much better shot at supporting retail. The density of the proposal would attract other amenities to the area.

Schack lived in the Cloud Nine Apartments and, because of the trail system in the Opus business park, she could walk to the Shady Oak Road side where there are quite a few amenities. If the proposal is built, then amenities will follow, but there are also enough mixed uses there now to attract residents.

Calvert was excited to see one, two, and three-bedroom apartments.

Powers thought it would be important for the developer and the city to get the project right. He wants the site to convey high energy, because he wants someone driving by to be proud of it. He wants it to look fun, interesting, and inviting. He likes the blend of affordable and market-rate components.

Knight said that he routinely drives by The Chase Apartments which look fantastic from the road. He is glad that project was done. This project has even more potential. It would be great. It would be a nice place to live and would have a play area for kids.

In response to Knight's question, Gordon explained that the land values in Opus would probably prohibit a large sport field. Lone Lake Park is located across Shady Oak Road.

Chair Kirk thanked the applicant for her attendance.

10. Adjournment

***Calvert moved, second by Knight, to adjourn the meeting at 8:45 p.m.
Motion carried unanimously.***

By: _____
Lois T. Mason
Planning Secretary

Minnetonka Planning Commission Meeting

June 22, 2017

Agenda Item 7

Public Hearing: Consent Agenda

MINNETONKA PLANNING COMMISSION
June 22, 2017

Brief Description	Conditional use permit to allow the demolition and reconstruction of a larger accessory structure at 3841 Baker Road
Recommendation	Recommend the city council adopt the resolution approving the request

Proposal The applicant, Dana Minion, is proposing to demolish an existing accessory structure (1,293 square feet) and reconstruct an accessory structure with an expansion. The accessory structure expansion would consist of a 4-foot x 22-foot extension of the structure towards the interior of the property. This expansion would increase the structure size by approximately 88 square feet, but the height of the structure would not be increased. The expanded area would create a 1,381 square foot accessory structure. (See attached).

The proposal requires a conditional use permit (CUP) due to the proposed increase in area of the structure. It is important to note that a CUP is required *not* because the applicant is choosing to remove the existing structure and then reconstruct it with a slight expansion. If the applicant were instead choosing to simply build the expansion, a conditional use permit would still be required because the size of the oversized building would be increasing.

Staff Analysis Staff finds that the applicant’s request meets the specific and general conditional use permit standards outlined in city code.

General CUP Standards

The proposed accessory structure would meet the general standards outlined in city code as it would:

- Be consistent with the intent of the ordinance;
- Be consistent with the goals, policies and objectives of the comprehensive plan;
- Not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements; and
- Not have an undue adverse impact on the public health, safety, or welfare of the community.

Specific CUP Standards

The proposed accessory structure would meet all of the specific CUP standards.

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

Finding: Based on historical aerial photos, staff presumes the existing accessory structure was originally constructed prior to adoption of the city's first zoning ordinance. It is located 1.2 to 4.3 feet from side and rear property lines. In 1988, the city approved a conditional use permit and setback variance to allow for reconstruction of a portion of the structure. (At that time, the expansion permit process did not exist and so the variance process was used allowing for reconstruction of the then non-conforming structure.)

The vast majority of the proposed structure would be located in the same footprint, compliant with the variance-approved setbacks. Only the 88 square foot addition would be located outside of this footprint and this addition would meet the required 15-foot setback.

2. No additional curb cuts to be permitted.

Finding: No additional curb cuts have been proposed on the property.

3. Not to be used for commercial activities.

Finding: The applicant is not proposing to use the structure and/or the property for commercial purposes.

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

Finding: The applicant is proposing a structure that would have architectural features similar to the existing home.

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

Finding: Currently, there is vegetation buffering the views of the structure from adjacent properties. In addition, the proposed structure will be within the same footprint as the

existing accessory structure and the expansion area will be towards the interior of the property.

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

Finding: The proposed garage would meet the site and building plan standards as outlined in City Code Section 300.27 Subd. 5.

Staff Recommendation

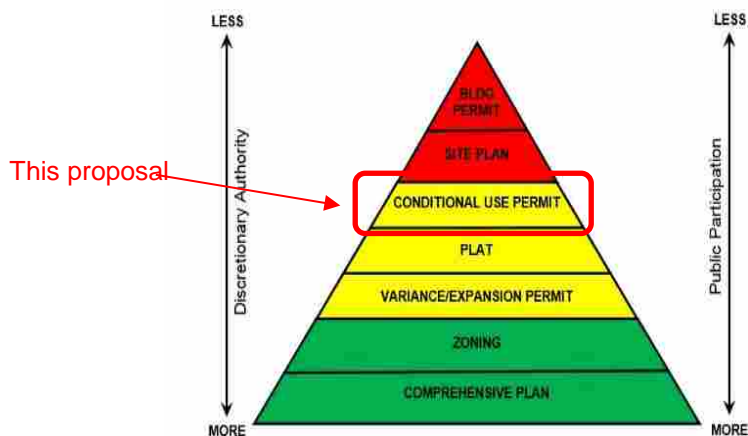
Recommend the city adopt the resolution approving the conditional use permit to allow the demolition and reconstruction of a larger accessory structure at 3841 Baker Road.

Originator: Drew Ingvalson, Planner
Through: Loren Gordon, AICP, City Planner

Supporting Information

Project No.	88080.17a
Property	3841 Baker Road
Applicant	Dana Minion
Surrounding Land Uses	All properties adjacent to the subject property are zoned R-1 and guided low density residential.
Planning	Guide Plan designation: low density residential Zoning: R-1
Site Features	<p>The subject property is located on the east side of Baker Road, north of Lake Street Extension. The existing lot is approximately 48,000 square feet in area.</p> <p>The site is improved with a 1,884 square foot home that was originally constructed in 1908. The site also has a 1,293 square foot accessory structure. Based on aerial photographs, it appears that an accessory structure was located in the northeast corner of the property prior to the adoption of city ordinance. In 1988, the city approved a conditional use permit and variance (setbacks) for the replacement of an existing accessory structure exceeding 1,000 square feet.</p>
Non-Conformity	Though the existing structure is located close to property lines, it is <u>not</u> considered a non-conforming structure. A variance was approved in 1988; the structure conforms to the setbacks approved by the variance. As such, the current request does not require an expansion permit.

Pyramid of Discretion



Neighborhood Comments The city sent notices to 52 area property owners and has received no comments.

Motion Options The planning commission has three options:

1. Concur with staff's recommendation. In this case a motion should be made recommending the city council approve the request.
2. Disagree with staff's recommendation. In this case a motion should be made recommending the council deny the request. This motion must include a statement as to why the denial is recommended.
3. Table the request. In this case a motion should be made to table the item. The motion should be made include a statement as to why the request is being tabled with direction to staff, the applicant or both.

Voting Requirement The planning commission will make a recommendation to the city council. A recommendation requires an affirmative vote of a simple majority. The city council's final approval requires an affirmative vote of five members.

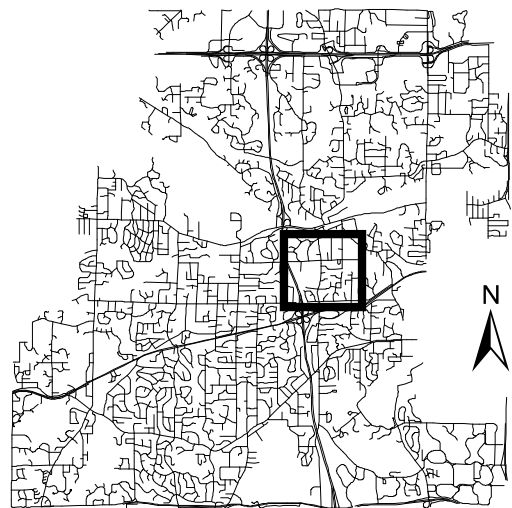
Deadline for Decision August 28, 2017



Location Map

Project: Minion Residence
Address: 3841 Baker Rd
Project No. 88080.17a

City of
minnetonka



This map is for illustrative purposes only.

Certificate of Survey

Prepared for: Dana Minion
 3841 Baker Road
 Minnetonka, MN 55305
 612-659-3656

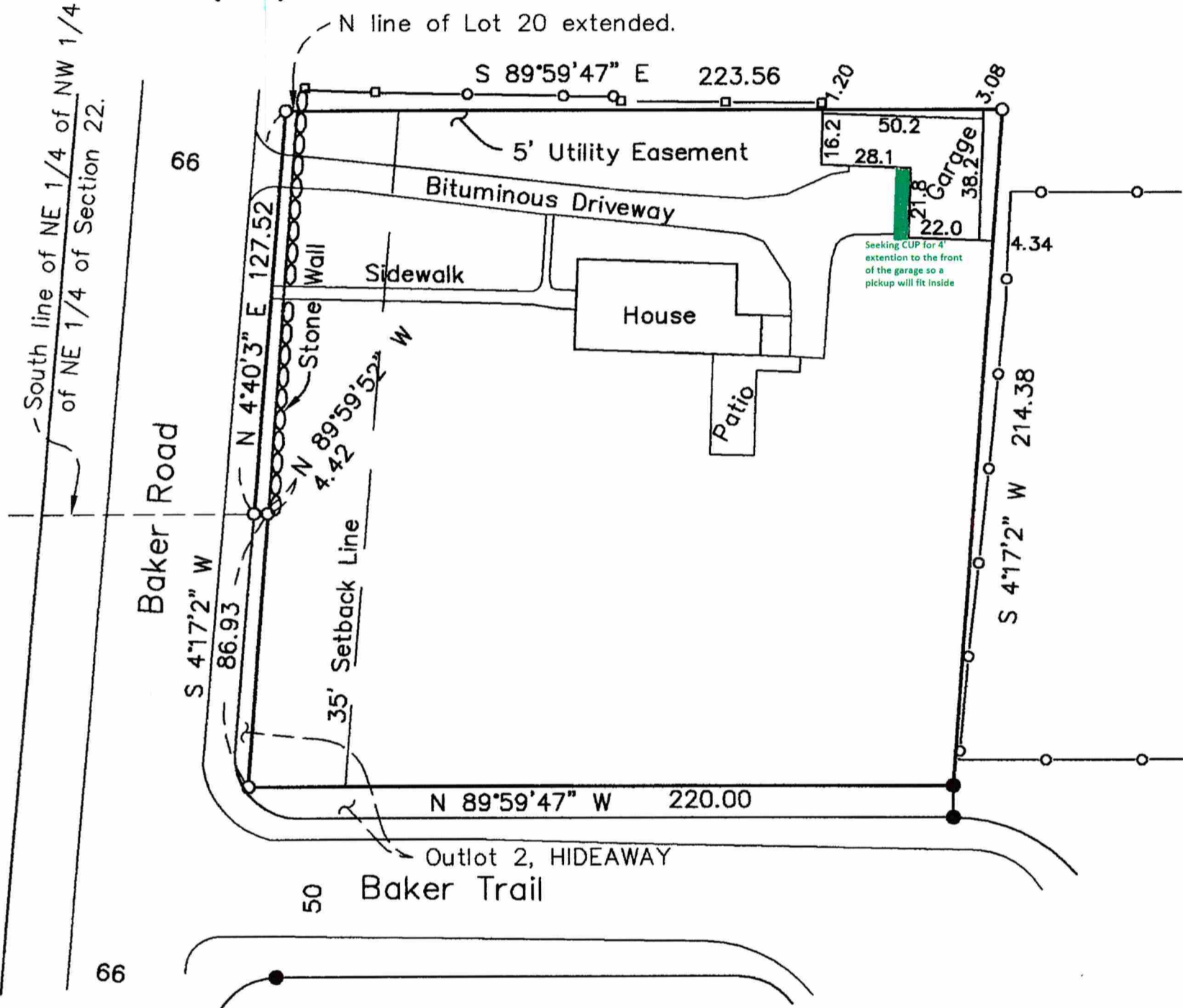
MAY 12 2017
 Submitted by Applicant

Mattke Surveying & Engineering, Inc.

599 Hawthorn Road
 Lino Lakes, MN 55014
 (763) 783-0300

Scale: 1"=50'

- Denotes Iron Monument Set (RLS 15612)
- Denotes Iron Monument Found



I hereby certify that this survey 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.

Revised 4/28/17 location of outbuilding.

Tedd W. Mattke

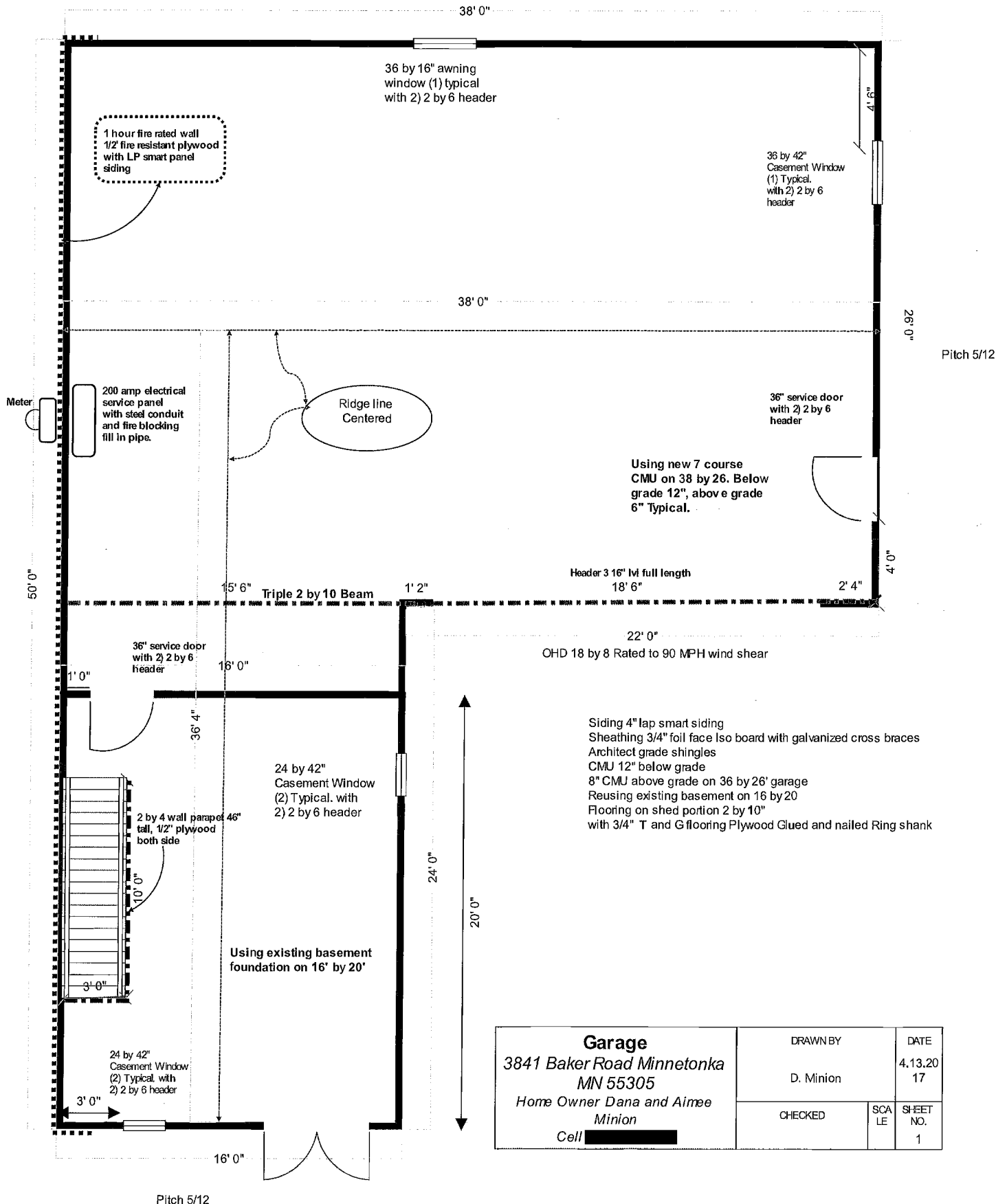
Tedd W. Mattke, LS

Date: 4/28/17 Minn. License No. 15612

Property Description:

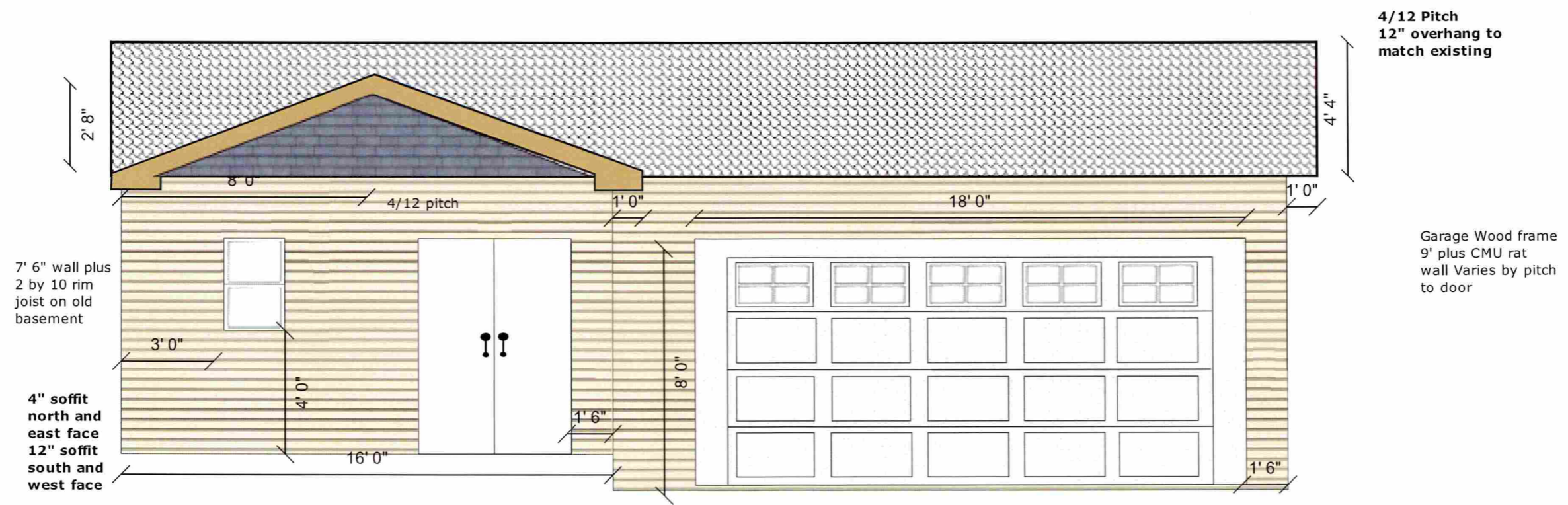
Lot 20, Block 1, FIELDCREST, and that part of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter of Section 22, Township 117, Range 22 lying East of County Road No. 60 and South of the North line of said Lot 20 extended West, Hennepin County, Minnesota.

17012



Garage 3841 Baker Road Minnetonka MN 55305 Home Owner Dana and Aimee Minion Cell [REDACTED]		DRAWN BY	DATE
		D. Minion	4.13.20 17
CHECKED	SCALE	SHEET NO.	
		1	

RECEIVED
MAY 12 2017
Submitted by [unclear]



West Elevation


4/12 Pitch
12" overhang to
match existing

Garage Wood frame
9' plus CMU rat
wall Varies by pitch
to door

7' 6" wall plus
2 by 10 rim
joist on old
basement

4" soffit
north and
east face
12" soffit
south and
west face

RECEIVED
MAY 12 2017
Submitted by Applicant



Adding 4' of depth to the garage for a total depth of 26' to allow for a pickup to fit inside.



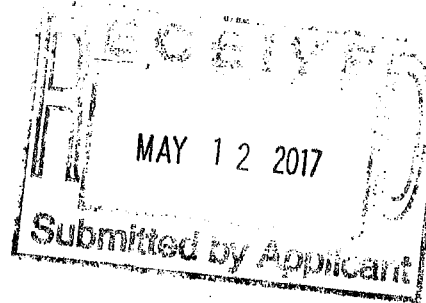
I am looking for a conditional use permit for the rebuilding on my garage/shed.

This is located at:

3841 Baker Road
Minnetonka MN
55305

Legal description is:

PID: 22-117-22-11-0038
Municipality: MINNETONKA
Addition Name: FIELDCREST
Lot:
Block: 001



**LOT 20 AND THAT PART OF NE 1/4 OF
NW 1/4 OF NE 1/4 OF SEC 22 T 117
R 22 LYING E OF CO ROAD NO 60 AND S
OF THE N LINE OF LOT 20 BLK 1
FIELDCREST EXTENDED WEST**

No grading or drainage will change as the new structure will sit on the same spot as the old

Landscaping will not change as there are many mature trees around the structure

Use description:

This will be used as a garage and garden shed for my vehicles, tools and yard equipment.

Thank you

Dana Minion

Cell [REDACTED]

Resolution No 2017-

Resolution approving a conditional use permit for demolition and reconstruction of a larger accessory structure at 3841 Baker Road

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

Section 1. BACKGROUND.

- 1.01 The applicant, Dana Minion, owns the property at 3841 Baker Road. The property is legally described as follows:
- Lot 20, Block 1, FIELDCREST, and that part of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter of Section 22, Township 117, Ranger 22 lying East of County Road No. 60 and South of the North line of said Lot 20 extended West, Hennepin County, Minnesota.
- 1.02 There is a 1,293 square foot accessory structure on the site. Based on historical aerial photos, it appears that an accessory structure was originally constructed on the property prior to adoption of the city's first zoning ordinance.
- 1.03 In 1988, the city approved a conditional use permit and setback variance to allow for reconstruction of the structure at its current location, 1.2 to 4.3 feet from side and rear property lines.
- 1.04 The applicant is proposing to demolish the structure and reconstruct a 1,381 square foot accessory structure, an 88 square foot increase. The proposal requires a conditional use permit due to the increase of the structure.
- 1.05 City Code §300.06 authorizes the city to grant conditional use permits.
- 1.06 On June 22, 2017, the planning commission held a hearing on the proposal. The applicant was provided the opportunity to present information to the planning commission. The planning 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. General Standards.

2.01 City Code §300.16 Subd. 2 outlines the following general standards that must be met for granting a conditional use permit:

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.

Section 3. Specific Standards.

3.01 City Code §300.16 Subd. 3(f) outlines the following specific standards that must be met for granting a conditional use permit for detached garages in excess of 1,000 square feet:

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

Section 4. Findings.

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

1. The proposal is consistent with the intent of this ordinance. City

ordinance permits accessory structures over 1,000 square feet and 12 feet in height as conditional uses in the R-1 district.

2. The proposal is consistent with the comprehensive plan. The guiding principles in the comprehensive guide plan provide for maintaining, preserving and enhancing existing single-family neighborhoods. The proposal would preserve the residential character of the neighborhood and would provide investment into a property to enhance its use.
3. The proposal has been reviewed by the city's building, engineering, planning, natural resource, and fire staff. It is not anticipated to have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements.
4. The use is not anticipated to have an undue adverse impact on the public health, safety or welfare.

4.02 The proposal meets the specific conditional use permit standards outlined in City Code §300.16 Subd. 3(f).

1. The majority of the proposed structure would be located within the 1988 variance-approved footprint, with the 88 square foot expansion meeting the required 15-foot setback.
2. No additional curb cuts are proposed on the property.
3. The applicant is not proposing to use the structure and/or the property for commercial purposes.
4. The applicant is proposing a structure that would have architectural features similar to the existing home.
5. Currently, there is vegetation buffering the views of the structure from adjacent properties. In addition, the proposed structure would be within the same footprint as the existing accessory structure and the expansion area would be toward the interior of the property.
6. The proposed garage would meet the site and building plan standards as outlined in City Code Section 300.27 Subd. 5.

Section 5. CITY COUNCIL ACTION.

5.01 The city council approves the above-described request for a conditional use permit subject to the findings outlined in section 4 of this resolution. Approval is subject to the following conditions:

1. Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, unless modified by the conditions below:
 - Survey/Site Plan dated May 12, 2017
 - Building elevations dated May 12, 2017
2. Prior to issuance of a building permit:
 - a) A copy of this resolution must be recorded with the county.
 - b) Install erosion control and tree protection fencing as required by staff for inspection and approval. These items must be maintained throughout the course of construction.
3. The approved structure must be constructed by July 10, 2018.
4. No additional curb cuts are allowed to serve the structure.
5. The structure may not be used for commercial purposes.
6. The city council may reasonably add or revise conditions to address any future unforeseen problems.

Adopted by the City Council of the City of Minnetonka, Minnesota, on July 10, 2017.

Terry Schneider, Mayor

ATTEST:

David E. Maeda, 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 duly authorized meeting held on July 10, 2017.

David E. Maeda, City Clerk

SEAL

Minnetonka Planning Commission Meeting

June 22, 2017

Agenda Item 8

Public Hearing: Non-Consent Agenda

MINNETONKA PLANNING COMMISSION
June 22, 2017

- Brief Description** Sign plan for Ridgedale Corner Shoppes at 1801 and 1805 Plymouth Road.
- Recommendation** Adopt the resolution approving the sign plan
-

Introduction

In October 2016, the city council approved the master development plan for Ridgedale Corner Shoppes. As approved, a roughly 10,200 square foot bank/retail building will replace the existing TCF Bank building at 1801 Plymouth Road. The first phase of construction is currently underway.

Under the planned I-394 (PID) ordinance, signs on properties with approved master development plans “shall be restricted to those which are permitted in a sign plan approved by the city, shall be regulated by permanent covenants that can be enforced by the city, and shall be subject to city review and permit.” Under the sign ordinance, a sign plan may be approved with allowances/restrictions that differ from basic sign ordinance allowances/restrictions. In other words, an approved sign plan – rather than the sign ordinance – governs what signage may be installed on the property for which the plan was approved.

Over the last several months, representatives from Ridgedale Retail, LLC, TCF National Bank, and city staff have worked collaboratively on a sign plan for the new building and site. Ridgedale Retail, LLC and TCF National Bank have submitted a plan for the planning commission’s consideration.

Proposed Signs

The proposed Ridgedale Corner Shoppes sign plan would permit tenants one wall sign per tenant space facade. Essentially, “endcap” tenants would be allowed three wall signs, whereas “interior” tenants would be allowed two wall signs.

	End Cap Tenants		Interior Tenants
	West Tenant	East Tenant	
Number of Signs	3	3	2
Sign Locations	Plymouth Rd façade Cartway La façade parking lot facade	Ridgedale Ring Rd façade Cartway La façade parking lot facade	Cartway La façade parking lot facade
Maximum Logo Height	36 inches		

Maximum Letter Height	26 inches
------------------------------	-----------

The proposed sign plan also includes one monument sign, identifying TCF Bank, located near the Plymouth Road/Cartway Lane intersection.

	Monument Sign
Number of Signs	1
Maximum Monument Height	8 feet
Maximum Monument Area	90 square feet
Maximum Copy and Graphic Area	60 square feet
Minimum setback	Roughly 1.5 feet

Staff Analysis

Staff finds that the proposed sign plan is appropriate and reasonable for the Ridgedale Corner Shoppes site for several reasons:

1. The proposed wall signs would have dimensions consistent with the dimensions allowed under the sign ordinance. As such, the signs would not be larger than those allowed elsewhere in the city.
2. Allowing tenants visual identification from adjacent roadways and the building's parking lot is reasonable. Further, such identification would be consistent with previous city practice. Under the current sign ordinance, tenants are permitted just one wall sign. However, the vast majority of commercial strip centers in the community were developed under the previous ordinance. That ordinance was essentially silent on the number of wall-mounted identification signs per tenant. Therefore, under the previous ordinance, staff permitted signs on each tenant façade. This is evidenced in the immediate area – at both the 1700 Plymouth (Highland Bank) building and Ridge Square North and South – where tenants were allowed signs on each of their façades.
3. The proposed monument sign would have dimensions consistent with those allowed elsewhere in the city. Though a 10-foot setback is required under the sign ordinance, the reduced setback proposed is a function of the approved and required location of sidewalks, parking lot and drive-thru drive aisles, and new “gateway” landscape feature at the Plymouth Road/Cartway Lane intersection. The sign would be located roughly 12 feet from the traveled portion of Plymouth Road.

Staff Recommendation

Adopt the resolution approving a sign plan for Ridgedale Corner Shoppes.

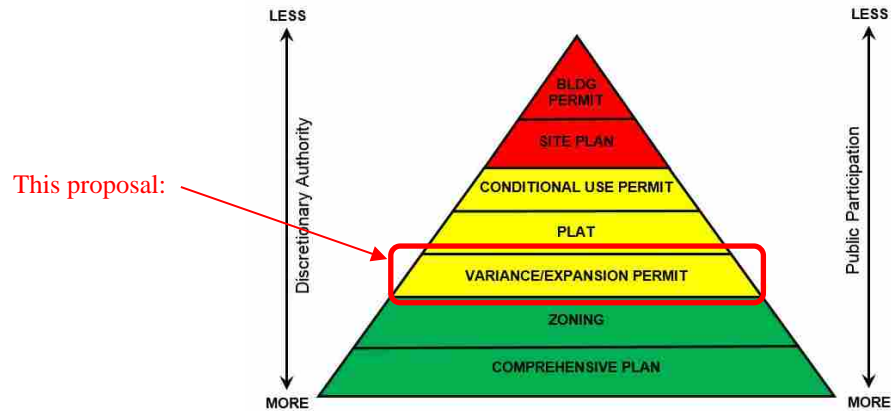
Originator: Susan Thomas, AICP, Assistant City Planner
Through: Loren Gordon, AICP, City Planner

Supporting Information

Surrounding	Northerly:	Cartway Drive, Bonaventure commercial building beyond
Land Uses	Easterly:	Ridgedale ring road, Ridgedale Center beyond
	Southerly:	Wells Fargo Bank
	Westerly:	Plymouth Road, 1700 Plymouth mixed-use building beyond
Planning	Guide Plan designation:	mixed-use
	Existing Zoning:	PID, Planned I-394 District

Neighborhood Comments The city sent notice to 318 area property owners. No comments have been received.

Pyramid of Discretion



Motion Options

The planning commission has three options:

1. Concur with the staff recommendation. In this case a motion should be adopting the resolution approving the sign plan.
2. Disagree with staff's recommendation. In this case, a motion should be made denying the proposed sign plan. This motion must include a statement as to why the plans is denied.
3. Table the request. In this case, a motion should be made to table the item. The motion should include a statement as to why the request is being tabled with direction to staff, the applicant, or both.

Deadline for Action August 14, 2017



Subject Property

LOCATION MAP

City of
minnetonka
Where quality is our nature

Project: Ridgedale Corner Shoppes
Applicant: Ridgedale Retail, LLC
Address: 1801 Plymouth Road
Project #16020.17a & 17b

WALL SIGNS

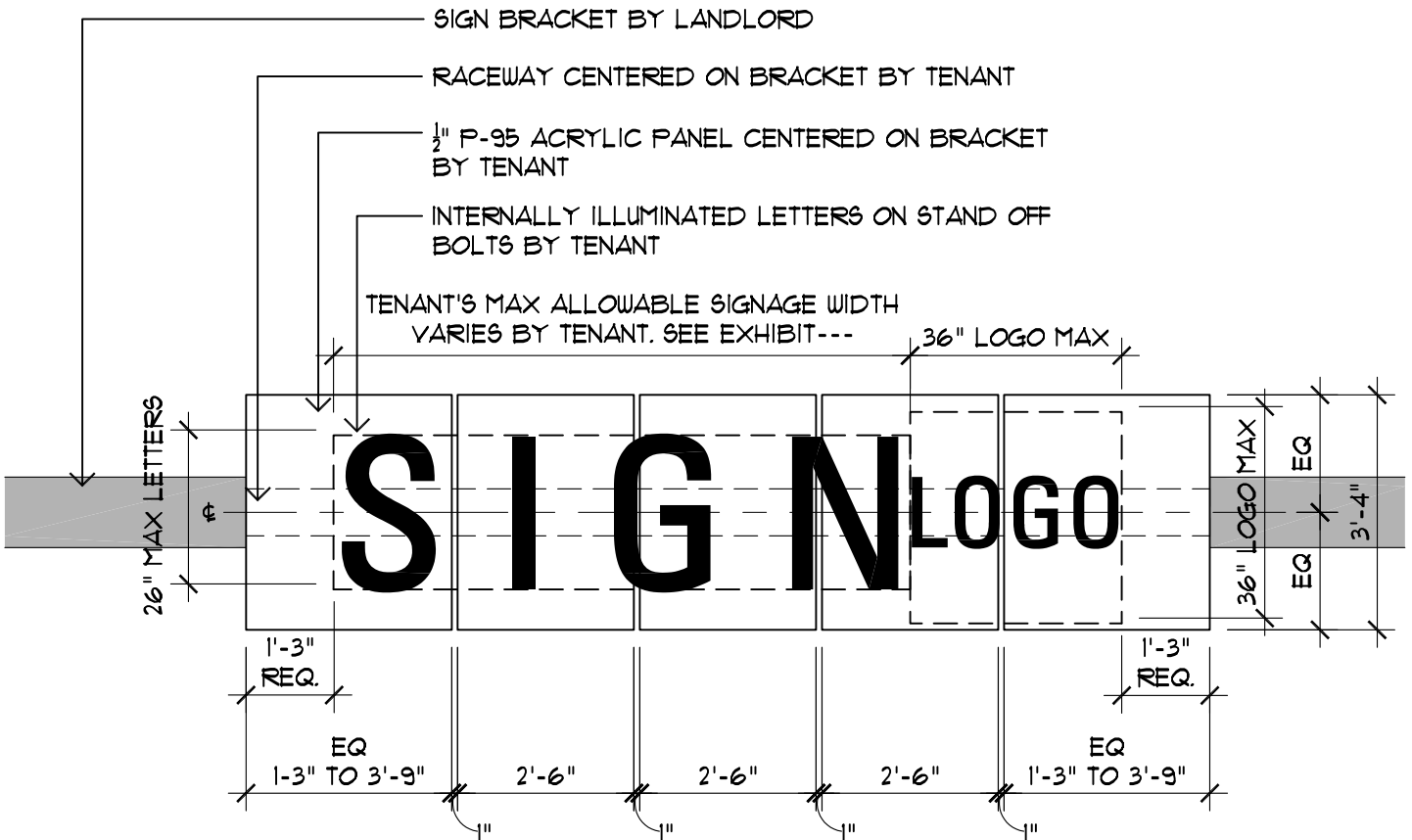








** NOTE: ALL SIGNS MUST BE SUBMITTED TO LANDLORD FOR REVIEW AND APPROVAL PRIOR TO SUBMITTAL TO CITY OF MINNETONKA FOR PERMIT.



TYPICAL SIGN ELEVATION AT STOREFRONT



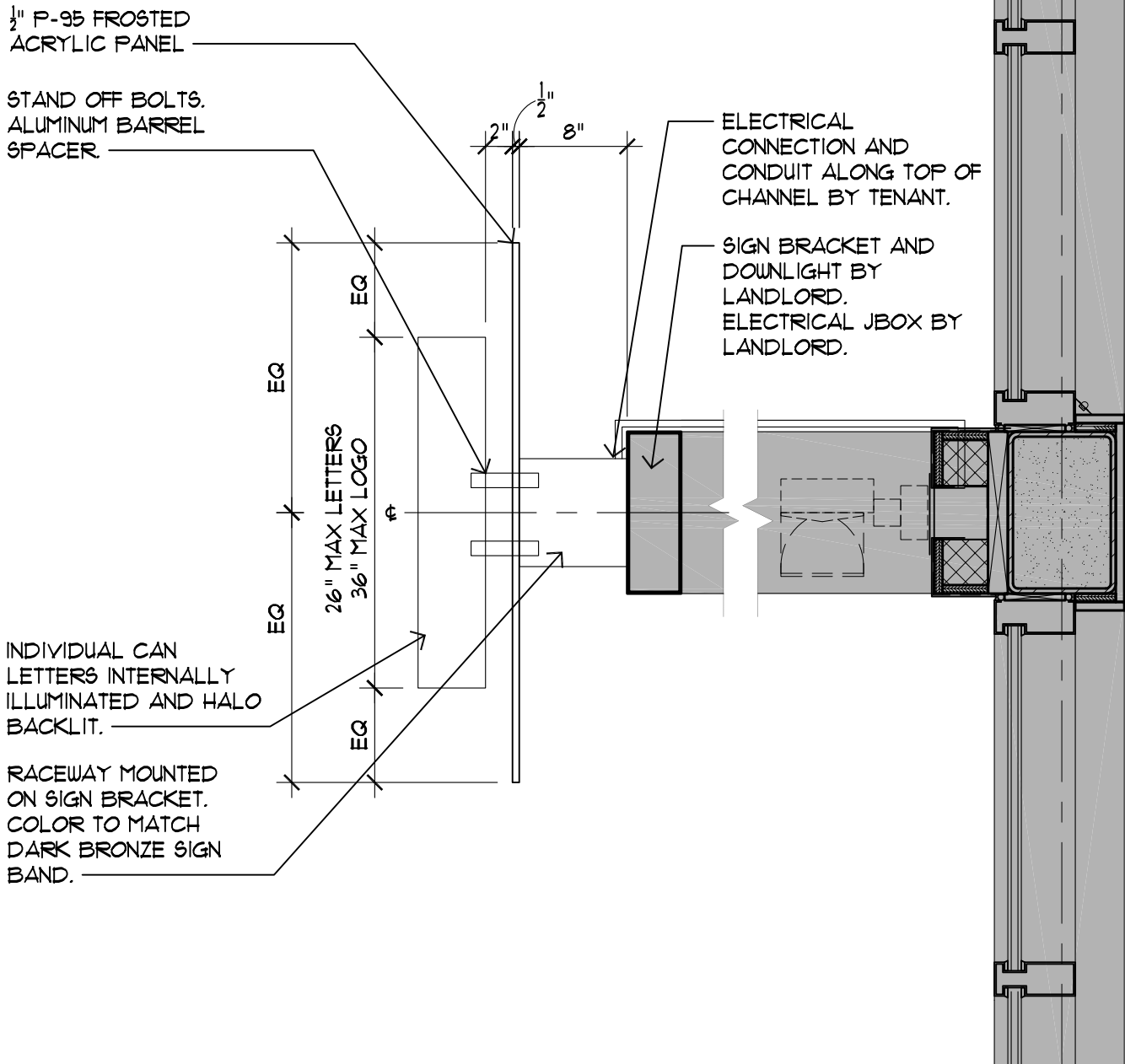
Project RIDGEDALE CORNER SHOPPES

Project No. 1693.004.00

Date 03/14/17

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** NOTE: ALL SIGNS MUST BE SUBMITTED TO LANDLORD FOR REVIEW AND APPROVAL PRIOR TO SUBMITTAL TO CITY OF MINNETONKA FOR PERMIT.



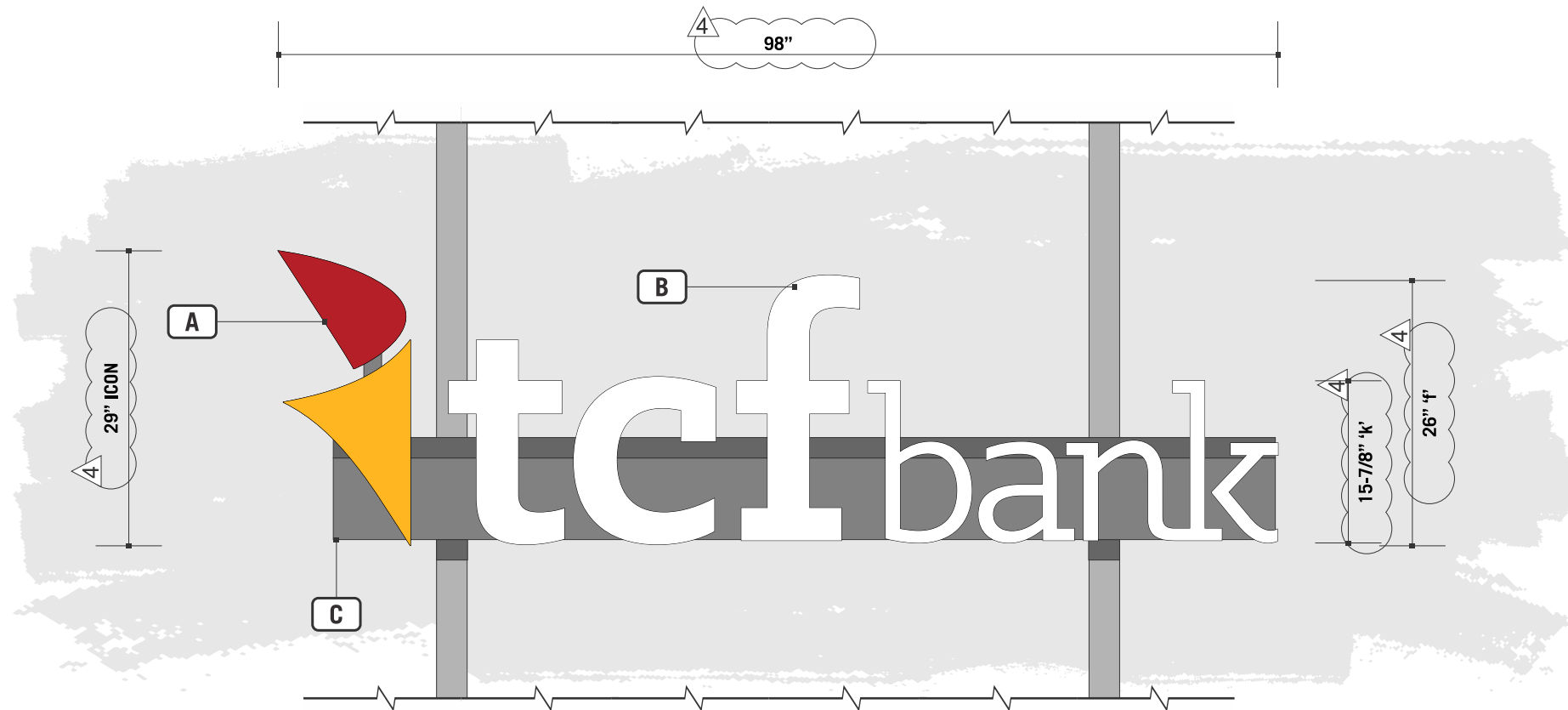
TYPICAL SIGN DETAIL AT STOREFRONT



Project RIDGEDALE CORNER SHOPPES

Project No. 1693.004.00

Date 03/14/17



1 SIGN LAYOUT

SCALE: 3/4"=1'-0"

QTY: 2 (SOUTH, WEST,)



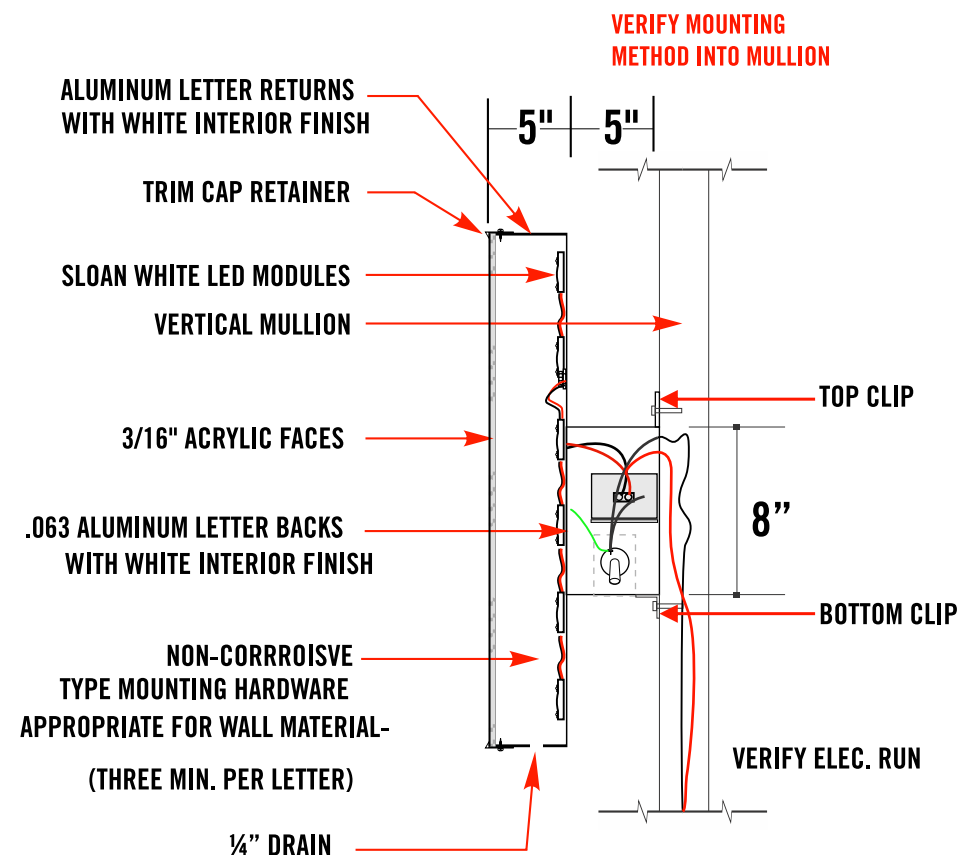
PROPOSED CONDITIONS

DESCRIPTION

- A** — ILLUMINATED LOGO
 - WHITE ACRYLIC FACES W/ DIGITAL PRINT OVERLAYS - V1 / V2
 - 1" TRIM CAP - PRE-FINISHED BLACK
 - 5" DEEP ALUM. RETURNS - PRE-FINISHED BLACK
 - INTERNALLY LIT WITH WHITE LED MODULES (SLOAN)
- B** — ILLUMINATED LETTERS
 - WHITE ACRYLIC FACES - A1
 - 1" TRIM CAP - PRE-FINISHED BLACK
 - 5" DEEP ALUM. RETURNS - PRE-FINISHED BLACK
 - INTERNALLY LIT WITH WHITE LED MODULES (SLOAN)
- C** — RACEWAY
 - SIGN COMP ALUM. RACEWAY
 - PAINTED TO MATCH WALL, VERIFY
 - RACEWAY TO HOUSE ALL POWER SUPPLIES AND SECONDARY WIRING
 - VERIFY MOUNTING METHOD INTO MULLIONS

FINISH SCHEDULE

- V1** 3M DARK RED TRAN.S VINYL (230-73)
- V2** 3M MANGO TRANS. VINYL (230-125)
- A1** 7328 WHITE ACRYLIC



2 SECTION DETAIL

SCALE: 3/4"=1'-0"

ESTIMATED WEIGHT 160 LBS



1801 PLYMOUTH ROAD
MINNETONKA, MN 55305DRESS

ILLUMINATED CHANNEL LETTERS ON RACEWAY

CUSTOMER APPROVAL

NAME: _____

DATE: _____

REV1	03.27.17 RR
REV2	04.24.17 TD
REV3	05.03.17 RR
REV4	05.05.17 TD
REV5	
REV6	
REV7	
REV8	

SALES: DP PR: XX
DESIGN: RR
DATE: 03.23.17
DWG: 11542

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QTY: 2 (SOUTH & WEST)



1801 PLYMOUTH ROAD
MINNETONKA, MN 55305DRESS

ILLUMINATED CHANNEL
LETTERS ON RACEWAY

CUSTOMER APPROVAL

NAME: _____

DATE: _____

REV1 03.27.17 RR

REV2 04.24.17 TD

REV3 05.03.17 RR

REV4 05.05.17 TD

REV5 _____

REV6 _____

REV7 _____

REV8 _____

SALES: DP PR: XX

DESIGN: RR

DATE: 03.23.17

DWG: 11542

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MEMORANDUM

PROJECT NO. 1693.004.00
CLIENT Solomon RE
PROJECT Ridgedale Corner Shoppes Retail
Minnetonka, MN

SUBJECT Sign Variance Request. Written Narrative
FROM Bill Wittrock
DATE 5 May 2017

ATTENTION Steve Johnson
COPY Mike Kraft, Kraft Architects
Dave Nelson, TCF
File (4)

Project Description

Ridgedale Corner Shoppes is located in the southeast corner of Plymouth Road and Cartway Lane intersection. Ridgdale Mall Driveway provides the only access to the site on the east and provides unobstructed visibility from the Ridgedale Mall west side parking field. In addition, the site is encumbered by a private easement providing access to the Wells Fargo property immediately to the south.

In September of 2016, the development received unanimous approval from the City Council based on the Planning Commission recommendations. Included in the staff report was a history of several Concept Plan submissions from November 2015 to June 2016. The result of this history establishes the City's required design criteria of density and intensity as outlined in the Ridgedale Center Village Center study and noted the "significant concern" of the city staff and council members that the building design respond to these criteria.

The approved development and building design met the intent of the required City Design Criteria with the following:

- Develop a unique Architectural design for this strategic corner site of the retail district.
- Provide consistent Architectural detailing on all sides to provide visual intensity.
- Increase the height of storefronts and add a vertical tower at the TCF Bank entry to provide a visual reference to density.
- Incorporate connections to the city network of sidewalks, directly to the storefront entries, improving the intensity of accessibility for pedestrians.

RSP Architects, Ltd.

1220 Marshall Street NE
Minneapolis, MN 55413
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rsparch.com



It was noted in the summary comments of the staff report, this development “would allow an existing business to remain in the community, while significantly improving both its’ own aesthetic and the aesthetic of the intersection at which it is located.” As a result of the project location and the City imposed design criteria, this project is highly visible and functional from all sides.

The TCF Bank building has function and visibility on three sides. The retail building is highly visible on three sides with multiple retail tenant storefronts on the south, the west end-cap tenant is visible directly on three sides. Strategically located wall signs were considered a critical component to the success of the TCF Bank and the retail tenants. In the Planning Commission drawing submission, wall signs were shown on at least three sides of the building facing the important view corridors to address the functional visibility of TCF Bank and retail tenants.

Allowing signs on three sides would be in the City’s interest by supporting the required city design criteria for this site and the retail area in the following:

1. The use is in the best interest of the City. Providing signs on three sides for TCF and the retail building allows for the intent of intensity of use and access to the function of the building activities. The intent of intensity of use is to be able to access the building from multiple connections and viewpoints. Providing the ability to see wall signs from all major vantage points allows the building to be accessible for automobile, bicycle and pedestrian connections.
2. The use is compatible with other nearby uses.
The development and building is designed as a prominent “gateway” building into the Ridgedale Mall retail district. Tenant sign location on three sides of these buildings would support the retail district identification, would be compatible with other nearby uses, and accommodates the City design criteria.
3. The use is consistent with other requirements of the ordinance.
All signs would comply with all other standards in the City sign ordinance for location, allowable sf. of sign, illumination requirements, tenant logo and letter size

Practical Difficulty.

The City of Minnetonka sign ordinance allows signs on two sides of a building. Strict application of the ordinance imposes a practical difficulty given the unique nature of this location and city required building design criteria. Allowing signs on three sides would be in the City’s interest and relieve the practical difficulties of functional retail.

Practical difficulties would result from:

1. Strict Application of the sign ordinance would allow signs on two sides only. With the requirement that the building to be visible with all sides of equal architectural priority, practical difficulty arises



in complying with the City design criteria requiring an intensity and density of use and a compatibility with the Ridgedale Mall district as a “gateway building”. The building has end cap elevations that are functionally visible, identifying this as a retail building. The strict application of the ordinance would prevent these highly visible sides from being identified as a retail building and therefore could potentially reduce the viability of retail tenants in the competitive retail environment.

2. Practical hardship results from unique circumstances and conditions that are peculiar to the property.

- a) Site has three sides exposed to major public streets. The access from these public streets is restricted allowing parking and building front door access only from an interior lot line to the south.
- b) City design criteria on this site requires that:
 - ii. The building be designed with a higher than normal storefront and roof for implied building density. This increases the building presence and visibility as a gateway building in the retail district.
 - iii. Requiring an Architectural design on all sides is a clear recognition that each side has retail visibility and viability.

3. The practical difficulties are not self-created.

- a. See #2

4. The requested Variance will be consistent with the intent of the ordinance.

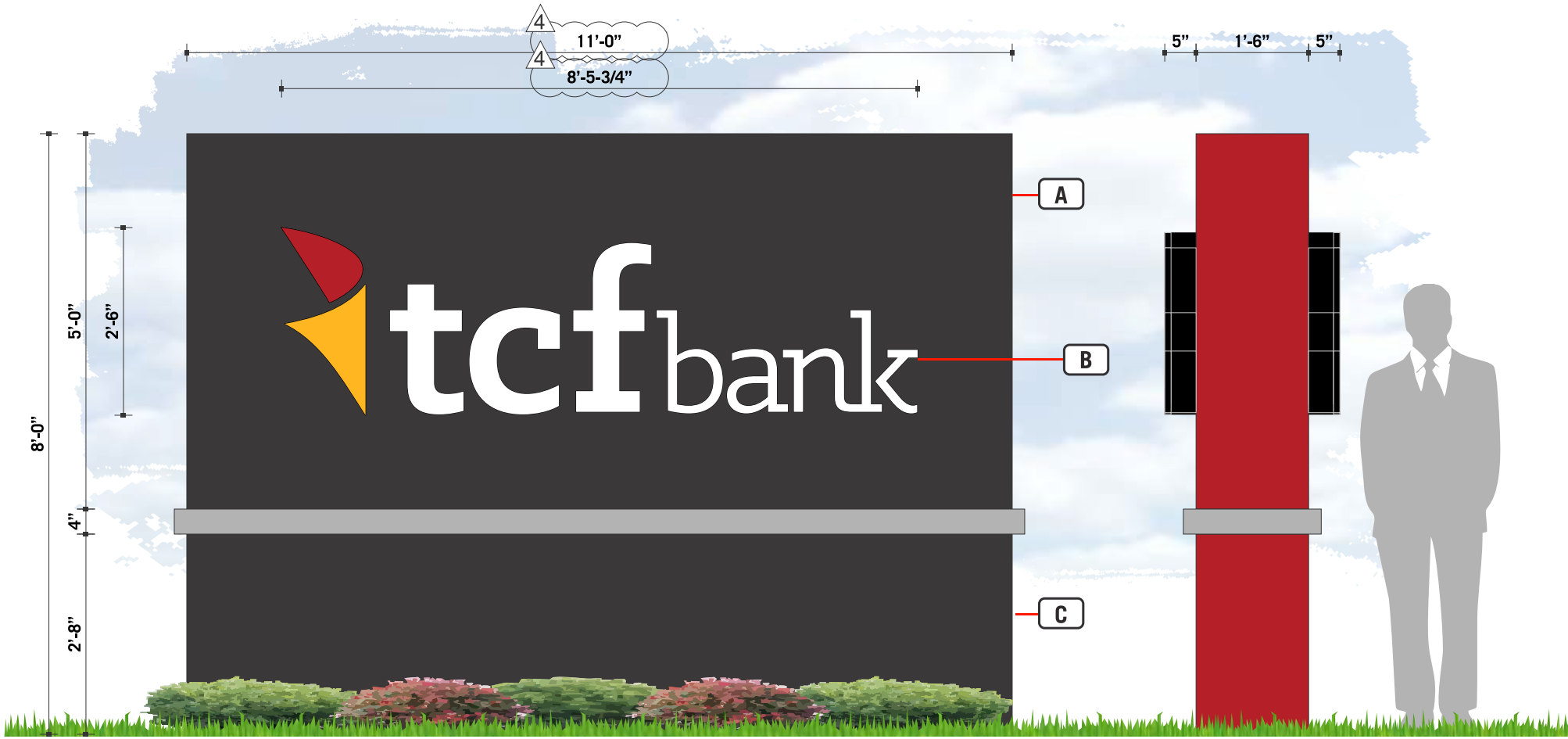
- a) All signs would comply with all other standards in the City sign ordinance for location, allowable sf. of sign, illumination requirements, tenant logo and letter size.

5. Reasonableness and Character of the Locality

- a) Granting this variance will not negatively affect public safety, it will allow the buildings to be a clearer fit with the surrounding retail district and promote a more vigorous and viable commercial activity

END OF MEMORANDUM

MONUMENT SIGN



1 D/F ILLUMINATED MONUMENT - ELEVATION VIEW
SCALE: 1/2"=1'-0"

SQ FT: 88

END VIEW

DESCRIPTION

- A** - ALUMINUM CABINET
 - ALUMINUM CABINET FACES PAINTED P1
 - 1'-6" DEEP ALUMINUM CABINET RETURNS PAINTED P2
- B** - FACE LIT CHANNEL LETTERS
 - ILLUMINATED LOGO
 - 7328 WHITE ACRYLIC FACES TRANS VINYL OVERLAYS - V1 / V2
 - 1" TRIM CAP - PRE-FINISHED BLACK
 - 5" DEEP ALUM. RETURNS - PRE-FINISHED BLACK
 - INTERNALLY LIT WITH WHITE LED MODULES (SLOAN)
 - ILLUMINATED LETTERS
 - 7328 WHITE ACRYLIC FACES - A1
 - 1" TRIM CAP - PRE-FINISHED BLACK
 - 5" DEEP ALUM. RETURNS - PRE-FINISHED BLACK
 - INTERNALLY LIT WITH WHITE LED MODULES (SLOAN)
- C** - POLE WRAPPER
 - ALUMINUM POLE WRAPPER PAINTED P1/P2

FINISH SCHEDULE

V1		CARDINAL RED - 230-53
V2		SUNFLOWER 230-25
P1		TCF CHARCOAL
P2		TCF CARDINAL
A1		7328 WHITE ACRYLIC



1801 PLYMOUTH ROAD
MINNETONKA, MN 55305DRESS

D/F ILLUMINATED MONUMENT
W/ CHANNEL LETTERS

CUSTOMER APPROVAL

NAME: _____

DATE: _____

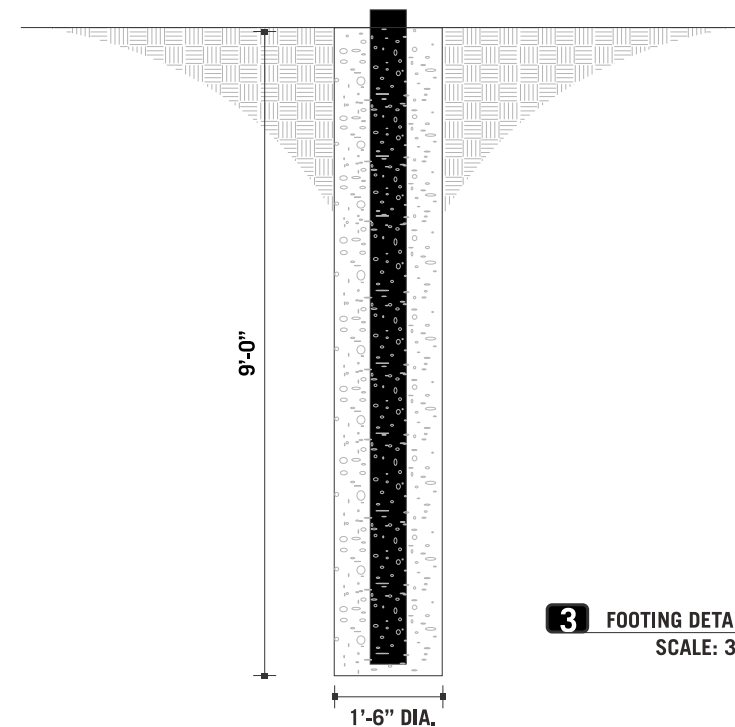
REV1	03.27.17 RR
REV2	04.24.17 TD
REV3	05.03.17 RR
REV4	05.05.17 TD
REV5	_____
REV6	_____
REV7	_____
REV8	_____

SALES: DP PR: XX
DESIGN: RR
DATE: 03.23.17
DWG: 11542-01

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3 FOOTING DETAIL
SCALE: 3/8"=1'-0"



2 D/F ILLUMINATED MONUMENT - ISOMETRIC VIEW
SCALE: 1/2"=1'-0"



1801 Plymouth Road
Minnetonka, MN 55305

SITE MAP

CUSTOMER APPROVAL

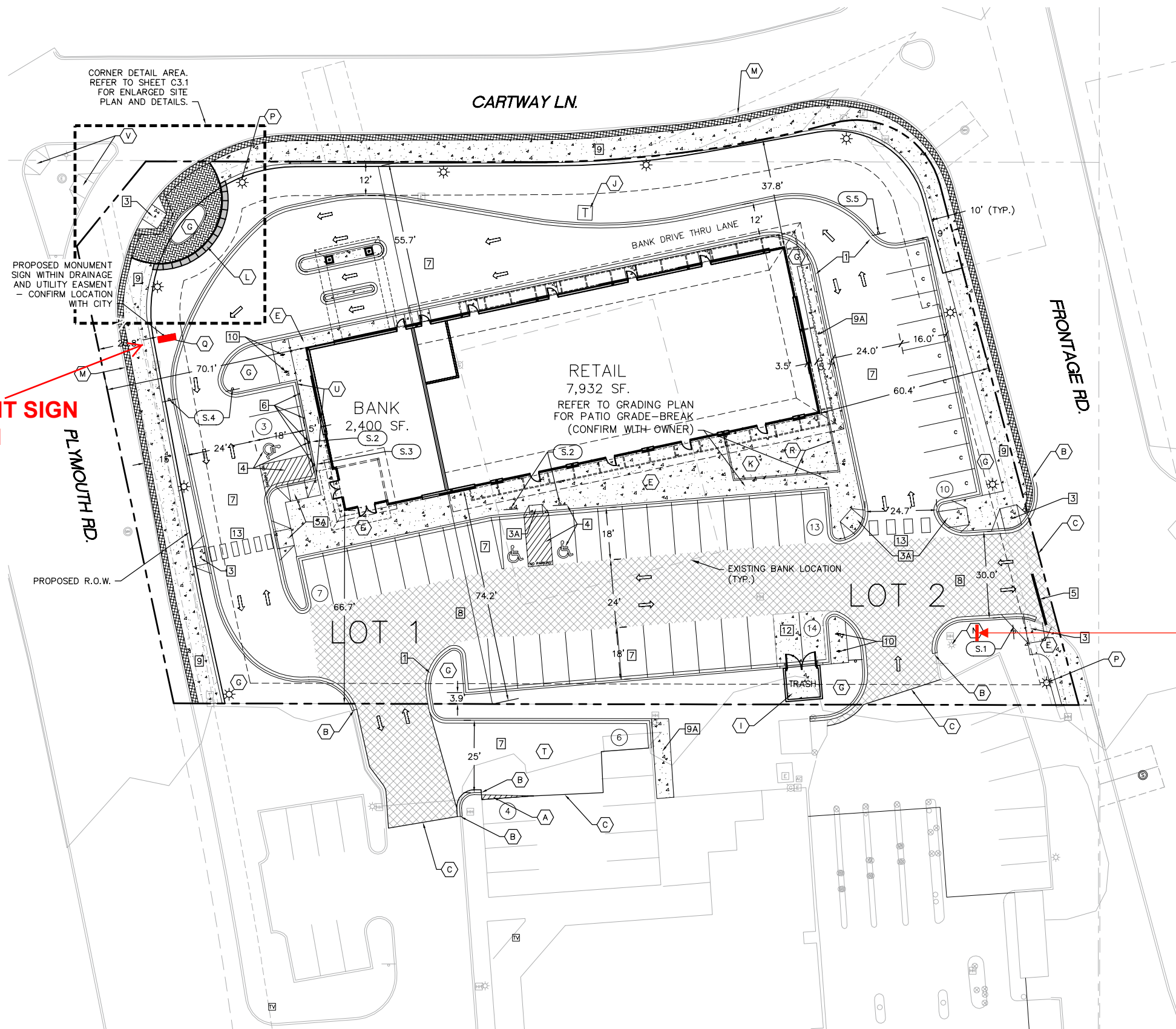
NAME: _____

DATE: _____

REV1	03.27.17 RR
REV2	04.24.17 TD
REV3	05.03.17 RR
REV4	05.05.17 TD
REV5	_____
REV6	_____
REV7	_____
REV8	_____

SALES: DP PR: XX
DESIGN: TD
DATE: 05.02.17
DWG: 11982

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MONUMENT SIGN
LOCATION

DIRECTIONAL SIGN
SIGN LOCATION



MEMORANDUM

PROJECT NO. 6332.001.00
CLIENT Solomon RE
PROJECT Ridgedale Corner Shoppes Retail
Minnetonka, MN

SUBJECT TCF Bank Monument Sign Variance
FROM Bill Wittrock
DATE 9 May 2017

ATTENTION Steve Johnson
COPY Mike Kraft, Kraft Architects
Dave Nelson, TCF
File (4)

Project Description

Ridgedale Corner Shoppes is located in the southeast corner of Plymouth Road and Cartway Lane intersection. Ridgedale Mall Driveway provides the only access to the site on the east and provides unobstructed visibility from the Ridgedale Mall west side parking field. In addition, the site is encumbered by a private easement providing access to the Wells Fargo property immediately to the south.

In September of 2016, the development received unanimous approval from the City Council based on the Planning Commission recommendations. Included in the staff report was a history of several Concept Plan submissions from November 2015 to June 2016. The result of this history establishes the City's required design criteria of density and intensity as outlined in the Ridgedale Center Village Center study and noted the "significant concern" of the city staff and council members that the building design respond to these criteria.

The approved development and building design met the intent of the required City Design Criteria with the following:

- Develop a unique Architectural design for this strategic corner site of the retail district.
- Provide consistent Architectural detailing on all sides to provide visual intensity.
- Increase the height of storefronts and add a vertical tower at the TCF Bank entry to provide a visual reference to density.
- Incorporate connections to the city network of sidewalks around the perimeter of the site

RSP Architects, Ltd.

1220 Marshall Street NE
Minneapolis, MN 55413
612.677.7100 main
612.677.7499 fax
rsparch.com



and directly to the storefront entries, improving the intensity of accessibility for pedestrians.

- Incorporate a decorative sidewalk curved wall corner element at Cartway Road and Plymouth Road.

It was noted in the summary comments of the staff report, this development “would allow an existing business to remain in the community, while significantly improving both its’ own aesthetic and the aesthetic of the intersection at which it is located.” As a result of the project location and the City imposed design criteria, this project is highly visible and functional from all sides.

The TCF Bank site currently has a 17’ tall, three-sided pylon sign with changing time and temperature., In the Planning Commission drawing submission, a smaller scale, new pylon sign location was shown near the decorative corner element required by the City Design Criteria and is located 3’ from the new sidewalk edge.

This variance request is to allow the TCF Bank monument sign to be located outside of the required 10’ setback from the City required new sidewalk ROW. Allowing the proposed monument sign for TCF Bank would be in the City’s interest by supporting the required city design criteria for this site and the retail area in the following:

1. The use is in the best interest of the City.
The proposed monument sign will replace an existing pylon sign. The proposed sign would be smaller in scale and compliment the pedestrian nature of the required adjacent sidewalk enhancements.
2. The use is compatible with other nearby uses.
The site development and building are designed as a prominent “gateway” into the Ridgedale Mall retail district. The proposed monument sign for this site would support the retail district identification, would be compatible with other nearby uses, and accommodates the City design criteria.
3. The use is consistent with other requirements of the ordinance.
The monument sign will comply with all other standards in the City sign ordinance for, allowable sf. of sign, illumination requirements, tenant logo and letter size

Practical Difficulty.

The City of Minnetonka sign ordinance allows one monument sign on the TCF Bank property and one monument sign on the Ridgedale Corner Retail property. Ridgedale Corner retail has elected not to install a monument sign on their property. Strict application of the ordinance



imposes a practical difficulty on the TCF property given the unique nature of this location and city required site design criteria. Allowing the proposed monument sign location would be in the City's interest and relieve the practical difficulties.

Practical difficulties would result from:

1. Strict Application of the sign ordinance would allow monument signs on each property. With the requirement that the site include a City required new sidewalk around the perimeter, a decorative corner enhancement. Practical difficulty arises in complying with the City ordinance requiring 10' setback from the sidewalk ROW. The strict application of the ordinance would prevent the monument sign to be reasonably visible from the road.
2. Practical hardship results from unique circumstances and conditions that are peculiar to the property.
 - a) City design criteria on this site requires that:
 - ii. A sidewalk, per City Design Criteria, to be installed around the site perimeter. This criteria effectively moves the ROW line into the site approximately 10 feet, reducing the available site area to locate a monument sign.
 - iii. City Design Criteria requires a decorative curved wall design enhancement on the corner design, reducing the available site area to locate a monument sign.
3. The practical difficulties are not self-created.
 - a. See #2
4. The requested Variance will be consistent with the intent of the ordinance.
 - a. The monument sign will comply with all other standards in the City sign ordinance for allowable sf. of sign, illumination requirements, tenant logo and letter size.
5. Reasonableness and Character of the Locality
 - a. Granting this variance will not negatively affect public safety. The sign will be located outside of the required sidewalk area but still allow the site lines to the buildings. The scale of the sign will be reduced from the original pylon sign and be compatible with the pedestrian scale of the adjacent sidewalk network

END OF MEMORANDUM

MEMORANDUM

TCF Bank Monument Sign Variance Request

9 May 2017

Page 3 of 3

Resolution No. 2017-

**Resolution approving a sign plan for Ridgedale Corner Shoppes
at 1801 and 1805 Plymouth Road**

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

Section 1. Background.

1.01 In October 2016, the Minnetonka City Council approved a master development plan for Ridgedale Corner Shoppes, located at 1801 and 1805 Plymouth Road.

1.02 The properties, which are located within the planned I-394 (PID) district, are legally described as: Lots 1 and 2, Block 1, Ridgedale Center 9th Addition.

1.03 Ridgedale Retail, LLC. and TCF National Bank have proposed a sign plan for Ridgedale Corner Shoppes, as follows:

1. Wall Signs

	End Cap Tenants		Interior Tenants
	West Tenant	East Tenant	
Number of Signs	3	3	2
Sign Locations	Plymouth Rd façade Cartway La façade parking lot facade	Ridgedale Ring Rd façade Cartway La façade parking lot facade	Cartway La façade parking lot facade
Maximum Logo Height	36 inches		
Maximum Letter Height	26 inches		

2. Monument Signs

	Monument Sign
Number of Signs	1
Maximum Monument Height	8 feet
Maximum Monument Area	90 square feet
Maximum Copy and Graphic Area	60 square feet
Minimum setback	Roughly 1.5 feet

1.03 On June 22, 2017, the planning commission held a hearing on the proposed sign plan. The applicants were 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.

Section 2. General Standards.

2.01 By City Code §300.31 Subd.7(a)(b), signs within developments with approved master development plans are restricted to those signs permitted in a sign plan approved by the city and are regulated by permanent covenants that can be enforced by the city.

2.02 By City Code §325.06 Subd. 6, a sign plan with requirements different than those of the sign ordinance may be approved within planned unit and planned I-394 districts.

2.03 By City Code §325.05 Subd.5, the city may enforce, in the same manner as the requirements of sign ordinance, the terms of a sign plan or sign covenants that it has approved.

Section 3. Findings

1. The proposed wall signs would have dimensions consistent with the dimension allowed under the sign ordinance. As such, the signs would not be larger than those allowed elsewhere in the city.
2. Visually identifying tenants from adjacent roadways and the building's parking lot is reasonable. Further, such identification is consistent with previous city practice in the immediate area.
3. The proposed monument sign would have dimensions consistent with those allowed elsewhere in the city. Though a 10-foot setback is required under the sign ordinance, the reduced setback proposed is a function of the approved and required location of sidewalks,

parking lot and drive-thru drive aisles, and new “gateway” landscape feature at the Plymouth Road/Cartway Lane intersection.

Section 4. Planning Commission Action.

- 4.01 The planning commission hereby approves the sign plan described on section 1 of this resolution and as represented in the Planning Commission Staff Report dated June 8, 2017.
- 4.02 This sign plan serves as the sign regulations for the 1801 and 1805 Plymouth Road properties.
- 4.03 Directional signs are permitted as outlined in the sign ordinance.
- 4.04 A sign permit must be obtained prior to installation of any sign.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on June 22, 2017.

Brian Kirk, Chairperson

Attest:

Kathy Leervig, Deputy City Clerk

Action on this resolution:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Planning Commission of the City of Minnetonka, Minnesota, at a duly authorized meeting held on June 22, 2017.

Kathy Leervig, Deputy City Clerk

MINNETONKA PLANNING COMMISSION
June 22, 2017

- Brief Description** Items concerning a parking lot expansion at Minnetonka Executive Plaza, 10275 Wayzata Boulevard:
- Major amendment to the existing master development plan;
 - Parking setback variance; and
 - Encroachment agreement.
- Recommendation** Recommend the city council adopt the resolution denying the requests
-

Background

1986. The city approved a master development plan for an office building development – consisting of four buildings – near the Wayzata Boulevard/Shelard Parkway intersection. The 1.4-acre subject property was part of that development.

1999. The last of the four office buildings was constructed on the subject property. The first floor of the 27,000 square foot office building contained 21 interior parking stalls. The second and third floors were occupied by general office space. With the interior parking stalls and surface parking lot, minimum parking requirements were met.

2003. The then property owner converted a portion of the first floor from parking into office space. This conversion had two-fold impact: (1) it reduced on-site parking availability; and (2) it increased the number of parking stalls required by city code. A building permit for this project was issued in error.

2014. The city approved a major amendment to the existing master development plan to allow for construction of 11 parking stalls on the north side of the building. At the time, the staff report suggested that 108 parking stalls were required on site, but only 66 stalls available. Staff now notes that requirement was incorrectly calculated. The calculation assumed the entirety of the 27,000 square foot building as office space. It did not take into consideration the interior parking stalls. Essentially, the report suggested that parking was required for both office space and the interior parking area, which is unreasonable. The numbers in the chart below outline parking based on office area as indicated on actual plans submitted with building permit applications.

	1999	2003	2014
Office Area	16,500 sq.ft.	19,008 sq.ft.	19,008 sq.ft.
TOTAL required parking	66*	76*	76*
Interior parking stalls	21	13	13
Exterior parking stalls	54	53	64
TOTAL constructed parking	75	66	77

*1 stall per 250 sq.ft.

Proposal

The building is currently fully occupied by one tenant, King Show Games. The property owner has indicated that available parking does not meet tenant parking demand. Owner and tenant have done several things to address the parking availability vs. parking demand, including: encouraging carpooling and other forms of transportation, allowing flexible work schedules, and leasing 40 parking spaces from a neighboring property. However, the owner notes these efforts have not resolved the issue and that the contractual terms of the off-site lease spaces would not support King Show Games' plan for continued business growth. (See the applicant's narrative.)

To address the parking availability vs. parking demand issue, Civil Site Group – on behalf of the property owner – is proposing to construct 12 new parking stalls on the north side of the site. A portion of these stalls would be located within public right-of-way. In addition to restriping some existing stalls, these new stalls would increase surface parking to 77 stalls and total parking to 90 stalls. (See attached.)

	1999	2003	2014	2017
Interior Stalls	21	13	13	13
Exterior Stalls	54	53	64	77
TOTAL parking	75	66	77	90

The proposal requires: (1) a major amendment to an existing master development plan; (2) a parking setback variance from 20 feet to 0 feet; and (3) an encroachment agreement. (For more information on encroachment agreements, see the "Supporting Information" section of this report.)

Staff Analysis

Staff acknowledges that the existing parking situation is difficult. In visiting the site on three separate dates at three separate times, staff found the parking lot to be essentially full. However, staff cannot support the applicant's request for three reasons.

- 1) **Retaining Wall.** The public right-of-way north of the site is encumbered by a retaining wall that physically supports Wayzata Boulevard. The wall ranges in height from roughly 1 to 11 feet. To accommodate the proposed parking, tree removal and grading would occur in close proximity to the wall. The stalls themselves ultimately would be located within six feet of the wall. Staff is concerned about the impact construction of the parking may have on the structural integrity of the wall. Conversely, in the event that repair work or reconstruction of the wall is required in the future, the parking stalls constructed in the area would likely be significantly impacted and/or removed.
- 2) **Parking Requirement.** Under city code, parking requirements are generally based on the size of the building and the use of that building, not based on the number of persons occupying a building. By city code, an office building must provide 1 parking stall for each 250 square feet of floor area. In other words, an office building

has the same parking requirement under the ordinance whether it is comprised of large individual offices or small, cubicle workstations. Based on total office area and existing interior and exterior parking, the building and site currently meet city code requirements. The requirement is further exceeded with parking stalls leased from neighboring property owners. The size of the building as compared to the number of constructed parking stalls is not the issue. Rather, the issues are related to the occupancy of the building.

- 3) **Precedent.** The city has very rarely entered into encroachment agreements for use of city right-of-way and in those cases the rights-of-way encroached upon have been very large/wide and unencumbered by public improvements. As was noted, the existing right-of-way north of the subject property is encumbered by a large retaining wall. Staff is concerned that the applicant's request may set an undesirable precedent for use of already encumbered rights-of-way.

Summary Comments

Staff acknowledges that the applicant's proposal attempts to resolve parking demand vs. parking availability at the subject property. Staff further acknowledges and applauds King Show Games for their desire to remain and continue to grow in the Minnetonka community. However, staff cannot support the applicant's request due to the existing encumbrance of the public right-of-way, the potential need for that right-of-way in the future, and the undesirable precedent that may be set by the applicant's use of the right-of-way.

Recommendation

Recommend the city council adopt the resolution denying the major amendment to the existing master development plan, parking setback variance, and an encroachment agreement for parking lot expansion at Minnetonka Executive Plaza, 10275 Wayzata Boulevard:

Originator: Susan Thomas, AICP, Assistant City Planner
Through: Loren Gordon, AICP, City Planner

Supporting Information

Surrounding Land Uses

Northerly: Wayzata Boulevard, I-394 beyond
Easterly: Office building
Southerly: Single-family homes
Westerly: Office building

Planning

Guide Plan designation: Office
Existing Zoning: Planned I-394 District

Encroachment

An encroachment agreement is a legal agreement that a property owner and city may enter into. Under the agreement, an owner acknowledges that:

- They will be constructing/installing something with a public easement or right-of-way;
- That their right to use, occupy, maintain or repair the item constructed/installed is subordinate in all respect to the easement/right-of-way; and
- They will be responsible for removing the item from easement/right-of-way at the their sole cost and expense, if the city in its sole discretion determines that removal is in the public interest in order to accommodate any public use of the easement area.

Encroachment agreement requests are generally reviewed administratively by engineering and legal staff. However, staff does not have the final authority to enter into such agreement. While staff recommends approval of those agreements it is comfortable with, the legal agreement itself must still be signed by both the mayor and city manager.

Adjacent Property

The office property adjacent to the east has parking located both north and south of the existing drive aisle. The applicant's proposal is visually similar to this existing situation. However, the existing stalls are located on the private property and approximately 9 feet from the base of the retaining wall. Further, these stalls actually predate the current configuration of Wayzata Boulevard and the retaining wall.

Options

Staff notes there are no good, inexpensive options for expanding parking on the site.

1. Applicant's Proposal. While the least expensive of the options, the proposal encroaches into encumbered right-of-way.

2. Southerly Expansion. Expanding the existing parking lot to the south would result in grading into an existing significant slope and woodland preservation. Retaining walls, which would need to be constructed, would likely be expensive.
3. Conversion of space. Converting first floor office space back into garage space would likely be expensive and, as noted by the applicant, counter to King Show Games long-range growth plans.
4. Parking Deck. Construction of a parking deck over the existing parking lot would be the most expensive of the options.

Trees

Five trees would be removed to accommodate the proposed parking. These trees are not part of a natural stand of vegetation, but were part of previous site landscaping.

SBP Standard

When reviewing changes that require an amendment to an existing master development plan, the city generally evaluates the changes for consistency with site and building plans standards 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;
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.

FINDING: While the proposed parking would benefit the property owner and building tenants, the parking would not be consistent with city code requirements. The parking stalls would not meet minimum setback requirements. Rather, the stalls would encroach onto public right-of-way.

Variance Standard

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

The requested variances would not meet the intent of ordinance or practical difficulty tests of the variance standard. The intent of the ordinance as it pertains to parking setback requirements is to ensure adequate separation between property lines and parking stalls for both aesthetic and safety reasons. The proposed parking would cross over the existing property line and be located within six feet of a large retaining wall that supports an existing public road. This setback, or lack thereof, is not reasonable and would not meet the intent of the ordinance.

Motion Options

The planning commission has three options:

1. Concur with the staff recommendation. In this case, a motion should be made recommending the city council adopt the resolution denying the requests.
2. Disagree with staff's recommendation. In this case, a motion should be made recommending the city council approve the request. This motion should include a statement as to why approval 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 47 property owners and has received one comment to date.

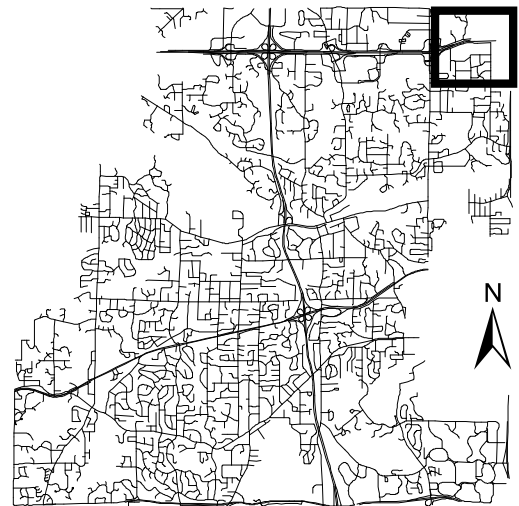
Deadline for Action

September 11, 2017

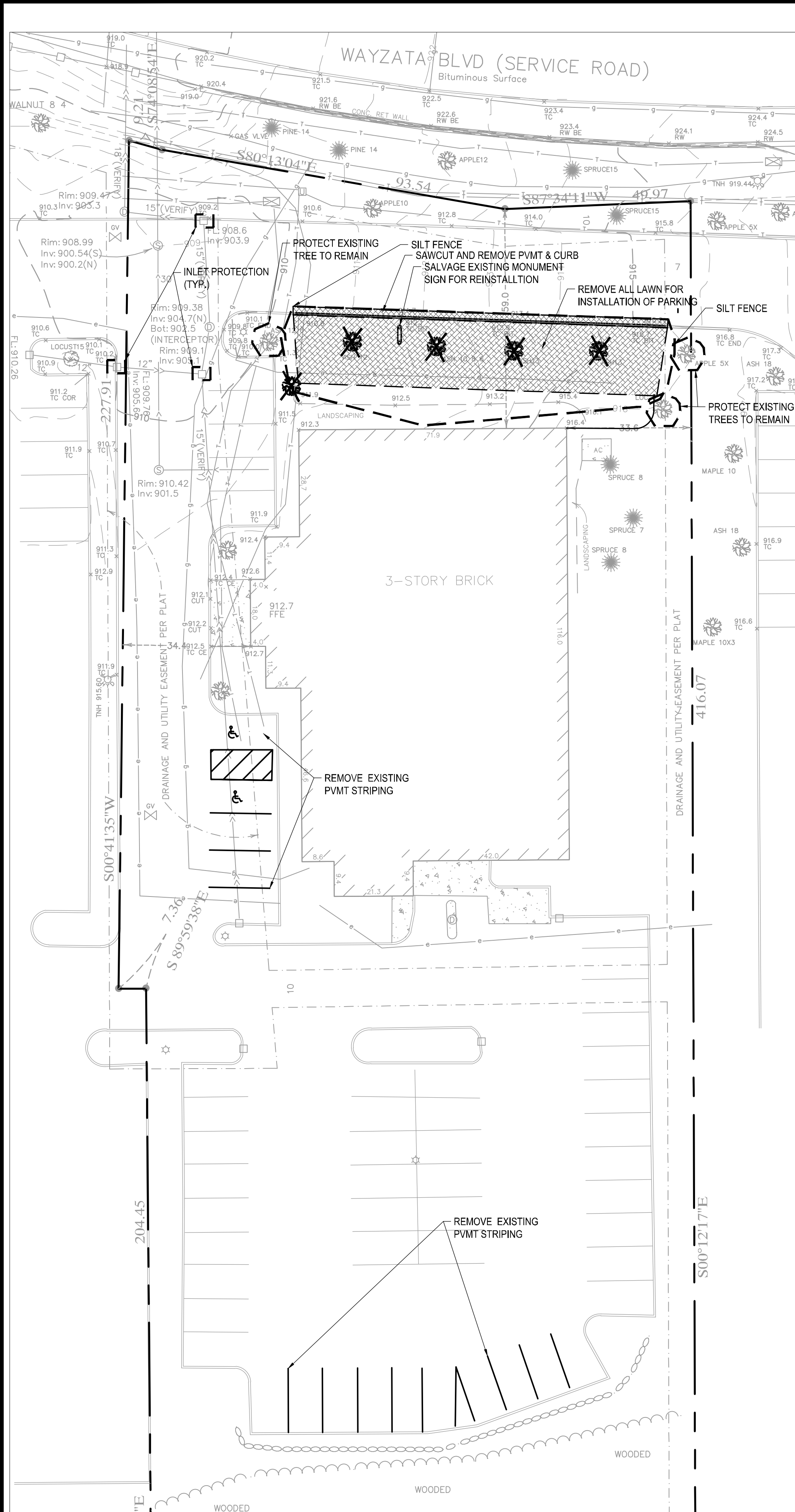


Location Map

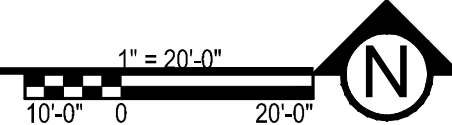
Project: Minnetonka Executive Plaza
Address: 10275 Wayzata Blvd
Project No. 14026.17a



This map is for illustrative purposes only.



1 REMOVALS PLAN



- REMOVAL NOTES:**
- CONSTRUCTION REMOVALS SEQUENCING IS PLANNED AS FOLLOWS:
 - INSTALL STABILIZED ROCK CONSTRUCTION ENTRANCE
 - INSTALL SILT FENCE AROUND SITE, & INLET PROTECTION IN AND AROUND CATCH BASINS.
 - CLEAR AND GRUB REMAINDER OF SITE
 - PREP AND TRANSITION TO NEW CONSTRUCTION ACTIVITIES
 - REMOVALS DISTURBANCE LENGTH OF TIME:
 - THE REMOVALS TIMING FOR THIS PROJECT IS EXPECTED TO LAST 15-30 DAYS UNTIL THE START OF NEW CONSTRUCTION.
 - TEMPORARY AND PERMANENT STABILIZATION:
 - FOLLOWING INITIAL SOIL DISTURBANCE OR RE-DISTURBANCE, PERMANENT OR TEMPORARY STABILIZATION SHALL BE COMPLETED WITHIN SEVEN (7) CALENDAR DAYS ON ALL PERIMETER DIKES, SWALES, DITCHES, PERIMETER SLOPES, AND ALL SLOPES GREATER THAN 4 HORIZONTAL TO 1 VERTICAL (4:1); EMBANKMENTS OF PONDS, BASINS, AND TRAPS; AND WITHIN FOURTEEN (14) DAYS ON ALL OTHER DISTURBED OR GRADED AREAS. SEE PROPOSED LANDSCAPE PLAN FOR FINAL STABILIZATION MEASURES.
 - REMOVAL OF MATERIALS NOTED ON THE DRAWINGS SHALL BE IN ACCORDANCE WITH MINDOT, STATE AND LOCAL REGULATIONS.
 - REMOVAL OF PRIVATE UTILITIES SHALL BE COORDINATED WITH UTILITY OWNER PRIOR TO CONSTRUCTION ACTIVITIES.
 - EXISTING PAVEMENTS SHALL BE SAWCUT IN LOCATIONS AS SHOWN ON THE DRAWINGS OR THE NEAREST JOINT FOR PROPOSED PAVEMENT CONNECTIONS.
 - REMOVED MATERIALS SHALL BE DISPOSED OF TO A LEGAL OFF-SITE LOCATION AND IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.
 - ABANDON, REMOVAL, CONNECTION, AND PROTECTION NOTES SHOWN ON THE DRAWINGS ARE APPROXIMATE. COORDINATE WITH PROPOSED WORK-SEE SHEETS LAYOUT AND GRADING PLANS-SHEETS
 - EXISTING ON-SITE FEATURES NOT NOTED FOR REMOVAL SHALL BE PROTECTED THROUGHOUT THE DURATION OF THE CONTRACT.
 - PROPERTY LINES SHALL BE CONSIDERED GENERAL CONSTRUCTION LIMITS UNLESS OTHERWISE NOTED ON THE DRAWINGS. WORK WITHIN THE GENERAL CONSTRUCTION LIMITS SHALL INCLUDE STAGING, DEMOLITION AND CLEAN-UP OPERATIONS AS WELL AS CONSTRUCTION SHOWN ON THE DRAWINGS.
 - MINOR WORK OUTSIDE OF THE GENERAL CONSTRUCTION LIMITS SHALL BE ALLOWED AS SHOWN ON THE PLAN AND PER CITY REQUIREMENTS.
 - DAMAGE BEYOND THE PROPERTY LIMITS CAUSED BY CONSTRUCTION ACTIVITY SHALL BE REPAIRED IN A MANNER APPROVED BY THE ENGINEER/LANDSCAPE ARCHITECT OR IN ACCORDANCE TO THE CITY.
 - PROPOSED WORK (BUILDING AND CIVIL) SHALL NOT DISTURB EXISTING UTILITIES UNLESS OTHERWISE SHOWN ON THE DRAWINGS AND APPROVED BY THE CITY PRIOR TO CONSTRUCTION.
 - SITE SECURITY MAY BE NECESSARY AND PROVIDED IN A MANNER TO PROHIBIT VANDALISM, AND THEFT, DURING AND AFTER NORMAL WORK HOURS, THROUGHOUT THE DURATION OF THE CONTRACT. SECURITY MATERIALS SHALL BE IN ACCORDANCE TO THE CITY.
 - VEHICULAR ACCESS TO THE SITE SHALL BE MAINTAINED FOR DELIVERY AND INSPECTION ACCESS DURING NORMAL OPERATING HOURS. AT NO POINT THROUGHOUT THE DURATION OF THE CONTRACT SHALL CIRCULATION OF ADJACENT STREETS BE BLOCKED WITHOUT APPROVAL BY THE CITY PRIOR TO CONSTRUCTION ACTIVITIES.
 - ALL TRAFFIC CONTROLS SHALL BE PROVIDED AND ESTABLISHED PER THE REQUIREMENTS OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MMUCD) AND THE CITY. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO, SIGNAGE, BARRICADES, FLASHERS, AND FLAGGERS AS NEEDED. ALL PUBLIC STREETS SHALL REMAIN OPEN TO TRAFFIC AT ALL TIMES. NO ROAD CLOSURES SHALL BE PERMITTED WITHOUT APPROVAL BY THE CITY.
 - STAGING, DEMOLITION, AND CLEAN-UP AREAS SHALL BE WITHIN THE PROPERTY LIMITS AS SHOWN ON THE DRAWINGS AND MAINTAINED IN A MANNER AS REQUIRED BY THE CITY.

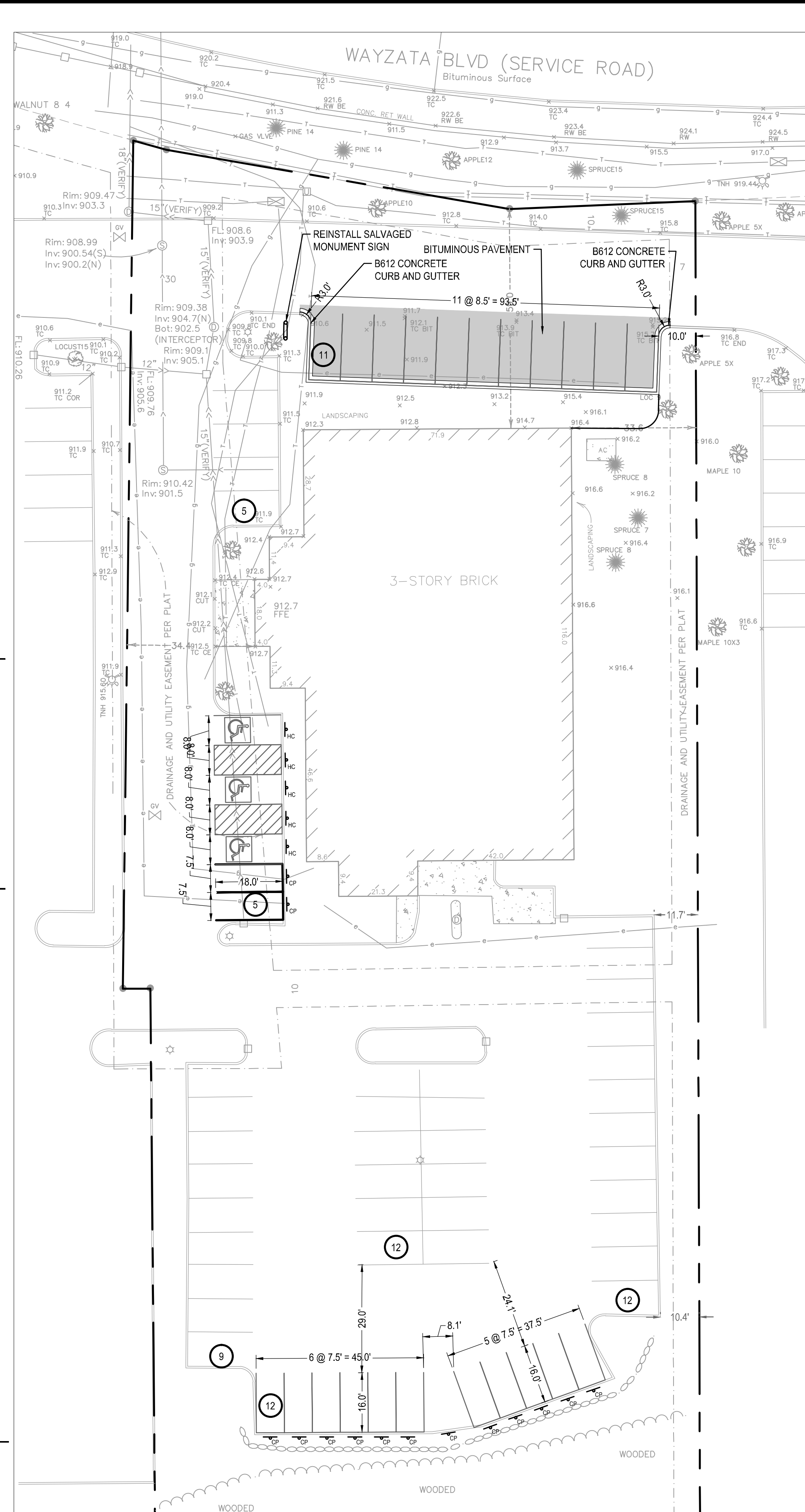
- REMOVALS LEGEND:**
- 932 --- EX. 1' CONTOUR ELEVATION INTERVAL
 - --- COMBINATION BIO-ROLL, CHAIN LINK CONSTRUCTION FENCE
 - --- STABILIZED CONSTRUCTION ENTRANCE
 - INLET PROTECTION - AT ALL EXIST. INLETS
 - ✕ TREE REMOVAL - INCLUDING ROOTS AND STUMPS
 - TREE PROTECTION

- SITE PLAN NOTES:**
- THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION, INCLUDING A RIGHT-OF-WAY AND STREET OPENING PERMIT.
 - THE CONTRACTOR SHALL VERIFY RECOMMENDATIONS NOTED IN THE GEO-TECHNICAL REPORT PRIOR TO INSTALLATION OF SITE IMPROVEMENT MATERIALS.
 - CONTRACTOR SHALL FIELD VERIFY COORDINATES AND LOCATION DIMENSIONS OF THE BUILDING AND STAKE FOR REVIEW AND APPROVAL BY THE OWNERS REPRESENTATIVE PRIOR TO INSTALLATION OF FOOTING MATERIALS.
 - LOCATIONS OF STRUCTURES, ROADWAY PAVEMENTS, CURBS AND GUTTERS, BOLLARDS, AND WALKS ARE APPROXIMATE AND SHALL BE STAKED IN THE FIELD, PRIOR TO INSTALLATION. FOR REVIEW AND APPROVAL BY THE ENGINEER/LANDSCAPE ARCHITECT.
 - CURB DIMENSIONS SHOWN ARE TO FACE OF CURB. BUILDING DIMENSIONS ARE TO FACE OF CONCRETE FOUNDATION. LOCATION OF BUILDING IS TO BUILDING FOUNDATION AND SHALL BE AS SHOWN ON THE DRAWINGS.
 - THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OR SAMPLES AS SPECIFIED FOR REVIEW AND APPROVAL BY THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO FABRICATION FOR ALL PREFABRICATED SITE IMPROVEMENT MATERIALS SUCH AS, BUT NOT LIMITED TO THE FOLLOWING, FURNISHINGS, PAVEMENTS, WALLS, RAILINGS, BENCHES, FLAGPOLES, LANDING PADS FOR CURB RAMPS, AND LIGHT AND POLES. THE OWNER RESERVES THE RIGHT TO REJECT INSTALLED MATERIALS NOT PREVIOUSLY APPROVED.
 - CONTRACTOR SHALL REFER TO FINAL PLAT FOR LOT BOUNDARIES, NUMBERS, AREAS AND DIMENSIONS PRIOR TO SITE IMPROVEMENTS.
 - FIELD VERIFY ALL EXISTING SITE CONDITIONS, DIMENSIONS.
 - CONTRACTOR SHALL VERIFY LOCATIONS AND LAYOUT OF ALL SITE ELEMENTS PRIOR TO BEGINNING CONSTRUCTION, INCLUDING BUT NOT LIMITED TO, LOCATIONS OF EXISTING AND PROPOSED PROPERTY LINES, EASEMENTS, SETBACKS, UTILITIES, BUILDINGS AND PAVEMENTS. CONTRACTOR IS RESPONSIBLE FOR FINAL LOCATIONS OF ALL ELEMENTS FOR THE SITE. ANY REVISIONS REQUIRED AFTER COMMENCEMENT OF CONSTRUCTION, DUE TO LOCAL ADJUSTMENTS SHALL BE CORRECTED AT NO ADDITIONAL COST TO OWNER. ADJUSTMENTS TO THE LAYOUT SHALL BE APPROVED BY THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF MATERIALS. STAKE LAYOUT FOR APPROVAL.

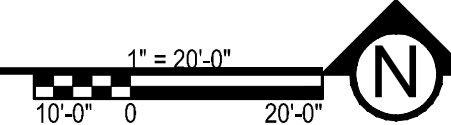
- TRAFFIC CONTROL NOTES:**
- PROPOSED CURB RE-ALIGNMENTS AND LANE RE-STRIPING SHOWN ON PLAN FOR REFERENCE ONLY.
 - OFF-SITE WORK, AS RELATED TO THIS PROPOSED FUTURE RE-ALIGNMENT AND RE-STRIPING, SHALL NOT BE CONSIDERED PART OF THE SITE WORK FOR THIS PROJECT, BUT OWNER/CONTRACTOR SHALL COORDINATE WITH THE OFF-SITE ROAD PROJECT AS NECESSARY AND TO THE CITIES SATISFACTION.

- PARKING SUMMARY NOTES:**
- PROPOSED PARKING STALLS : 66 TOTAL STALLS
 INCLUDING: 3 ACCESSIBLE STALLS
 14 COMPACT STALLS (16.5 ALLOWED)
 - EXISTING CONDITIONS PARKING: 53 TOTAL STALLS
 INCLUDING: 2 ACCESSIBLE STALLS (3 REQUIRED)

- SITE PLAN LEGEND:**
- CONCRETE PAVEMENT AS SPECIFIED (PAD OR WALK)
 - PROPERTY LINE
 - CURB AND GUTTER-SEE NOTES (T.O.) TIP OUT GUTTER WHERE APPLICABLE-SEE PLAN
 - DECORATIVE PAVING
 - TRAFFIC DIRECTIONAL ARROWS
 - SIGN AND POST ASSEMBLY. SHOP DRAWINGS REQUIRED.
 HC = ACCESSIBLE SIGN
 NP = NO PARKING FIRE LANE
 ST = STOP
 CP = COMPACT CAR PARKING ONLY



2 SITE PLAN



**MINNETONKA EXECUTIVE PLAZA
 PARKING EXPANSION**
 10275 WAYZATA BLVD., MINNETONKA, MN
GREAT LAKES MANAGEMENT COMPANY
 5000 GLENWOOD AVE., #150, GOLDEN VALLEY, MN 55422

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

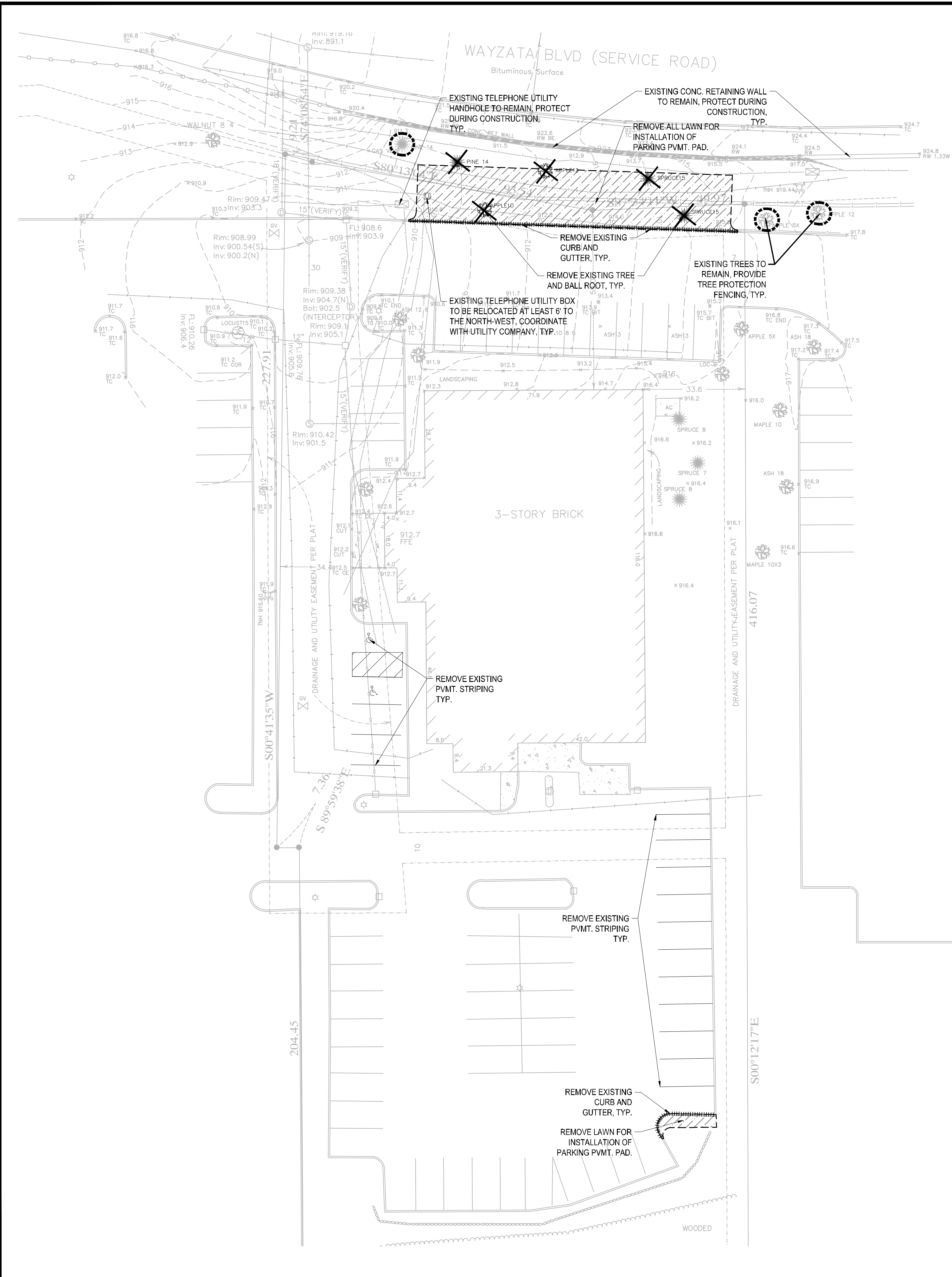
Matthew R. Pavlek
 DATE 10/06/14 LICENSE NO. 44263

ISSUE/SUBMITTAL SUMMARY
 DATE DESCRIPTION
 10/06/14 CITY SUBMITTAL

REVISION SUMMARY
 DATE DESCRIPTION

REMOVALS & SITE PLAN

C2.0



REMOVAL NOTES:

1. SEE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) PLAN FOR CONSTRUCTION STORM WATER MANAGEMENT PLAN.
2. REMOVAL OF MATERIALS NOTED ON THE DRAWINGS SHALL BE IN ACCORDANCE WITH MNDOT, STATE AND LOCAL REGULATIONS.
3. REMOVAL OF PRIVATE UTILITIES SHALL BE COORDINATED WITH UTILITY OWNER PRIOR TO CONSTRUCTION ACTIVITIES.
4. EXISTING PAVEMENTS SHALL BE SAWCUT IN LOCATIONS AS SHOWN ON THE DRAWINGS OR THE NEAREST JOINT FOR PROPOSED PAVEMENT CONNECTIONS.
5. REMOVED MATERIALS SHALL BE DISPOSED OF TO A LEGAL OFF-SITE LOCATION AND IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.
6. ABANDON, REMOVAL, CONNECTION, AND PROTECTION NOTES SHOWN ON THE DRAWINGS ARE APPROXIMATE. COORDINATE WITH PROPOSED PLANS.
7. EXISTING ON-SITE FEATURES NOT NOTED FOR REMOVAL SHALL BE PROTECTED THROUGHOUT THE DURATION OF THE CONTRACT.
8. PROPERTY LINES SHALL BE CONSIDERED GENERAL CONSTRUCTION LIMITS UNLESS OTHERWISE NOTED ON THE DRAWINGS. WORK WITHIN THE GENERAL CONSTRUCTION LIMITS SHALL INCLUDE STAGING, DEMOLITION AND CLEAN-UP OPERATIONS AS WELL AS CONSTRUCTION SHOWN ON THE DRAWINGS.
9. MINOR WORK OUTSIDE OF THE GENERAL CONSTRUCTION LIMITS SHALL BE ALLOWED AS SHOWN ON THE PLAN AND PER CITY REQUIREMENTS.
10. DAMAGE BEYOND THE PROPERTY LIMITS CAUSED BY CONSTRUCTION ACTIVITY SHALL BE REPAIRED IN A MANNER APPROVED BY THE ENGINEER/LANDSCAPE ARCHITECT OR IN ACCORDANCE WITH THE CITY.
11. PROPOSED WORK (BUILDING AND CIVIL) SHALL NOT DISTURB EXISTING UTILITIES UNLESS OTHERWISE SHOWN ON THE DRAWINGS AND APPROVED BY THE CITY PRIOR TO CONSTRUCTION.
12. SITE SECURITY MAY BE NECESSARY AND PROVIDED IN A MANNER TO PROHIBIT VANDALISM, AND THEFT, DURING AND AFTER NORMAL WORK HOURS, THROUGHOUT THE DURATION OF THE CONTRACT. SECURITY MATERIALS SHALL BE IN ACCORDANCE WITH THE CITY.
13. VEHICULAR ACCESS TO THE SITE SHALL BE MAINTAINED FOR DELIVERY AND INSPECTION ACCESS DURING NORMAL OPERATING HOURS. AT NO POINT THROUGHOUT THE DURATION OF THE CONTRACT SHALL CIRCULATION OF ADJACENT STREETS BE BLOCKED WITHOUT APPROVAL BY THE CITY PRIOR TO CONSTRUCTION ACTIVITIES.
14. ALL TRAFFIC CONTROLS SHALL BE PROVIDED AND ESTABLISHED PER THE REQUIREMENTS OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MMUTCD) AND THE CITY. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO, SIGNAGE, BARRICADES, FLASHERS, AND FLAGGERS AS NEEDED. ALL PUBLIC STREETS SHALL REMAIN OPEN TO TRAFFIC AT ALL TIMES. NO ROAD CLOSURES SHALL BE PERMITTED WITHOUT APPROVAL BY THE CITY.
15. SHORING FOR BUILDING EXCAVATION MAY BE USED AT THE DISCRETION OF THE CONTRACTOR AND AS APPROVED BY THE OWNERS REPRESENTATIVE AND THE CITY PRIOR TO CONSTRUCTION ACTIVITIES.
16. STAGING, DEMOLITION, AND CLEAN-UP AREAS SHALL BE WITHIN THE PROPERTY LIMITS AS SHOWN ON THE DRAWINGS AND MAINTAINED IN A MANNER AS REQUIRED BY THE CITY.






CITY OF MINNETONKA REMOVAL NOTES:

1. RESERVED FOR CITY SPECIFIC REMOVAL NOTES.


EROSION CONTROL NOTES:

SEE SWPPP ON SHEETS SW1.0-SW1.3

REMOVALS LEGEND:

-  1125 EX. 1' CONTOUR ELEVATION INTERVAL
-  REMOVAL OF PAVEMENT AND ALL BASE MATERIAL, INCLUDING BIT., CONC., AND GRAVEL PVMTS.
-  REMOVAL OF STRUCTURE INCLUDING ALL FOOTINGS AND FOUNDATIONS.
-  TREE PROTECTION
-  TREE REMOVAL - INCLUDING ROOTS AND STUMPS

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 ST. LOUIS PARK, MN 55416
 CivilSiteGroup.com
 Matt Pavak 763-213-3944 Pat Sarver 952-250-2003

Great Lakes Management Co.
 Maintaining Property Management

PROJECT
MINNETONKA EXECUTIVE PLAZA
PARKING EXPANSION
 10275 WAYZATA BLVD., MINNETONKA, MN 55305
GREAT LAKES MANAGEMENT
 5000 GLENWOOD AVE #150, GOLDEN VALLEY, MN 55422

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.


 Matthew R. Pavak
 DATE 05/17/17 LICENSE NO. 44263

ISSUE/SUBMITTAL SUMMARY

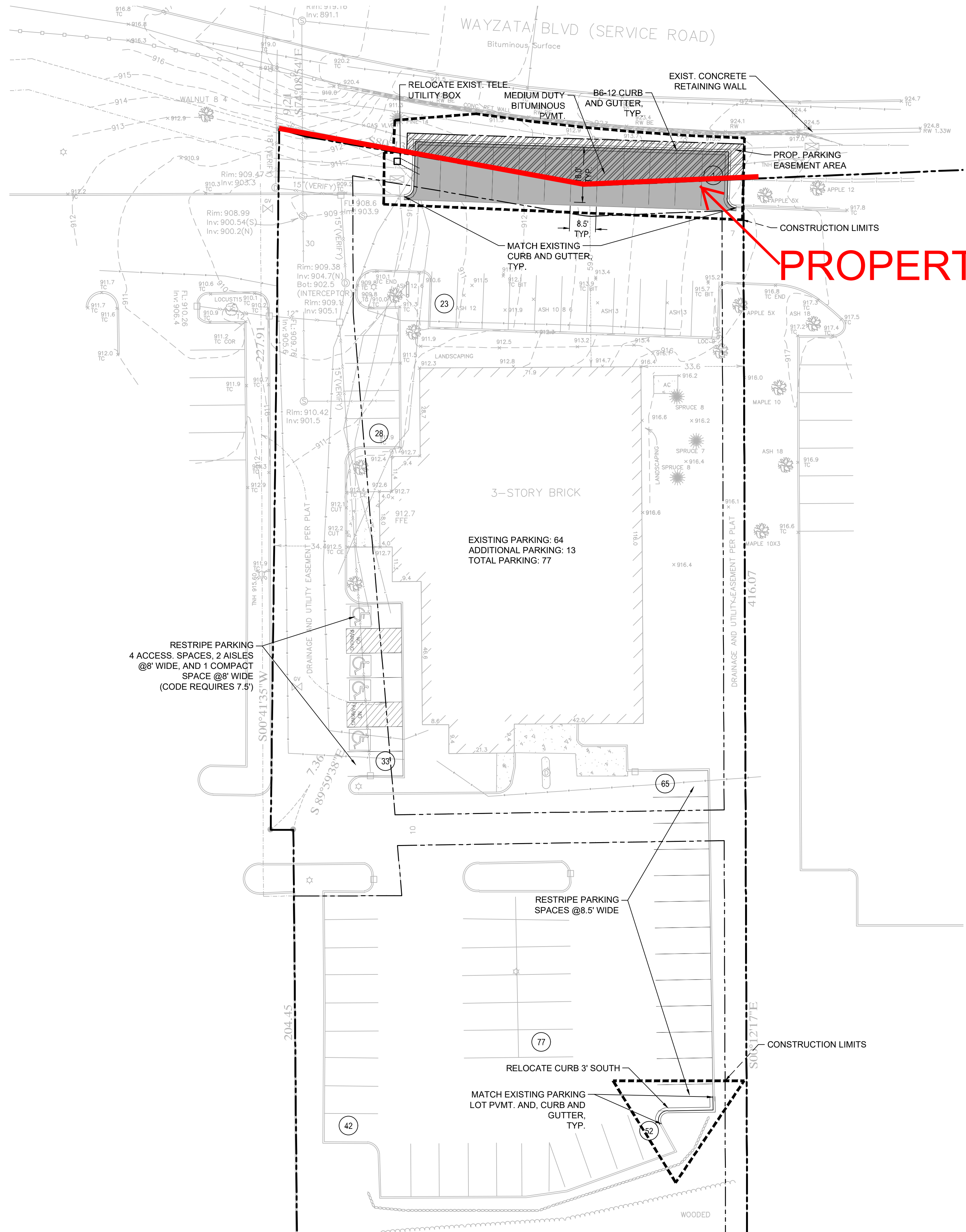
DATE	DESCRIPTION
05/17/17	LAND USE APPLICATION

REVISION SUMMARY

DATE	DESCRIPTION

PROJECT NO.: 17072

REMOVALS PLAN
C1.0
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SITE AREA TABLE:

	EXISTING	PROPOSED LOT
BUILDING COVERAGE	0 SF 0.0%	0 SF 0.0%
ALL PAVEMENTS	776 SF 19.6%	2,734 SF 69.1%
ALL NON-PAVEMENTS	3,181 SF 80.4%	1,223 SF 30.9%
TOTAL DISTURBED AREA	3,957 SF 100.0%	3,957 SF 100.0%
TOTAL SITE AREA	64,729 SF 200.0%	64,729 SF 200.0%
IMPERVIOUS SURFACE		
EXISTING CONDITION	776 SF 19.6%	
PROPOSED CONDITION LOT 1	2,734 SF 69.1%	2,734 SF 69.1%
PROPOSED CONDITION LOT 2	0 SF 0.0%	
DIFFERENCE (EX. VS PROP.)	1,957 SF 49.5%	
IMPERVIOUS TOTAL	2,734 SF 69.1%	

- SITE LAYOUT NOTES:**
- CONTRACTOR SHALL VERIFY LOCATIONS AND LAYOUT OF ALL SITE ELEMENTS PRIOR TO BEGINNING CONSTRUCTION, INCLUDING BUT NOT LIMITED TO, LOCATIONS OF EXISTING AND PROPOSED PROPERTY LINES, EASEMENTS, SETBACKS, UTILITIES, BUILDINGS AND PAVEMENTS. CONTRACTOR IS RESPONSIBLE FOR FINAL LOCATIONS OF ALL ELEMENTS FOR THE SITE. ANY REVISIONS REQUIRED AFTER COMMENCEMENT OF CONSTRUCTION, DUE TO LOCAL ADJUSTMENTS SHALL BE CORRECTED AT NO ADDITIONAL COST TO OWNER. ADJUSTMENTS TO THE LAYOUT SHALL BE APPROVED BY THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF MATERIALS. STAKE LAYOUT FOR APPROVAL.
 - THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION, INCLUDING A RIGHT-OF-WAY AND STREET OPENING PERMIT.
 - THE CONTRACTOR SHALL VERIFY RECOMMENDATIONS NOTED IN THE GEO TECHNICAL REPORT PRIOR TO INSTALLATION OF SITE IMPROVEMENT MATERIALS.
 - CONTRACTOR SHALL FIELD VERIFY COORDINATES AND LOCATION DIMENSIONS OF THE BUILDING AND STAKE FOR REVIEW AND APPROVAL BY THE OWNERS REPRESENTATIVE PRIOR TO INSTALLATION OF FOOTING MATERIALS.
 - LOCATIONS OF STRUCTURES, ROADWAY PAVEMENTS, CURBS AND GUTTERS, BOLLARDS, AND WALKS ARE APPROXIMATE AND SHALL BE STAKED IN THE FIELD, PRIOR TO INSTALLATION, FOR REVIEW AND APPROVAL BY THE ENGINEER/LANDSCAPE ARCHITECT.
 - CURB DIMENSIONS SHOWN ARE TO FACE OF CURB. BUILDING DIMENSIONS ARE TO FACE OF CONCRETE FOUNDATION. LOCATION OF BUILDING IS TO BUILDING FOUNDATION AND SHALL BE AS SHOWN ON THE DRAWINGS.
 - THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OR SAMPLES AS SPECIFIED FOR REVIEW AND APPROVAL BY THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO FABRICATION FOR ALL PREFABRICATED SITE IMPROVEMENT MATERIALS SUCH AS, BUT NOT LIMITED TO THE FOLLOWING, FURNISHINGS, PAVEMENTS, WALLS, RAILINGS, BENCHES, FLAGPOLES, LANDING PADS FOR CURB RAMPS, AND LIGHT AND POLES. THE OWNER RESERVES THE RIGHT TO REJECT INSTALLED MATERIALS NOT PREVIOUSLY APPROVED.
 - PEDESTRIAN CURB RAMPS SHALL BE CONSTRUCTED WITH TRUNCATED DOME LANDING AREAS IN ACCORDANCE WITH A.D.A. REQUIREMENTS-SEE DETAIL.
 - CROSSWALK STRIPING SHALL BE 24" WIDE WHITE PAINTED LINE, SPACED 48" ON CENTER PERPENDICULAR TO THE FLOW OF TRAFFIC. WIDTH OF CROSSWALK SHALL BE 5' WIDE. ALL OTHER PAVEMENT MARKINGS SHALL BE WHITE IN COLOR UNLESS OTHERWISE NOTED OR REQUIRED BY ADA OR LOCAL GOVERNING BODIES.
 - CURB AND GUTTER TYPE SHALL BE B612 UNLESS OTHERWISE NOTED ON THE DRAWINGS-TAPER BETWEEN CURB TYPES-SEE DETAIL.
 - ALL CURB RADII ARE MINIMUM 3' UNLESS OTHERWISE NOTED.
 - CONTRACTOR SHALL REFER TO FINAL PLAT FOR LOT BOUNDARIES, NUMBERS, AREAS AND DIMENSIONS PRIOR TO SITE IMPROVEMENTS.
 - FIELD VERIFY ALL EXISTING SITE CONDITIONS, DIMENSIONS.
 - PARKING IS TO BE SET PARALLEL OR PERPENDICULAR TO EXISTING BUILDING UNLESS NOTED OTHERWISE.
 - ALL PARKING LOT PAINT STRIPPING TO BE WHITE, 4" WIDE TYP.
 - BITUMINOUS PAVING TO BE "LIGHT DUTY" UNLESS OTHERWISE NOTED. SEE DETAIL SHEETS FOR PAVEMENT SECTIONS.
 - ALL TREES THAT ARE TO REMAIN ARE TO BE PROTECTED FROM DAMAGE WITH A CONSTRUCTION FENCE AT THE DRIP LINE. SEE LANDSCAPE DOCUMENTS.

- CITY OF MINNETONKA SITE SPECIFIC NOTES:**
- RESERVED FOR CITY SPECIFIC NOTES.

SITE PLAN LEGEND:

- [Symbol] LIGHT DUTY BITUMINOUS PAVEMENT
- [Symbol] HEAVY DUTY BITUMINOUS PAVEMENT
- [Symbol] CONCRETE PAVEMENT AS SPECIFIED (PAD OR WALK)
- [Symbol] PROPERTY LINE
- [Symbol] CONSTRUCTION LIMITS
- [Symbol] CURB AND GUTTER-SEE NOTES (T.O.) TIP OUT GUTTER WHERE APPLICABLE-SEE PLAN
- [Symbol] TRAFFIC DIRECTIONAL ARROWS
- [Symbol] SIGN AND POST ASSEMBLY. SHOP DRAWINGS REQUIRED.
HC = ACCESSIBLE SIGN
NP = NO PARKING FIRE LANE
ST = STOP
CP = COMPACT CAR PARKING ONLY

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 Matt Pavak 763-213-3944 Pat Sarver 952-250-2003

Great Lakes Management Co.
 Maintaining 49 Property Management

PROJECT

**MINNETONKA EXECUTIVE PLAZA
 PARKING EXPANSION**
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Matthew R. Pavak
 Matthew R. Pavak
 DATE 05/17/17 LICENSE NO. 44263

ISSUE/SUBMITTAL SUMMARY

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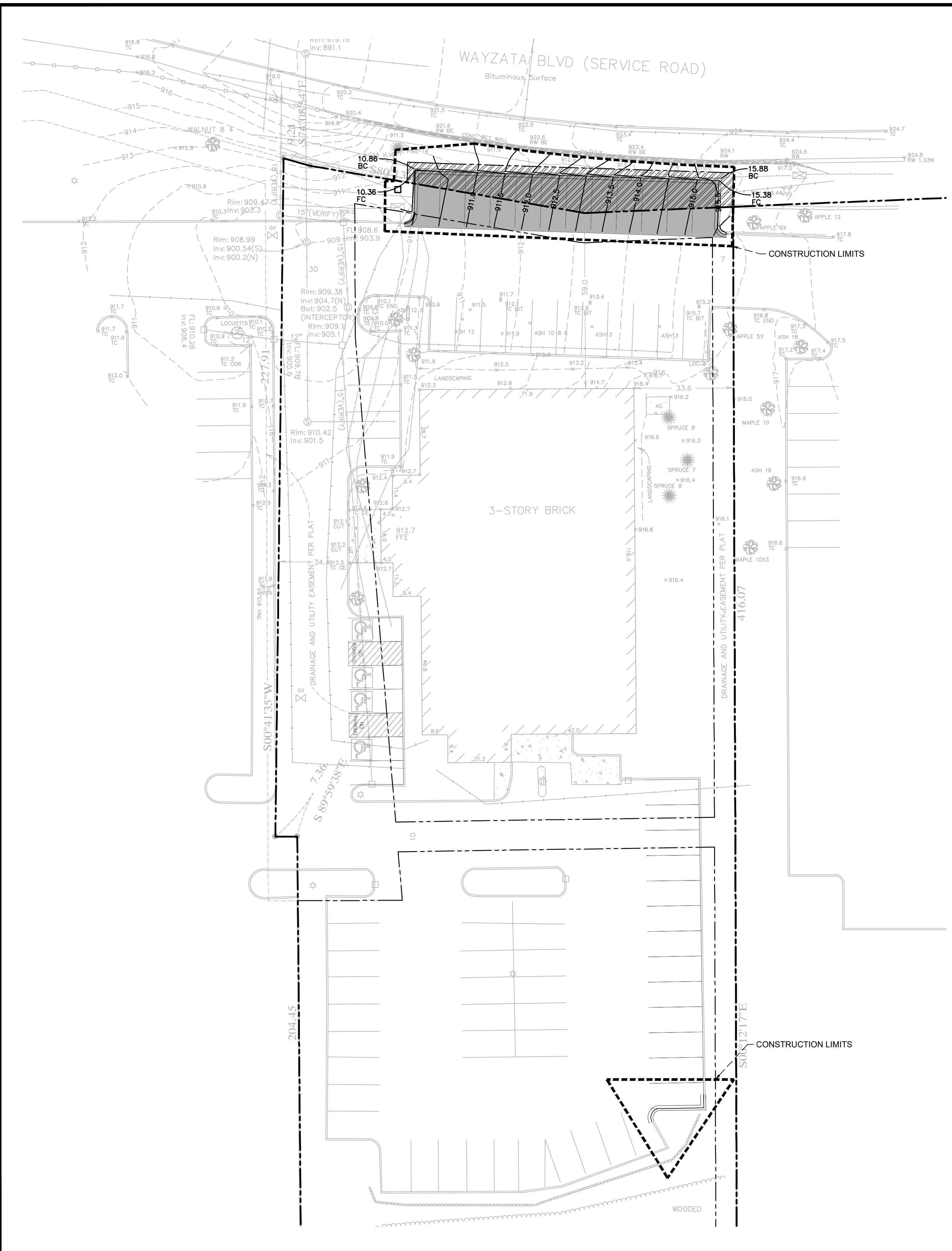
SITE PLAN

C2.0

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 10'-0" 0 20'-0"



EROSION CONTROL NOTES:
SEE SWPPP ON SHEETS SW1.0-SW1.3

CITY OF MINNETONKA GRADING NOTES:
1. RESERVED FOR CITY SPECIFIC GRADING NOTES.

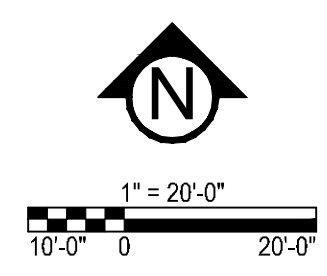
GENERAL GRADING NOTES:

- SEE SITE PLAN FOR HORIZONTAL LAYOUT & GENERAL GRADING NOTES.
- THE CONTRACTOR SHALL COMPLETE THE SITE GRADING CONSTRUCTION (INCLUDING BUT NOT LIMITED TO SITE PREPARATION, SOIL CORRECTION, EXCAVATION, EMBANKMENT, ETC.) IN ACCORDANCE WITH THE REQUIREMENTS OF THE OWNER'S SOILS ENGINEER. ALL SOIL TESTING SHALL BE COMPLETED BY THE OWNER'S SOILS ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL REQUIRED SOIL TESTS AND INSPECTIONS WITH THE SOILS ENGINEER.
- GRADING AND EXCAVATION ACTIVITIES SHALL BE PERFORMED IN ACCORDANCE WITH THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS & PERMIT REQUIREMENTS OF THE CITY.
- PROPOSED SPOT GRADES ARE FLOW-LINE FINISHED GRADE ELEVATIONS, UNLESS OTHERWISE NOTED.
- GRADES OF WALKS SHALL BE INSTALLED WITH 5% MAX. LONGITUDINAL SLOPE AND 1% MIN. AND 2% MAX. CROSS SLOPE, UNLESS OTHERWISE NOTED.
- PROPOSED SLOPES SHALL NOT EXCEED 3:1 UNLESS INDICATED OTHERWISE ON THE DRAWINGS. MAXIMUM SLOPES IN MAINTAINED AREAS IS 4:1.
- PROPOSED RETAINING WALLS, FREESTANDING WALLS, OR COMBINATION OF WALL TYPES GREATER THAN 4' IN HEIGHT SHALL BE DESIGNED AND ENGINEERED BY A REGISTERED RETAINING WALL ENGINEER. DESIGN DRAWINGS SHALL BE SUBMITTED FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE OF GRADE STAKES THROUGHOUT THE DURATION OF CONSTRUCTION TO ESTABLISH PROPER GRADES. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR A FINAL FIELD CHECK OF FINISHED GRADES ACCEPTABLE TO THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO TOPSOIL AND SODDING ACTIVITIES.
- IF EXCESS OR SHORTAGE OF SOIL MATERIAL EXISTS, THE CONTRACTOR SHALL TRANSPORT ALL EXCESS SOIL MATERIAL OFF THE SITE TO AN AREA SELECTED BY THE CONTRACTOR, OR IMPORT SUITABLE MATERIAL TO THE SITE.
- EXCAVATE TOPSOIL FROM AREAS TO BE FURTHER EXCAVATED OR REGRADED AND STOCKPILE IN AREAS DESIGNATED ON THE SITE. THE CONTRACTOR SHALL SALVAGE ENOUGH TOPSOIL FOR RESPREADING ON THE SITE AS SPECIFIED. EXCESS TOPSOIL SHALL BE PLACED IN EMBANKMENT AREAS, OUTSIDE OF BUILDING PADS, ROADWAYS AND PARKING AREAS. THE CONTRACTOR SHALL SUBCUT CUT AREAS, WHERE TURF IS TO BE ESTABLISHED, TO A DEPTH OF 6 INCHES. RESPREAD TOPSOIL IN AREAS WHERE TURF IS TO BE ESTABLISHED TO A MINIMUM DEPTH OF 6 INCHES.
- FINISHED GRADING SHALL BE COMPLETED. THE CONTRACTOR SHALL UNIFORMLY GRADE AREAS WITHIN LIMITS OF GRADING, INCLUDING ADJACENT TRANSITION AREAS. PROVIDE A SMOOTH FINISHED SURFACE WITHIN SPECIFIED TOLERANCES, WITH UNIFORM LEVELS OR SLOPES BETWEEN POINTS WHERE ELEVATIONS ARE SHOWN, OR BETWEEN SUCH POINTS AND EXISTING GRADES. AREAS THAT HAVE BEEN FINISH GRADED SHALL BE PROTECTED FROM SUBSEQUENT CONSTRUCTION OPERATIONS, TRAFFIC AND EROSION. REPAIR ALL AREAS THAT HAVE BECOME RUTTED BY TRAFFIC OR ERODED BY WATER OR HAS SETTLED BELOW THE CORRECT GRADE. ALL AREAS DISTURBED BY THE CONTRACTOR'S OPERATIONS SHALL BE RESTORED TO EQUAL OR BETTER THAN ORIGINAL CONDITION OR TO THE REQUIREMENTS OF THE NEW WORK.
- PRIOR TO PLACEMENT OF THE AGGREGATE BASE, A TEST ROLL WILL BE REQUIRED ON THE STREET AND/OR PARKING AREA SUBGRADE. THE CONTRACTOR SHALL PROVIDE A LOADED TANDEM AXLE TRUCK WITH A GROSS WEIGHT OF 25 TONS. THE TEST ROLLING SHALL BE AT THE DIRECTION OF THE SOILS ENGINEER AND SHALL BE COMPLETED IN AREAS AS DIRECTED BY THE SOILS ENGINEER. THE SOILS ENGINEER SHALL DETERMINE WHICH SECTIONS OF THE STREET OR PARKING AREA ARE UNSTABLE. CORRECTION OF THE SUBGRADE SOILS SHALL BE COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE SOILS ENGINEER. NO TEST ROLL SHALL OCCUR WITHIN 10' OF ANY UNDERGROUND STORM RETENTION/DETENTION SYSTEMS.
- TOLERANCES
 - THE BUILDING SUBGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.30 FOOT ABOVE, OR 0.30 FOOT BELOW, THE PRESCRIBED ELEVATION AT ANY POINT WHERE MEASUREMENT IS MADE.
 - THE STREET OR PARKING AREA SUBGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.05 FOOT ABOVE, OR 0.10 FOOT BELOW, THE PRESCRIBED ELEVATION OF ANY POINT WHERE MEASUREMENT IS MADE.
 - AREAS WHICH ARE TO RECEIVE TOPSOIL SHALL BE GRADED TO WITHIN 0.30 FOOT ABOVE OR BELOW THE REQUIRED ELEVATION, UNLESS DIRECTED OTHERWISE BY THE ENGINEER.
 - TOPSOIL SHALL BE GRADED TO PLUS OR MINUS 1/2 INCH OF THE SPECIFIED THICKNESS.
- MAINTENANCE
 - THE CONTRACTOR SHALL PROTECT NEWLY GRADED AREAS FROM TRAFFIC AND EROSION, AND KEEP AREA FREE OF TRASH AND DEBRIS.
 - CONTRACTOR SHALL REPAIR AND REESTABLISH GRADES IN SETTLED, ERODED AND RUTTED AREAS TO SPECIFIED TOLERANCES. DURING THE CONSTRUCTION, IF REQUIRED, AND DURING THE WARRANTY PERIOD, ERODED AREAS WHERE TURF IS TO BE ESTABLISHED SHALL BE RESEEDDED AND MULCHED.
 - WHERE COMPLETED COMPACTED AREAS ARE DISTURBED BY SUBSEQUENT CONSTRUCTION OPERATIONS OR ADVERSE WEATHER, CONTRACTOR SHALL SCARIFY, SURFACE, RESHAPE, AND COMPACT TO REQUIRED DENSITY PRIOR TO FURTHER CONSTRUCTION.

GRADING PLAN LEGEND:

- 1125 ----- EX. 1' CONTOUR ELEVATION INTERVAL
- 1137 ----- 1.0' CONTOUR ELEVATION INTERVAL
- 41.26 --- SPOT GRADE ELEVATION (GUTTER/FLOW LINE UNLESS OTHERWISE NOTED)
- 891.00 G SPOT GRADE ELEVATION GUTTER
- 891.00 TC SPOT GRADE ELEVATION TOP OF CURB
- 891.00 BS/TS SPOT GRADE ELEVATION BOTTOM OF STAIRS/TOP OF STAIRS
- ==== TO ==== CURB AND GUTTER (T.O = TIP OUT)
- EMERGENCY OVERFLOW
- EOFF=1135.52

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Matthew R. Pavlek
Matthew R. Pavlek
DATE 05/17/17 LICENSE NO. 44263

ISSUE/SUBMITTAL SUMMARY	
DATE	DESCRIPTION
05/17/17	LAND USE APPLICATION
REVISION SUMMARY	
DATE	DESCRIPTION



NO
PARKING
FIRE
LANE



11775

11775

Resolution No. 2017-

Resolution denying an amendment to the existing Minnetonka Executive Plaza master development plan, parking setback variance, and encroachment agreement for parking expansion at 10275 Wayzata Boulevard

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

Section 1. Background.

- 1.01 In 1998, the city council adopted a revised master development plan and final site and building plans for construction of an office building on the property located at 10275 Wayzata Boulevard.
- 1.02 The property is legally described as Lot 1, Block 1, Custom Research.
- 1.03 The approved site and building plans included a three story, roughly 27,000 square foot building. The first story of the building was to be occupied by interior parking stalls and the second and third stories occupied by office space. The plans meet minimum parking standards.

Office Area	16,500 sq.ft.
Required Parking	66 stalls (1 stall/250 sq.ft.)
Interior Parking	21 stalls
Exterior Parking	54 stalls
TOTAL Constructed Parking	75 stalls

- 1.04 In 2003, a building permit was issued to convert a portion of the first floor of the building into office space. This permit should not have been issued, as it negatively impacted the parking situation on the site.

Office Area	19,008 sq.ft.
Required Parking	76 stalls (1 stall/250 sq.ft.)
Interior Parking	13 stalls
Exterior Parking	53 stalls
TOTAL Constructed Parking	66 stalls

- 1.05 In 2014, the city approved a major amendment to the existing master development plan. The amendment allowed construction of 11 additional stalls on the site.

Office Area	19,008 sq.ft.
Required Parking	76 stalls (1 stall/250 sq.ft.)
Interior Parking	13 stalls
Exterior Parking	64 stalls
TOTAL Constructed Parking	77 stalls

- 1.06 Civil Site Group, on behalf of property owner Wayzata Boulevard, LLC, is now proposing to restripe the existing parking lot and construct 12 new parking stalls on the north side of the site.

Office Area	19,008 sq.ft.
Required Parking	76 stalls (1 stall/250 sq.ft.)
Interior Parking	13 stalls
Exterior Parking	77 stalls
TOTAL Constructed Parking	90 stalls

- 1.07 The proposed new stalls would be partially located within public right-of-way and would require major amendment to the existing master development plan, parking setback variance from 20 feet to 0 feet, and encroachment agreement.

- 1.08 In June 22, 2017 the planning commission held a hearing on the request. The applicant was provided the opportunity to present information to the planning commission. The planning 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 deny the request.

Section 2. Standards.

- 2.01 By City Code 300.28 Subd. 12(c)(2), the parking requirement for general office buildings is one parking space for each 250 square feet of floor area with a minimum of 10 spaces required.

- 2.02 City Code §300.27 Subd. 5, outlines several items that must be considered in the evaluation of site and building plans.

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.

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

Section 3. Findings.

3.01 The site currently meets minimum parking requirements as outlined in city code.

3.02 The proposed parking stalls would not meet the site and building plan standards as outlined City Code §300.27 Subd. 5. While the proposed parking would benefit the property owner and building tenants, the parking would not be consistent with city code requirements. The parking stalls would not meet minimum 20 foot setback requirement. Rather, the stalls would encroach onto public right-of-way.

3.03 The proposed parking stalls would not meet the variance standard as outlined City Code §300.07 Subd. 1, specifically as it relates to intent of the ordinance and reasonableness. The intent of the ordinance as it pertains to parking setback requirements is to ensure adequate separation between property lines and parking stalls for both aesthetic and safety reasons. The proposed parking would cross over the existing property line and be located within six feet of a large retaining wall that supports an existing public road. This setback, or lack thereof, is not reasonable and would not meet the intent of the ordinance.

3.04 The requested encroachment agreement is not appropriate.

1. The public right-of-way north of the site is encumbered by a retaining wall that physically supports Wayzata Boulevard. To accommodate the proposed parking, tree removal and grading would occur in close proximity to the wall. The stalls themselves ultimately would be located within six feet of the wall.

a) The impact of construction of the parking on the structural integrity of the wall is unknown.

- b) In the event that repair work or reconstruction of the wall is required in the future, the parking stalls constructed in the area would likely be significantly impacted and/or removed.
- 2. The city has very rarely entered into encroachment agreements for use of city right-of-way and in those cases the rights-of-way encroached upon have been very large/wide and unencumbered by public improvements. The existing right-of-way north of the subject property is encumbered by a large retaining wall. Approval of the requested encroachment agreement may set an undesirable precedent for use of already encumbered public rights-of-way

Section 4. Council Action.

4.01 The requested amendment to the existing Minnetonka Executive Plaza master development plan, parking setback variance, and encroachment agreement as described in section 1 of this resolution, is hereby denied.

Adopted by the City Council of the City of Minnetonka, Minnesota, on July 10, 2017.

Terry Schneider, Mayor

Attest:

David E. Maeda, 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 July 10, 2017.

David E. Maeda, City Clerk

MINNETONKA PLANNING COMMISSION
June 22, 2017

Brief Description	A conditional use permit for Creo Arts and Dance Academy at 3792 Williston Road.
Recommendation	Recommend the city council approve the request.

Introduction

Creo Arts and Dance Conservatory (Creo) is requesting a conditional use permit to relocate its existing dance studios to a currently vacant tenant space within the existing industrial building at 3792 Williston Road. While the applicant is proposing interior remodeling, no exterior site improvements are proposed at this time. The conservatory has approximately 200 students enrolled at its current location in Wayzata.

Proposal Summary

The following is intended to summarize the applicant’s proposal. Additional information associated with the proposal can be found in the “Supporting Information” section of this report.

- **Existing Site Conditions.**

The subject property is located within the Minnetonka Industrial Park. Several of the buildings within the park are occupied by Abbott, formally known as St.Jude’s.

The dance studio is proposing to occupy a currently vacant tenant space within the southeast building along Williston Road. The site itself is approximately 2.5 acres in size and is improved with a 40,000 square foot building and a surface parking lot that “wraps” around the building.

- **Proposed Use.**

The dance studio would occupy approximately 10,000 square feet in the northernmost building tenant space. Interior remodeling of the space would occur to create storage space, locker rooms, four studio spaces, offices, and a reception area. More information on the operation of Creo can be found in the “Supporting Information” section of this report.

Primary Questions and Analysis

A land use proposal is comprised of many details. In evaluating a proposal, staff first reviews these details and then aggregates them into a few primary questions or issues.

The following outlines both the primary questions associated with the proposed dance studio and staff's findings.

- **Is the proposed use appropriate?**

Yes. While the industrial district does not contain any specific provisions for dance and fitness studios, the industrial district does allow – as conditionally permitted uses – public buildings and “*other uses similar to those permitted in this section, as determined by the city.*”

Under the “other uses similar to” provision, the city has reviewed doggie daycares, churches, schools, and other uses in which large groups of people gather at specified times for a specific purpose much like a public building.

The only specific conditional use permit standard required by ordinance for public buildings is that the proposal must receive site and building plan approval. Site and building plan standards are outlined in the “Supporting Information” section of this report. The proposal would meet all of these standards.

- **Would the proposal be appropriate for the site?**

Yes. The proposed facility would be appropriate for the site. The proposed use would allow for the reuse of a currently vacant space and would be more centrally located for Creo students. In its evaluation, staff closely analyzed the traffic generation and parking requirements associated with the proposal.

Traffic. Staff often will refer the Institute of Traffic Engineers (ITE) handbook when reviewing development projects in order to make general traffic generation calculations for a variety of uses. While the ITE handbook does not provide specific information for dance studios, a local traffic consultant concurred that it would be reasonable to calculate traffic generation based on numbers consistent with health/fitness clubs and athletic clubs. Both of these similar uses would generate far less traffic than what would be generated by an office user of the space. The following table is intended to summarize how traffic would be calculated for various types of users. Please note that both health and athletic clubs would be expected to generate less than half of what an office user would generate.

	Traffic generation calculation
<i>Industrial use</i>	6.97 trips per 1,000 sf
<i>Office use</i>	11.01 trips per 1,000 sf
<i>Health/fitness club</i>	3.53 trips per 1,000 sf
<i>Athletic club</i>	5.84 trips per 1,000 sf

Parking. While the parking needs of warehouse and office uses are very different, both are permitted uses within the industrial zoning district. The following table summarizes how staff would calculate parking for the site based on various user types:

	Parking Calculation	Parking Required
If fully occupied by office users	1 stall per 250 sf x 39,700 sf	158 stalls
If fully occupied by warehouse users	1 stall per 1,000 sf x 39,700 sf	40 stalls
If occupied by 50% office and 50% warehouse	1 stall per 250 sf x 19,850 = 80 stalls 1 stall per 1,000 x 19850 = 20 stalls	100 stalls
Existing number of stalls		108 stalls

Staff calculated the parking needs of the site under three scenarios based on user types. The following chart is intended to summarize staff's calculations:

	Parking Calculation	Parking Required
Proposed Scenario One - Office		
Office	1 stall per 250 sf x 29,700 sf	119 stalls
Dance Studio	1 stall per 225 sf x 10,000 sf	45 stalls
Total required		164 stalls
Proposed Scenario Two – Warehouse		
Warehouse	1 stall per 1,000 sf x 29,700 sf	30 stalls
Dance studio	1 stall per 225 sf x 10,000 sf	45 stalls
Total required		75 stalls
Proposed Scenario Three – Mix of Warehouse and Office		
50% warehouse	1 stall per 1,000 sf x 14,840 sf	15 stalls
50% office	1 stall per 250 sf x 14,840 sf	60 stalls
Dance Studio	1 stall per 225 sf x 10,000	45 stalls
Total required		120 stalls
<i>Total stalls proposed</i>		117 stalls

If the remainder of the building were occupied by office users, the site would have a parking stall deficit of 47 stalls. Staff believes that given the character of the Minnetonka Industrial Park, it is more likely that the site would contain a mix of uses similar to what is described in Scenario Three. While this scenario still indicates a three-stall deficit, staff believes that the three additional stalls could be accommodated on site. A condition of approval has been included requiring that, the applicant work with staff to develop a proof-of-parking plan that complies with Scenario Three.

Staff Recommendation

Recommend that the city council adopt the resolution approving a conditional use permit for Creo Arts and Dance Academy at 3792 Williston Road.

Originator: Ashley Cauley, Senior Planner

Through: Loren Gordon, AICP, City Planner

Supporting Information

Project No. 17013.17a

Property 3792 Williston Rd

Applicant Christa Anderson, on behalf of Creo Arts and Dance Conservatory

Surrounding Land Uses
 Northerly: Industrial building, zoned I-1 and guided industrial
 Easterly: Single family homes, zoned R-1 and guided low density residential
 Southerly: Single family home and twin-homes, zoned R-1 and R-2, and guided for low density residential
 Westerly: industrial building, zoned I-1 and guided industrial

Planning
 Guide Plan designation: Industrial
 Zoning: I-1

Proposed Use The applicants have provided the following information regarding Creo Arts and Dance Conservatory:

- **Enrollment.** Currently, there are 200 students enrolled at the Creo Wayzata location. The students range in age from 18 months to adult.
- **Studios.** As proposed, there would be four studios. Typical class sizes average between nine and 15 dancers. Dance practice would occur at the Williston Road site. All performances would be held offsite.
- **Staffing:** The proposed space would accommodate four dance studios, which would have a maximum of two teachers per class/studio. Additionally, the facility would have three to five office staff members.
- **Hours of operation:** The following chart is intended to summarize the facility’s hours of operation.

	Office Hours	Winter Studio Hours (May-Sept)	Summer Studio Hours
<i>Monday</i>	11 a.m. – 9:30 p.m.	10:30 a.m. – 11:45 a.m. 4 p.m. – 9:30 p.m.	9 a.m. – 3 p.m.

<i>Tuesday</i>		4:30 p.m. – 9:30 p.m.	
<i>Wednesday</i>		4 p.m. – 6 p.m.	
<i>Thursday</i>		4:30 p.m. – 9:30 p.m.	
<i>Friday</i>	Closed	4:30 p.m. – 7:30 p.m.	
<i>Saturday</i>	9 a.m. – 12 p.m.	9 a.m. – 4:30 p.m.	Closed
<i>Sunday</i>	Closed	Closed	Closed

- **Pick-up/drop-off:** Vehicles would utilize the northern entrance from Minnetonka Industrial Road and proceed to the front (east side) of the building to drop-off students. Vehicles would then proceed through the parking lot in order to exit the site via the southern access onto Deveau Place.

Existing Uses

In reviewing the proposal, staff evaluated the uses of the surrounding buildings, which will be impacted – perceived or real – by the proposal.

DL Die Cutting, Inc.: DL is currently the only other building occupant. According to their representative, staff is present on the site generally from 7 a.m. to 9 p.m. on most days. Approximately 20-30 tractor-trailers make deliveries to the site utilizing the access from Minnetonka Industrial Road to the north. Currently, DL employs approximately 40 employees.

Abbott: Previously known as St. Jude Medical, Abbott occupies a number of the buildings within the industrial park but currently, does not occupy a space within the subject property.

In the surrounding buildings, Abbott operations are nearly 24 hours a day, only closing between 2 a.m. and 5 a.m. Deliveries between Abbott sites within the industrial park are made via straight-truck. Off-site deliveries are made via tractor-trailer semis.

CUP Standards

The proposal would meet the general conditional use permit standards as outlined in City Code §300.21 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.

City Code §300.21 Subd. 6(e) requires that public buildings meet site and building plan standards as outlined in City Code §300.27:

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

Finding: The proposal has been reviewed by the city's building, engineering, planning, natural resources, and fire staff to ensure consistency with the city's development guides.

2. consistency with this ordinance;

Finding: The proposal meets all minimum ordinance requirements.

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: While the proposed site plan does indicate proof-of-parking, the installation of these stalls would not occur at this time but rather at a future date if/when they are needed.

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: All proposed changes are interior to the building. As such, the proposal would not change the site's visual appearance.

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: No exterior site modifications are proposed at this time. However, the applicant has evaluated the site in order to propose a circulation plan. This plan would allow for improved and uninterrupted circulation of vehicular traffic.

- 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: During the remodel of the existing building, several energy efficiency improvements would be incorporated.

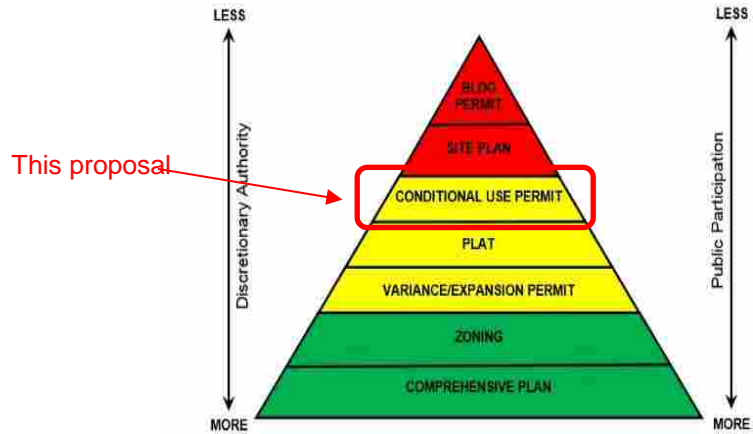
- 7. protection of adjacent and neighboring properties through reasonable provision for surface water drainage, sound and sight buffers, preservation of views, light and air and those aspects of design not adequately covered by other regulations which may have substantial effects on neighboring land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

Finding: The proposal would not negatively impact adjacent or neighboring properties.

Natural Resources

Best management practices must be followed during the course of site preparation and construction activities. This would include installation and maintenance of a temporary rock driveway, erosion control, and tree protection fencing. As a condition of approval, the applicant must submit a construction management plan detailing these management practices.

Pyramid of Discretion



Motion Options

The planning commission has the following motion options:

1. Concur with staff's recommendation. In this case, a motion should be made recommending the city council approve the proposal based on the findings outlined in the staff-drafted resolution.
2. Disagree with staff's recommendation. In this case, a motion should be made recommending the city council deny the request. The motion should include findings for denial.
3. Table the request. In this case, a motion should be made to table the item. The motion should include a statement as to why the request is being tabled with direction to staff, the applicant or both.

Voting Requirement

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

Neighborhood Comments

The city sent notices to 56 area property owners and has received one comment to date.

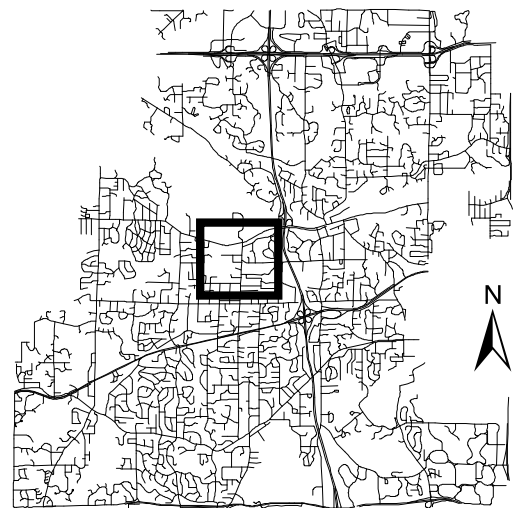
Deadline for Decision

September 5, 2017



Location Map

Project: Creo Arts & Dance Conservatory
Address: 3792 Williston Rd
Project No. 17013.17a



This map is for illustrative purposes only.

Conditional Use Permit

Creo Arts & Dance Conservatory



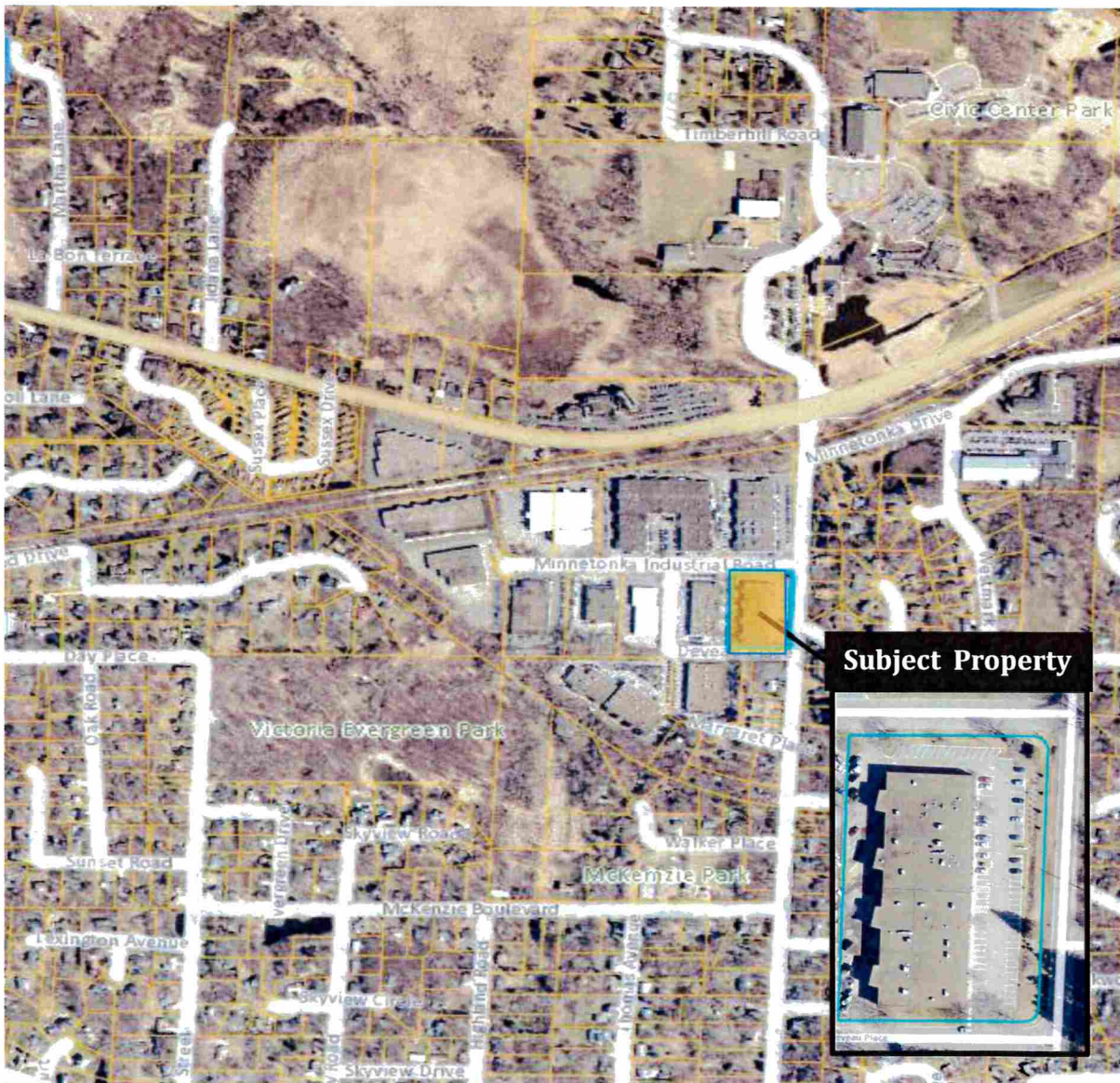
Requesting approximately 9000 Square Foot end cap space
at Williston Business Center 6, 3800 Williston Rd., Minnetonka, MN

Legal Description: (per Certificate of Title, Hennepin County Recorder's Office, #1410693)

Par 1: Lot 2, Block 1, Minnetonka Business Park

Par 2: Lot 1, Block 1, Minnetonka Industrial ParkPID: 16-117-22-43-0018

PID: 161172243001



Property Details:

Size: 2.47 Acres (107,699 sq ft)

Bldg: 39,851 Sq Ft

Year Built: 1984

Parcel: Lot 2, Block 1

Type: Industrial – Non Preferred



Parking:

Proof of Parking: Total available (See “Key Plan” Parking diagram by PlanForce) = 123 spaces.

Total required with CREO dance studio Tenant = 120 spaces. (to be verified by city staff)

No Cross-Parking or Easements restricting Parking on property: Per Hennepin County Certificate of Title, Number 1410693, as verified through 4/14/17 upon a 5-5-17 Hennepin County Recorder’s office search, and included as reference.

Current Tenant (DEL Die Cutting): 20 employees, occupying 24,692 Sq Ft., utilizing parking within 1:1000 Sq Ft. = 24.69 stalls as the current extent of need. If a future ratio were to apply for a different warehouse user, and that ratio for the entire Die Cutting space would be considered 1:350 Sq Ft = 70 stalls required.

CREO Dance Tenant: If the ratio applied is 1:225 Sq Ft (10,044 Sq Ft) = 44.64 stalls required.

Vacant Space: Approx. 5,022 Sq Ft. if the ratio applied is 1:1000 Sq Ft = 5.02 stalls required.

Note: If the tighter standard of 1:350 were utilized for the entire DEL Die Cutting five tenant bays for future tenants, the vacant space calculated at 1:1000, and the dance studio were calculated at 1:225 Sq Ft, the total parking required would be 119.66 spaces.

Traffic Flow/Safety:

Parents would enter the north entrance and proceed along the north side of the building with dropoff and pickup on the right side of the car, against the curb. Students will not need to cross in front of other cars, creating a safer pickup/dropoff scenario. Stacking of cars waiting to pickup would run along the north side of the building and across the front of tenant’s space. The north side of the building has a one way (east) traffic flow which would lend itself well to stacking for student pickup and drop off times. The entire stacking and pickup area would be along the north and NE sides of the building around the tenant’s space. Parents would be directed to use the north entrance to avoid the truck area. There would not be a need for tenant’s customers to drive through the truck loading/unloading/backing area along the west edge of property, which would not be a logical (natural) way to drive up to space, in any case.

Classes are light in the summer months, generally. The greatest demand Monday through Friday is for school age children, after school and evening hours, starting with 4pm drop offs. Saturday is the single highest demand weekly. The operational hours are generally not during industrial park work days, with the greatest overlap between 4-5 pm industrial work hours with lighter truck traffic during that time since industrial workers are generally finishing their workday during those times.

Project Description:

Creo Arts & Dance Conservatory, owned and operated by Christa Anderson, builds strong ballet, modern, and contemporary jazz/ hip-hop artists. We focus on the individual needs of each dancer. Whether a child desires to dance for fun, or train for a career in dance, our program encourages dancers of all aspirations. We place particular emphasis on arts and dance composition. Composition trains dancers to explore and build their own work. Our school offers competitive pricing, small class sizes, and a focus on performance rather than competition. Our dancers have the opportunity to perform in 2-3 full length dance performances per year at school or church venues, receive feedback from college professors at Elevate Youth Dance Festival, and Cathedral Dance Festival, perform in Project Dance New York, perform in their year end Gala held at a local school performing arts center, and perform regularly at senior care facilities. The emphasis on creativity and performance sets our school apart from the many other dance experiences. Our school has served families in the Minnetonka, Wayzata, Plymouth, and Orono school districts for seven years. We were voted Minnetonka Magazine's best Children's Activity in 2016 and we have been recognized as an outstanding business by the Wayzata Chamber of Commerce. CREO – *A Latin Word Meaning I Think; I Create; I Believe*

Mission:

CREO Arts & Dance Conservatory is committed to building strong, creative, commitment-minded, joyful, wholesome artists. We provide high-quality dance classes to enhance the overall development of the child. We provide a safe and child-centered environment to encourage our students to explore dance with qualified, nurturing instructors.

The highest educational standards are expected from all CREO Arts & Dance Conservatory faculty members. They are lifelong learners who continue to educate and update themselves through certification programs, teacher-training schools, conferences, and through other learning venues.

Staff

We provide students with a positive, qualified, artistic staff, many of whom have earned Fine Arts Degrees in their field. Our staff is trained to nurture and encourage the individual. Through process, presentation, and performance we teach our students to refine an eye for excellence. Through encouragement, mentoring, and team-building, our students gain confidence, friendships, and positive experiences.

MAY - 8 2017

Christa Anderson ~ Director/Instructor

Christa Anderson is a graduate of the University of Minnesota with a BFA in Dance Performance. Christa has been teaching dance for 25 years at local schools including The Saint Paul City Ballet, Hopkins Dance, and Prairie School of Dance. She has run Tonka DanceWorks through Minnetonka Community Ed for 11 years and CREO Arts & Dance Conservatory in Wayzata for 7 years. She has danced at the Kennedy Center and performed on stages from Italy to India. She was a member of local dance companies, the *Eclectic Edge Ensemble* and *Joe Chvala and the Flying Foot Forum*. Christa is the creator and choreographer of original children's ballets: *Esther: For Such a Time As This*, *The Tales and Tails of Folks and Fairies*, and *A New Song*. Her work, *Enticed*, was performed live by the Saint Paul City Ballet to George Mauer's original score.

Betsy Nelson ~Office Manager

Betsy's dance training began as a young student at Hopkins Dance Center and continued at St. Olaf College where she earned her BA in Exercise Science and Dance. At St. Olaf she performed in faculty, student, and guest artist works as a member of Companydance and spent a summer serving on an undergraduate research team in the dance department. Since graduating she has enjoyed several internships in arts management and education as well as working as an administrative assistant at her father's law firm and performing around Minneapolis.

Julia Moser-Hardy ~Events Manager

Julia graduated from St. Olaf College with a Bachelors in Dance and Psychology, two fields that she feels see people as whole beings. Her dance training began with thirteen years of ballet at the *Neta Barker School of Ballet* in her hometown of Wayland, Massachusetts, and continued with other forms of dance in college. Julia has performed choreography by *Stuart Pimsler Dance and Theater*, *Alexandra Bellar/Dances*, and *Jolene Konkel*. She currently performs with the Gustavus alumni project, *SEVEN DANCE*. Julia has also had the pleasure of presenting research in dance education at the Minnesota Dance Education Summit and the National Dance Education Organization Conference. Julia is looking forward to another wonderful year teaching at CREO!

Additional Information:

Dance Instructors

- The proposed space will hold 4 dance studios.
- Each studio will have a minimum of 1 and a max of 2 teachers per class.
- Staffing is based on the number of classes per hour.

Office Staff

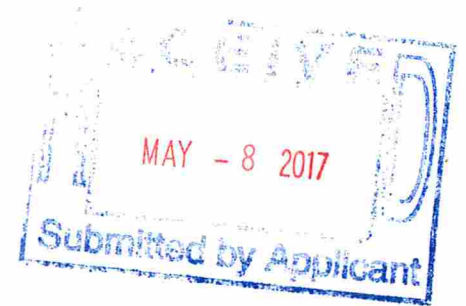
- One front desk attendant during studio hours
- One manager during studio hours
- Max. 3-5 office staff when classes are not running
 - costumer
 - office manager

RECEIVED

MAY - 8 2017

Collected by [unclear]

- director
- events coordinator
- school principals



Student Enrollment

- 200 currently enrolled students
- Ages 18 mo. – 18 years with some adult dance students
- 1 dancer per 100 square feet (industry standard)
- Each class ranges between 9 and 15 dancers.

Office Hours

- Monday – Thursday 11:00-9:30pm
- Friday - Closed
- Saturday – 9:00am -12:00pm
- Sunday Closed

Regular Dance Studio Hours Sept-May

- Monday 10:30am-11:45am & 4:00-9:30pm
- Wednesday 4:00-6:00pm
- Tuesday & Thursday 4:30pm – 9:30 pm
- Friday 4:30-7:30pm
- Saturday 9:00am-4:30pm
- Sunday Closed

Summer Dance Studio Hours

- Monday –Friday 9:00am-3:00pm
- Saturday –Sunday Closed
- June-July Minimal use. We often take 2 weeks off in June and 3 weeks off in July.

Parking Demand (peak times)

- Parking spaces for employees: 8
- Weekday customer parking spaces: 30
- Weekend customer parking spaces: 20
- Summer customer parking spaces: 15

Pick-up/Drop-off

- Currently the highest number of parents in the dance studio lobby during peak hours is no more than 30, after about 5pm.

- Once dancers reach 4th grade most parents drop their dancers off rather than coming in to watch.
- Parents are encouraged to drop dancers off for summer camps.

Performances

- Off site (schools, churches, performing arts centers)

Sustainability:

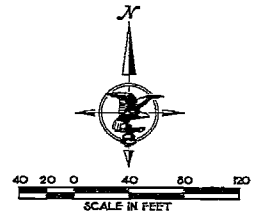
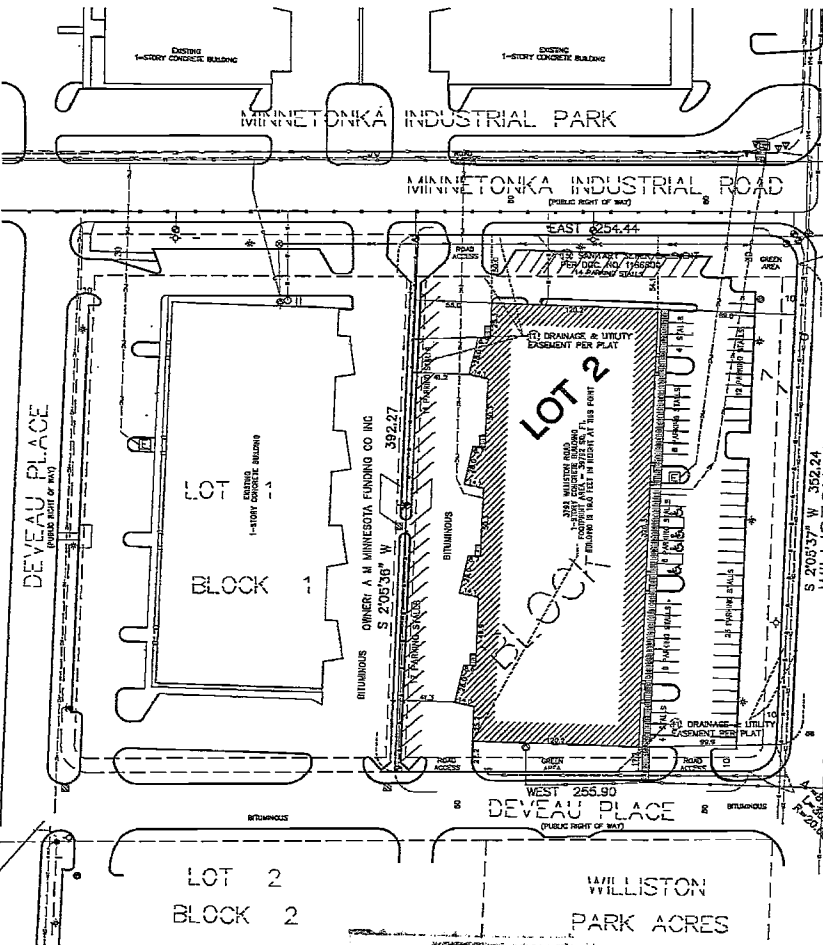
- We plan to reduce energy costs by installing LED lighting in studios and offices.
- Registration, payments and communications are all paperless. This has significantly reduced waste such as paper, ink.
- CREO generally runs classes for 4-6 hours per day. Many dancers only spend one hour per day at the studio. We do not expect a high volume of water usage.

Timing:

Timing for opening the studio is key to the program. CREO's current landlord in Wayzata would like to have the program to continue and expand at its current location, with a commitment very soon, however CREO would much prefer to move to this location that could better accommodate future growth. In addition, the largest number of participants come from Minnetonka Schools and this location would be optimal. Classes start in September, and marketing of its classes is May/June. Its very important for CREO to begin marketing as soon as it can regarding its fall classes, and for that reason is hoping that a decision can be made soon whether this Minnetonka location can host its business versus remaining in Wayzata in a facility it has outgrown.

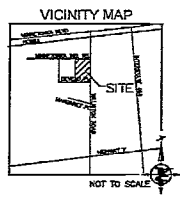
Thank you for considering this request.





LEGEND

Property Monument	Concrete
Concrete Curb	Fence
Overhead Electric	Underground Electric
Underground Telephone	Water
Gas	Sanitary Sewer
Storm Sewer	Electric Meter
Electric Box	Electric Manhole
Power Pole	Plyment
Grassment Manhole	Gate Valve
Catchbasin	Air Conditioning Unit
Light Pole	Car Meter
Telephone Manhole	Telephone Box
Water Manhole	Sanitary Manhole
Storm Manhole	



- GENERAL NOTES:**
- The bearing system used is assumed.
 - The location of the underground utility lines shown, if any, are coordinates only. REFER TO APPROPRIATE CONTACT COMPANY STATE ONE CALL AT (812) 494-0002 PRIOR TO ANY EXCAVATION.
 - Subject property is identified on baby in "Zone II, Color-Ahead" on Plat Insurance Risk Map No. 2008022386, as SUPPLEMENTAL, effective date September 2, 2014.
 - The area = 107791 square feet = 2.472 acres.
 - There are a total of 112 adjacent parking stalls on said property, of which there are 4 designated as handicap.
 - All field measurements matched recorded dimensions with the previous requirements of ALTA/ACSM specifications.
 - The survey was run on the ground and in accordance with the Minimum Standard Detail Requirements for Land Title Surveys as adopted by ALTA and ACSM.
 - There is no observable evidence of encroaches in the field or record.
 - The surveyor was not provided zoning information by the client pursuant to Table A Item(2) of the Act.
 - There is no visible above ground evidence of earth moving work, building construction or building addition within recent records.
 - There is no observable evidence of recent street or sidewalk construction or repairs.
 - There is no visible above ground evidence of the site being used as a solid waste dump, open or sanitary landfill.
 - In preparing this survey I have relied upon the supporting documents and the Certificate of Title Insurance issued by Chicago Title Insurance Company, having an effective date of June 18, 2014 and having SA number 230600.
 - There are no visible party walls.
 - There are no visible mortgage lienholder notices as dictated by appropriate authorities.
 - There are no encroaches or encroachments of record or any claimed during the field traverse that have not been subject property pursuant to Table A Item 20.
 - The "Property" as described is inherently ambiguous and neither in type or form.

LEGAL DESCRIPTION

Parcel 4:
 Lot 2, Block 1, Minnetonka Business Park, Hennepin County, Minnesota.
 Registered Property Certificate of Title No. 1338395.

NOTES CORRESPONDING TO SCHEDULE B:

- Drainage and utility easements as shown on the recorded Plat of Minnetonka Business Park (also on per records on Certificate of Title). (AFFECTS PROPERTY, AS SHOWN ON SURVEY)
- Sanitary sewer easement(s) reserved in Final Certificate dated August 4, 1975, filed January 23, 1976, as Document No. 1165600. (As to Parcel 4 only) (AFFECTS PROPERTY, AS SHOWN ON SURVEY)
- Watermain easement(s) as reserved in Gull Claim Deed dated October 27, 1975, filed December 20, 1975 as Document No. 1203707. (As to Parcel 4 only) (AFFECTS PROPERTY, AS SHOWN ON SURVEY)

STATEMENT OF POTENTIAL ENCROACHMENTS:

There are no visible above ground encroachments over or across any property lines of subject property.

LAND TITLE SURVEY
 ALTA/ACSM

for:
 Fabyanske, Westra, Hart & Thomson, P.A.
 SITE: 3782 WILLISTON ROAD
 MINNETONKA, MINNESOTA

CERTIFICATION:

For: Astra Life Insurance Company, the successors and/or assigns,
 Williston Ridge LLC and Chicago Title Insurance Company.
 This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by American Land Title Association ("ALTA") and National Society of Professional Surveyors ("NSPS"), and include Items 1, 2, 3, 4, 6(b), 7(a), 7(b), 8, 9, 10, 11, 12, 14, 16, 17, 18, 19 and 20(a) of Table A thereof. The field work was completed on August 22, 2014.

Date of Plat or Map: August 23, 2014

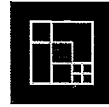
M. E. Howell
 Thomas E. Hodette, LSE DU
 Minnesota Registration/License No. 23677

SURVEY PERFORMED BY:
 HARRY S. JOHNSON CO., INC.
 LAND SURVEYORS & CONSULTANTS
 3063 Lyndale Avenue South
 Bloomington, MN 55425
 (612) 835-0341
 (612) 835-0344 Fax
 Email: hsc@harryjohnson.com
 Web: www.harryjohnson.com

STAMP: MAY 8 2017

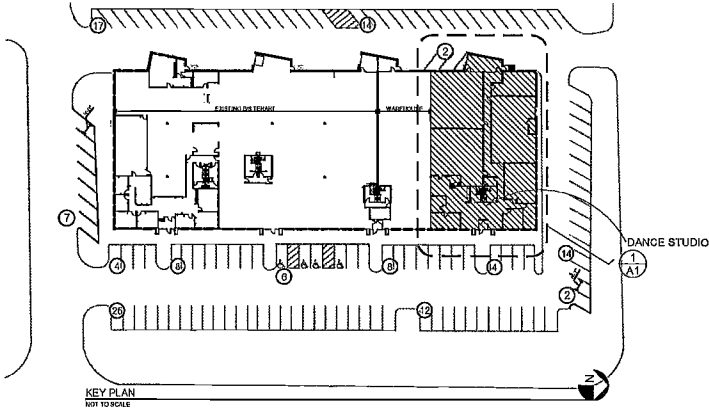
HARRY S. JOHNSON CO., INC.
 LAND SURVEYORS & CONSULTANTS
 BLOOMINGTON, MINNESOTA
 PHONE: 612-835-0341 FAX: 612-835-0344

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PLANFORCE
ARCHITECTURE
INTERIORS

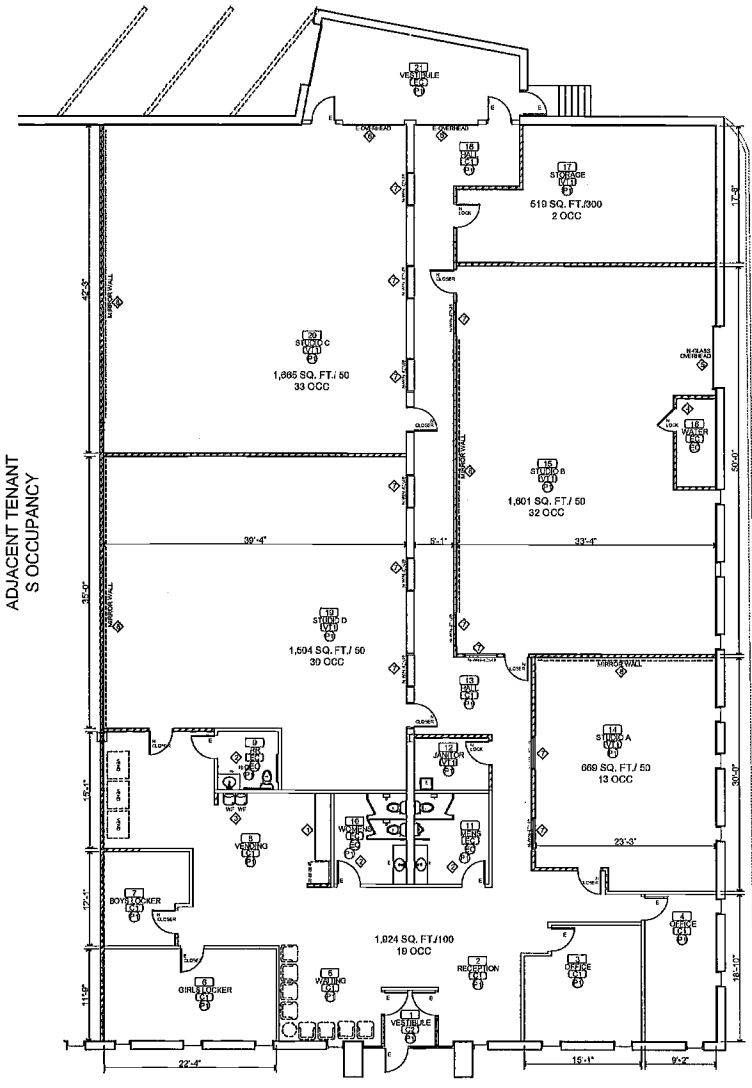
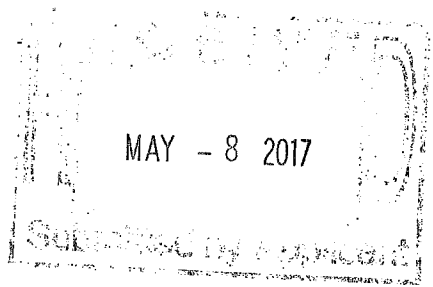
4321 Wood 26th Street
Suite 202
St. Louis Park, Minnesota
952.241.8809
planforcegroup.com



CREO DANCE STUDIO

WILLISTON 6

3794 WILLISTON ROAD
MINNETONKA, MN 55345



ADJACENT TENANT S OCCUPANCY

SQUARE FOOTAGE:
STUDIO TOTAL 10,044 SFR

1 FLOOR PLAN
1/8" = 1'-0"

PRELIMINARY
NOT FOR
CONSTRUCTION



I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly certified architect, designer or under the laws of the State of Minnesota.

Signature: LSR
Name: S. WELDON RANSOM
Registration: 08274
Project Contact: SHAWN WOCHNICK
Phone Number: 952-512-2873

Revisions table with columns for Description and Date.

**PLAN P3
FLOOR PLAN**

CONDITIONAL USE PERMIT

Project 17126
Drawn SDW
Checked SWR

A1

CREO DANCE STUDIO
MINNETONKA, MN



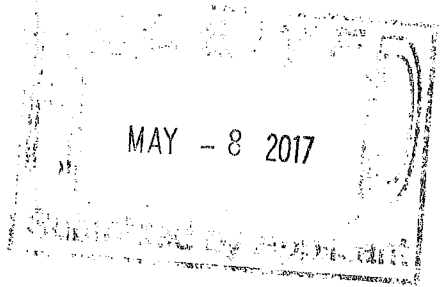
PLANFORCE
ARCHITECTURE
INTERIORS

4931 West 35th Street
Suite 200
St. Louis Park, Minnesota
55251-9989
planforcegroup.com

CREO DANCE STUDIO

WILLISTON 6

3794 WILLISTON ROAD
MINNETONKA, MN 55346



I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly-licensed interior designer under the laws of the State of Minnesota.

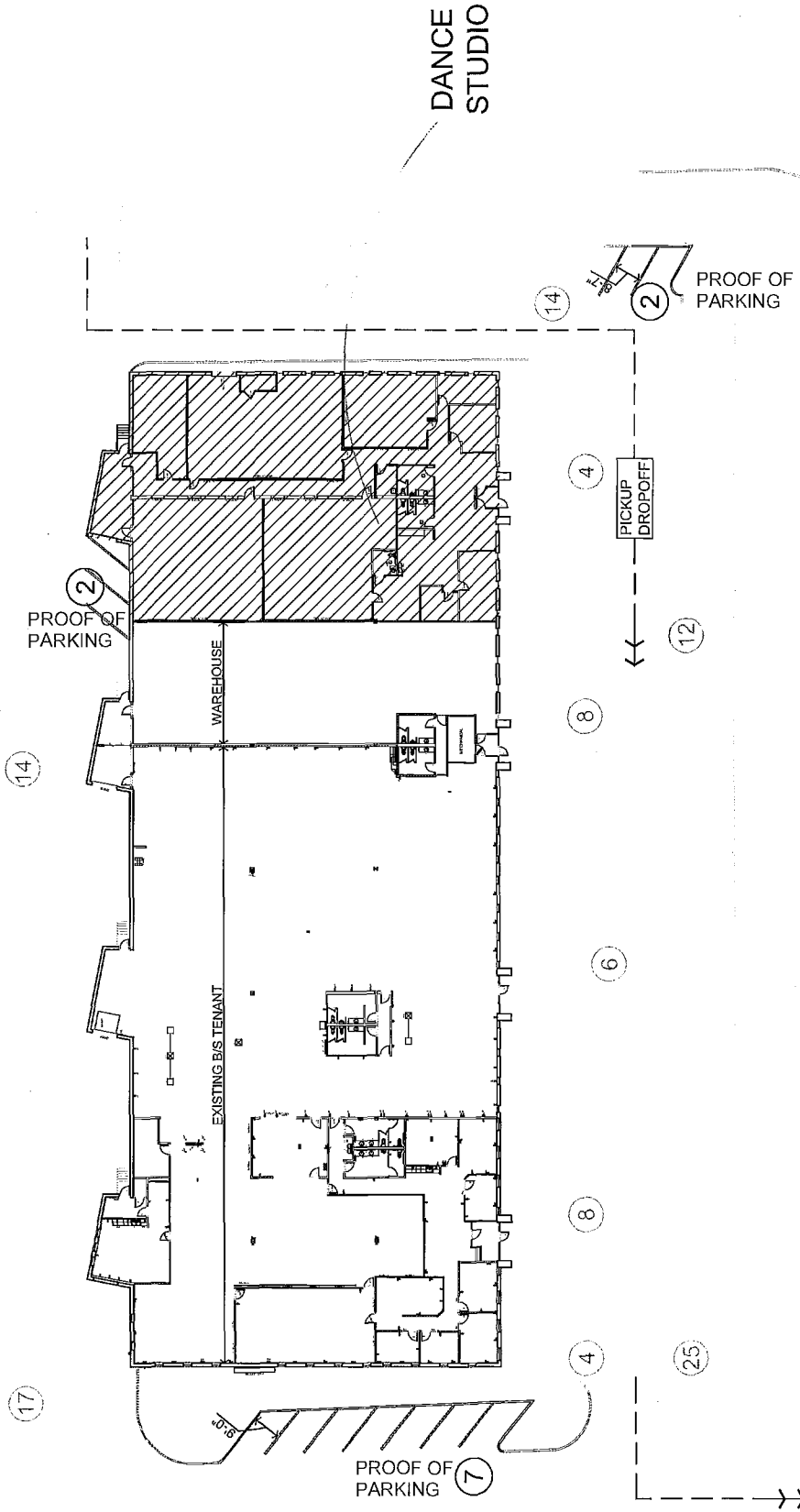
Signature: WJR
Name: S. WELD RANSOM
Registration: 00874
Project Contact: SHAWN WOCHNICK
Phone Number: 952-512-8573

Phase/History Date
P1 PRELIMINARY 04-25-17
P2 PRELIMINARY 05-03-17
P3 PRELIMINARY 05-05-17

P3
PROOF OF PARKING

PROJECT SDW
PHASE CONDONAL USE PERMIT
DRAWN SWR
CHECKED CHKCD-BY **1 of 1**

DANCE STUDIO



EXISTING STALLS	108
HANDICAP STALLS	4
PROOF OF PARKING	11
TOTAL AVAILABLE	123

KEY PLAN

NOT TO SCALE

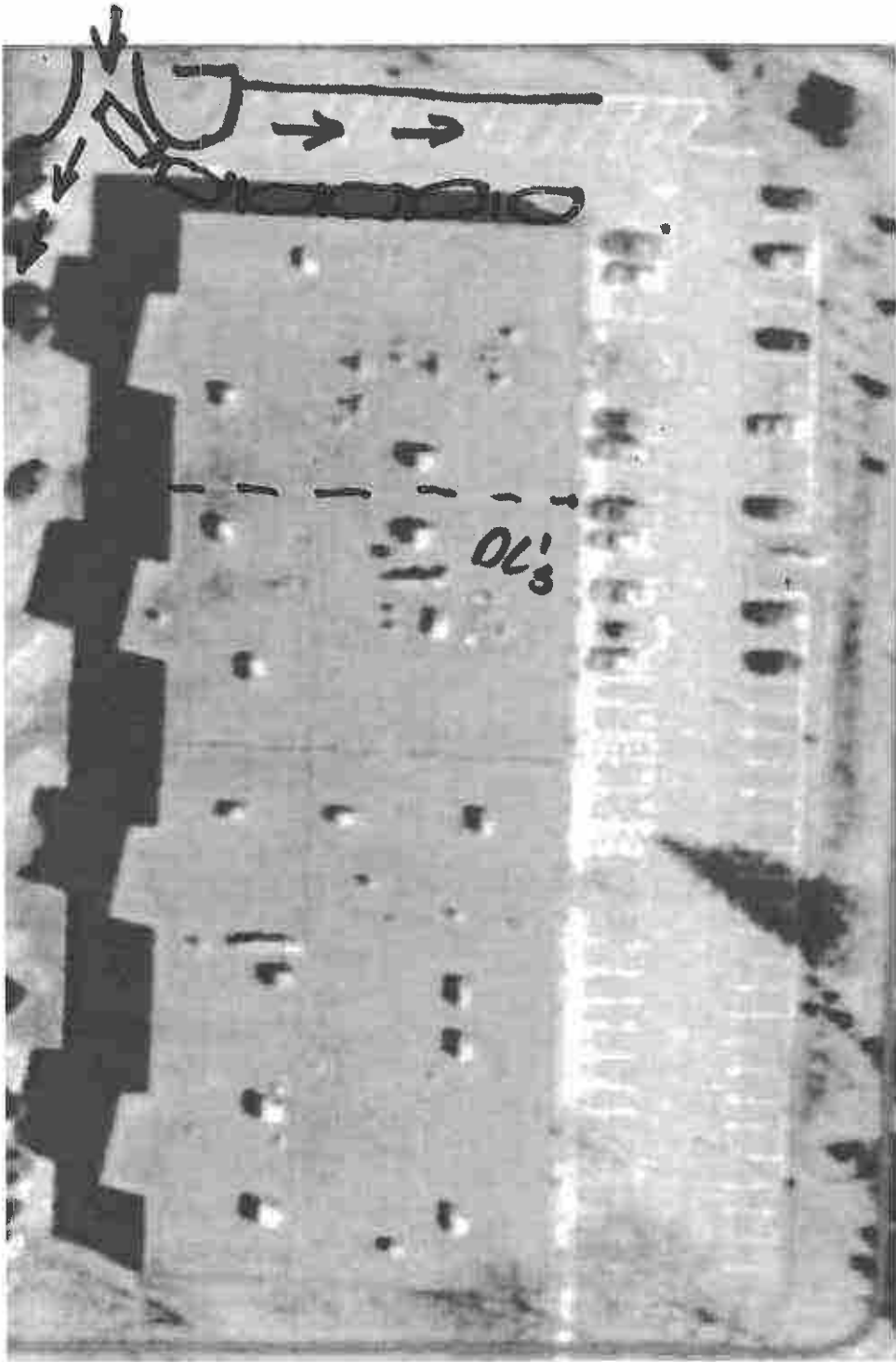
Neighborhood feedback

Hi Ashley,

Attached is the marked up aerial of the Williston building, which shows the difficulty of mixing cars, semis and children all coming in on the north side of the building. I'm not sure that rerouting to the other end totally alleviates the problem. I think you, or more correctly the user, are trying to put a square peg in a round hole. This is an industrial building, and with many vacant retail buildings in close proximity, that is where this use should land. The only reason for them choosing this building is because this choice is less expensive, and in effect penalizes owners of retail buildings for having the parking and setup to handle this type of requirement. The other smaller concerns are parking and image. Although the information in the application references minimal parking, my understanding is that they are looking to sign a ten year lease. If the studio grows they could become a large user of parking. D L's in the past has run 2 shifts with the turnover of shifts coming at 4-6 PM the same time that the most students would be arriving. As you know, parking in this park has been problematic. Allowing a retail use only threatens to make this worse. The image question is that a business park exudes a certain atmosphere and class that tenants expect for their business. I'm not sure that this use fits that description.

As we discussed, please understand that I am addressing this as an individual and professional; not as a representative of D L's, for the reasons that we discussed. Cities such as Minnetonka set up zoning and use plans for a reason, and when you deviate from them, issues can and do arise.

Wayne Hagen



Resolution No. 2017-

Resolution approving a conditional use permit for Creo Arts and Dance Conservatory, a dance studio, at 3792 Williston Road

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

Section 1. Background.

- 1.01 Creo Arts and Dance Conservatory has requested a conditional use permit to operate a dance studio within an industrial district.
- 1.02 The property is located at 3792 Williston Road. The property is legally describe as:

Lot 2, Block 1, Minnetonka Business Park, Hennepin County, Minnesota. Registered Property certificate of Title No. 1338395.
- 1.03 City Code §300.20 Subd. 4(e) allows public buildings as conditional uses within the I-1 zoning district.
- 1.04 City Code §300.20 Subd. 4(k) allows “other uses similar to those permitted within this section, as determined by the city” as conditional uses within the I-1 zoning district.
- 1.05 The proposed dance studio would be similar to a public building, as it is a place where a group of people would gather at a specified time for a specific purpose.
- 1.06 On June 22, 2017, 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(a) outlines the following specific standards that must be met for granting a conditional use permit for such facilities:

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 this 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 meet all but one of the specific conditional use permit standards outlined in City Code 300.16 Subd.3(a).
 1. The proposal has been reviewed by the city's building, engineering, planning, natural resources, and fire staff to ensure consistency with the city's development guides.
 2. The proposal meets all minimum ordinance requirements.
 3. While the proposed site plan does indicate proof-of-parking, the installation of these stalls would not occur at this time but rather at a future date if/when they are needed.
 4. All proposed changes are interior to the building. As such, the proposal would not change the site's visual appearance.
 5. No exterior site modifications are proposed at this time. However, the applicant has evaluated the site in order to propose a circulation plan. This plan would allow for improved and uninterrupted onsite circulation of vehicular traffic.
 6. During the remodel of the existing building, several energy efficiency improvements would be incorporated.
 7. The proposal would not negatively impact adjacent or neighboring properties.

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. The applicant must work with staff to develop a parking plan that provides 120 onsite parking stalls.
 3. Pick-up and drop-offs should occur on the east side of the site – utilizing the front door – to allow for adequate stacking within the site.
 4. Landscaping and tree mitigation may be required by ordinance would be required at the time of construction of the proof-of-parking stalls.
 5. The building must comply with all requirements of the Minnesota state building code, fire code, and health code.
 6. The city council may reasonably add or revise conditions to address any future unforeseen problems.
 7. Any change to the approved use – including an increase total enrollment or total building area occupied – that results in a significant increase in traffic or a significant change in character would require a revised conditional use permit.

Adopted by the City Council of the City of Minnetonka, Minnesota, on July 10, 2017.

Terry Schneider, Mayor

Attest:

David E. Maeda, 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 July 10, 2017.

David E. Maeda, City Clerk

MINNETONKA PLANNING COMMISSION
June 22, 2017

Brief Description	Items concerning Minnetonka Hills Apartments at 2800 and 2828 Jordan Avenue: 1) Major amendment to an existing master development plan; 2) Final site and building plans, with parking variances; and 3) Preliminary and final plats
Recommendation	Recommend the city council deny the proposal

Introduction

The Minnetonka Hills Apartments complex currently encompasses several properties and is just over 13 acres in size. The complex includes three, 4-story, apartment buildings with underground parking and two surface parking lots. Cumulatively, the complex has a total of 235 apartment units and 480 parking stalls.

The apartment complex properties surround a half-acre residential property that is currently improved with a vacant, single family home. This property has been held in common ownership with the adjacent apartment complex for almost 10 years.

The entire complex, including the properties at 2800 and 2828 Jordan Avenue, is currently zoned PUD, planned unit development, and is guided for high-density residential by the 2030 Comprehensive Guide Plan.

Proposal Summary

The following is intended to summarize the applicant's proposal. Additional information associated with the proposal can be found in the "Supporting Information" section of this report.

- **Existing Site Conditions.**

Combined with the adjacent, unaddressed parcel, the subject properties are just over 7.8 acres in size. The western portion of the property is improved with a 4-story apartment building and a surface parking lot to the east of the building.

Steep Slope. The property is encumbered by a number of slopes, several of which are regulated by the city's steep slope ordinance. The two prominent slopes – to be referred to as the northern slope and the central slope – both slope downwards

in all directions from two prominent knolls and have an average grade of 26 percent. By evaluating the size of the trees near the prominent slopes, staff was able to make some assumptions as to whether the slopes are natural or were created. While the northern slope appears to have been created, the central slope appears to be naturally occurring.

Floodplain. Initially it was thought that a depression west of Jordan Avenue would be a regulated wetland. However, additional testing and research concluded that the depression did not exhibit wetland characteristics. While the depression is not a regulated wetland, the depression is still regulated by the city's floodplain ordinance.

Trees. There is a large woodland preservation area (WPA) that "wraps" around the existing apartment building and parking lot on the property. The remainder of the area outside of the WPA is heavily wooded with predominately species of the oak, cedar and ash varieties.

- **Proposed Use.**

The proposed five-story apartment building would have a footprint of approximately 16,000 square feet and a gross floor area of 80,000, not including the underground parking level. The underground parking level would be 20,000 square feet, with a portion extending beyond the footprint of the building to under the northern parking area. In addition to residential units, the first floor would provide residential amenities such as a mailroom and a fitness center. The proposed 78-units would be a mixture of alcove, one and two bedroom units. The units would range in size from 620 square feet for an alcove unit and 1,200 square feet for a two-bedroom unit.

As proposed, access from the new apartment building to Jordan Avenue would be provided via a new connection to the existing building's driveway.

The new building would be served by a total of 122 parking stalls; 60 underground parking stalls and 62 surface stalls. The surface parking lot would be constructed on the west side – or interior – of the property, adjacent to the existing parking lot.

The proposal would also introduce a playground area and a sidewalk connection to serve the proposed apartment building, as well as the existing apartment buildings.

- **Site Impacts.**

To accommodate the new apartment building and parking lot, a significant amount of grading and tree removal would be required. While the proposal includes several retaining walls, which are typically used to lessen the extent of grading, the proposal would result in a "cut" of 26-feet. This grading would remove the central

knoll and would “flatten” the slope to provide a suitable building site. The grading and construction of the new building and parking lot would result in the removal of a number of trees east of the existing parking lot and along the existing driveway.

Primary Questions and Analysis

A land use proposal is comprised of many details. In evaluating a proposal, staff first reviews these details and then aggregates them into primary questions or issues. The following outlines both the primary questions associated with the new Minnetonka Hills Apartment proposal and staff’s findings.

- **Is the proposed land use appropriate?**

Yes. The proposed high-density residential use of the site is appropriate. The site has had a comprehensive guide plan designation of high-density residential since 1981.

- **Is the proposed building and site design reasonable?**

While staff finds that a residential land use is appropriate for the site, staff is concerned with the level of impact to the natural resources that would result from the proposal.

Tree Impacts. The city’s tree protection ordinance restricts the amount of woodland preservation area that can be removed and the number of high priority trees that can be removed as part of a site’s redevelopment. When a proposal would exceed these thresholds, the development must be reviewed as a PUD. The following is intended to summarize the anticipated amount of tree removal:

	Maximum removal allowed by ordinance	Proposed
<i>Woodland preservation area</i>	25%	24%
<i>High priority trees outside of the woodland preservation area</i>	35% – or – 12 of the site’s high priority trees	54% – or – 20 of the site’s high priority trees

Since the removal would result in the removal of 54% of the site’s high priority trees, staff evaluated the proposal to determine if it would meet the PUD standards within the city’s tree protection ordinance. The standards and staff’s findings can be found in the “Supporting Information” section of this report. Ultimately, the proposal would marginally meet the standards. However, staff believes that the project could meet the standards by: (1) “tightening” up the grading around the

parking lot; and (2) committing to a long-term ecological stewardship plan – or restoration plan – to control invasive species onsite.

Slopes. The city's steep slope ordinance was developed to encourage thoughtful integration of a development into a slope. The intent of the ordinance is not to prohibit construction of a slope but rather to guide development of a slope. Unlike other ordinances, which provide clear standards intended to "approve" or "deny" a project, the slope ordinance allows the city more discretion in determining compliance with the three findings listed in the ordinance. The following is intended to summarize the findings; however, a more detailed analysis of the findings can be found in the "Supporting Information" section of this report.

1. *Ordinance Finding 1: The property is physically suitable for the design and siting of the proposed development. The proposed development will preserve significant natural features by minimizing disturbance to existing topographical forms.*

Staff findings: While the proposal incorporates a series of retaining walls to reduce the proposed grading limits, the proposal would still result in significant amount of grading into existing slopes. The ordinance states that development should *avoid* cut and fill greater than 25 feet in depth. Staff acknowledges that any development of the site would result in varying degrees of cut and fill onsite. However, staff is concerned that the proposal includes a 26-foot "cut" into the 26 percent slope.

2. *Ordinance Finding 2: The development will not result in soil erosion, flooding, severe scarring, reduced water quality, inadequate drainage control, or other problems.*

Staff findings: The ordinance allows the city to prohibit construction on slopes with average slopes exceeding 30-percent. The existing slopes have an average grade of 26 percent and runoff from the increase in impervious surface would be directed to catch basins in the southeast corner of the site. Staff commends the developer for incorporating retaining walls to reduce the amount of impact to the site. However, staff is concerned about the intensity of the slope alteration both aesthetically and physically.

3. *Ordinance Finding 3: The proposed development provides adequate measures to protect public safety.*

Staff findings: Minor modifications to the site plan would be required to ensure that emergency vehicles were able to navigate the site. These modifications include: (1) a turnaround; (2) increased drive lane widths; and (3) reconfiguration of the turning radius for the driveway. Staff believes that these changes are minor and could easily be achieved through slight modifications to the site plan.

Summary Comments

Staff acknowledges that the proposed land use would be reasonable use of the property, given that the site has been guided for high-density residential for almost 40 years. However, staff has continued concerns related to impacts to the site's natural features, specifically as they relate to tree removal and slope development.

Staff Recommendation

Recommend the city council adopt the resolution denying the request.

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

Supporting Information

Project No.	86157.17a
Property	2800 and 2828 Jordan Avenue
Applicant	Mark Kronbeck, Alliant Engineering, on behalf of Minnetonka Hills Apartments LLP
Surrounding Land Uses	Northerly: Single family homes, zoned R-1 and guided low density residential Easterly: US Hwy 169 and the City of St. Louis Park Southerly: Minnetonka Hills Apartments, zoned PUD, and guided for high density residential. Westerly: Condos and Townhomes, zoned PUD, and guided for medium and high density.
Planning	Guide Plan designation: High Density Residential Zoning: PUD, Planned Unit Development
Background	<p>1967. The Minnetonka Village Council approved a request to rezone the property, which makes up the southern 12.4 acres of the CSM property, from R-1 to R-4. The original development concept called for the construction of 90 townhomes.</p> <p>1968. The Minnetonka Village Council approved a request to rezone the northern 6.5 acres of the CSM property from R-1 to R-4.</p> <p>1981. The city council approved a conditional use permit for grading and excavation to allow the mining of gravel for the construction of County Road 18 (now US Hwy 169). The grading was to occur on the southern portion of the CSM site (currently in the area of the southern two Minnetonka Hills apartment buildings). The city also approved a development concept for the construction of 195 dwelling units and a road connection between Jordan Avenue and Greenbrier Road.</p> <p>1984. After a proposal was pulled from an earlier agenda due to several concerns raised by the planning commission and staff, the planning commission reviewed CSM's proposal for the construction of a 143-unit apartment building. Due to concerns related to traffic, density, building height and setbacks, the request was continued.</p>

1985. Over the course of the year, the planning commission and city council reviewed several concept plans for development of the site. Ultimately, in October of 1985, the city council approved the rezoning of the properties to PUD. In November 1985, the planning commission approved the final site and building plans, with variances, for the construction of the Minnetonka Hills Apartment complex. It was noted in the report that, while staff had initially expressed preference that the single-family home be included in the CSM proposal, it was determined that the grades of the site made the area unsuitable for development.

1986. The city approved the Minnetonka Hills Apartments plat which:

1. allowed for the northern apartment building to be on a separate parcel from the southern two apartment building;
2. dedicated a wetland outlot to the city;
3. dedicated an outlot for right-of-way purposes to the city; and
4. dedicated an outlot to rectify a property line discrepancy to the property owner of the single family residential home, which is now included in the current proposal.

2004. The city council introduced an ordinance to amend the Minnetonka Hills Apartment PUD master development and approve final site and building plans for a 14-unit townhome project. As proposed, the existing single-family residential home would have been removed and a two-story, 14-unit townhome building would have been constructed. The council expressed concern related to the visual aesthetics of the proposal. However, the project was ultimately pulled after staff expressed concern related to the density, tree loss, and access.

Concept Plan

2016. The city reviewed a concept plan review for a 78-unit apartment building. The planning commission commented on the architecture of the building and inquired as to whether the parking could be reduced to reduce the amount of tree loss. The council reviewed the concept plan at a subsequent meeting and generally seemed to support the use. The council expressed understanding that the proposal would result in significant grading and tree loss, but encouraged the developer to minimize impacts to natural resources to the greatest extent possible.

Introduction

April 2017. The city council introduced the ordinance to amend the existing master development plan and referred it to the planning commission. The council asked questions about driveway access, the protection of the woodland preservation area, affordable housing, and tree mitigation.

City Actions

The Minnetonka Hills Apartments proposal requires the following applications:

- **Major amendment to an existing master development plan.** By City Code, any change to an approved master development plan that “substantially alters the location of buildings, parking areas or roads” is considered a “major” amendment that can only be approved by ordinance.
- **Final Site and Building Plan, with a Parking Variance.** By City Code, site and building plan review is required for construction of any multi-family residential building.
- **Preliminary and Final Plat.** Platting of the new site would allow the new apartment and associated parking lot to be located on a separate parcel.
- **Vacation.** The periphery of the existing residential property is encumbered by drainage and utility easements. The proposal requires approval by the city council to vacate the existing easements and re-dedicate easements as part of the plat.

Development Standards

The PUD ordinance contains no specific development standards relating to setbacks, lot coverage, etc. However, the following chart outlines these items related to the proposed project:

Building Setbacks	
North property line	93 ft
East property line	77 ft
South property line	70 ft
West property line	72 ft
Parking Lot Setbacks	
North property line	31 ft
East property line	76 ft
South property line	40 ft
West property line	15 ft
Building Height	52.5 ft to top of parapet
Floor Area Ratio	0.99

Impervious Surface	46%
Density	32.77 units/acre 26.88 units/acre overall

Affordable Housing As currently proposed, the project does not include an affordability component. In the past, the city has reviewed apartment projects with affordability components as a justification for comprehensive guide plan amendments or rezonings.

Natural Resources To accommodate the proposal, significant site changes would be necessary:

- **Topography and Grading.** Significant grading would be required to create suitable pads for the parking lot and building. The grading would essentially “level out” the knolls and the natural slope on the property. At one point, the proposal would result in a “cut” of 26-feet.
- **Trees.** Based on the proposed grading plan, the proposal would result in a 24% removal of the site’s woodland preservation area. This would be less than the maximum 25% removal allowed by ordinance.

Outside of the woodland preservation area, grading would result in a number of high priority and significant tree removal. The following chart is intended to summarize the proposed removals:

	Existing	Removal	% Removed
High priority	37	20	54%
Significant	100	31	31%

- **Wetland.** Initially it was assumed that a depression on the site was a wetland resulting from the construction of US 169. However, a wetland delineation determined that a wetland is not present.
- **Floodplain.** While the depression along Jordan Avenue is not a regulated wetland, it is regulated as 100-year floodplain. The 100-year flood elevation of the depression is 924.0 feet. An initial proposal submitted to the city did not meet the city’s setback requirement from the 100-year floodplain. However, the applicant revised their plans to

ensure the proposed building would meet all floodplain setback requirements.

Stormwater

The city's water resources engineering coordinator has reviewed the plans associated with the Minnetonka Hills Apartment proposal and finds them generally acceptable. However, if the project is approved some additional stormwater information must be submitted for review. As currently proposed, runoff would be captured by catch basins in the southeast corner of the property. Runoff would overflow into the natural depression area north of the catch basin.

Utilities

The following is intended to summarize the applicant's utility plans:

1. The proposed watermain would connect to the private main currently servicing the existing apartment building originating from Jordan Avenue.
2. The sanitary sewer service would be directionally bored to connect to the existing service in the cul-de-sac of Jordan Avenue. The applicant would need to confirm that construction method to ensure that the line could be directionally bored.
3. The city would require new easements over the new lines and connections.

Traffic and Parking

The city commissioned a traffic and parking study to understand:

1. Anticipated vehicle trip generation associated with the proposed Minnetonka Hills apartment;
2. Existing and anticipated intersection operations; and
3. Parking supply and demand.

In evaluating each of these items, the city's traffic engineering consultants referenced general engineering principles, as well as specific observations from the existing Minnetonka Hills Apartment buildings. The study concluded that:

1. While it is anticipated that the Minnetonka Hills Apartment project may slightly increase the delay at the studied intersections, the increase would not result in a change in the level of service.

2. While no mitigation is necessary from an intersection capacity, the following striping and traffic control modifications could be considered:
 - Restripe Jordan Avenue at the Cedar Lake Road intersection to include a dedicated left-turn lane and a shared through/right turn lane.
 - Consider an all-way stop at the Jordan Avenue/ US 169 Southbound ramp intersection.
 - Install speed advisory signage at the Minnetonka Hills driveway and along Jordan Avenue.
3. Though less than required by code, the proposed parking supply is expected to meet the demand for the site.

Park Dedication By City Code §400.040, park dedication fees in the amount of \$5,000 per residential dwelling unit are required. At 78-units, this amount is \$390,000.

Sidewalk Connection Initially staff discussed a secondary sidewalk connection to connect the northern end of the proposed parking lot to the sidewalk along Jordan Avenue. However, after further review, the additional sidewalk connection would result in additional tree loss.

PUD Standards By City Code §300.28, Subd. 19, a subdivision that results in a removal of more than 35 percent of the site's high priority trees or 25 percent of a woodland preservation area, must be developed under a PUD and staff will use the following to consider the extent to which steps were taken to preserve protected trees:

1. Using creative design, which may include the clustering of homes, reducing lot sizes, reducing or expanding normal setbacks, custom grading, retaining walls, buffers and establishing the size and location of building pads, roads, utilities and driveways;

Finding: Given the site's dense vegetation, it would be difficult to develop the property without removing a significant amount of the site's regulated trees. While it is unlikely that any high-density development of the site would be in full compliance with the city's tree protection ordinance, staff believes that more intuitive and innovative

site and building design could reduce the amount of necessary tree removal.

2. Preserving the continuity of woodland preservation areas by developing at the edges of those areas rather than at the core;

Finding: The proposal would not exceed the maximum removal amount of woodland preservation area allowed by ordinance. In fact, the proposal would not break up the continuity of the existing woodland preservation area.

3. Exercising good faith stewardship of the land and trees both before subdivision and after, including the use of conservation easements where appropriate; and

Finding: While the proposal would not meet this requirement outright, the city would require conservation easements over the woodland preservation area. The developer has also indicated a willingness to commit to a stewardship plan to remove buckthorn from the site.

4. Minimizing the impact to the character of the existing landscape and neighborhood.

Finding: While the developer incorporated retaining walls to reduce the amount of required grading, the proposal would undoubtedly change the character of the existing landscape and neighborhood.

Steep Slope

The city's ordinance defines a steep slope as a slope that:

- has an average slope of 20 percent or more;
- covers an area of at least 100 feet in width (side to side); and
- rises at least 25 feet above the toe of the slope.

By City Code §400.28, Subd. 20(b), staff will evaluate the extent to which the development meets the guidelines under each finding. While it is the intent of the ordinance to require compliance with as many of the guidelines as possible, the ordinance grants the city discretion to not require *total* compliance with *every* guideline if the overall finding is still achieved:

Ordinance Finding 1: The property is physically suitable for the design and siting of the proposed development will preserve significant natural features by minimizing disturbance to existing topographical forms.

a. Design developments into steep slopes, rather than making significant alterations to the slope to fit the development:

1. avoid building pads that result in extensive grading outside of the building footprint and driveway areas;

Staff Findings: While it is likely that the grading limits around the parking lot could be “tightened” to reduce the amount of required grading, the grading limits proposed do not extend a significant distance beyond the building footprint and parking area.

2. use retaining walls as an alternative to banks of cut-and-fill, and design and site such walls to avoid adverse visual impact;

Staff Findings: The proposal includes a number of retaining walls to reduce the need for cut-and-fill to accommodate the building pad.

3. allow for clustering with different lot shapes and sizes, with prime determinant being to maximize the preservation of the natural terrain;

Staff Findings: While the proposal includes preliminary and final plat, the subdivision is only to allow for separate ownership of the apartment buildings and would not be a requirement.

4. allow flag lots when appropriate to minimize grading;

Staff Findings: This standard does not apply.

5. avoid cuts and fills greater than 25 feet in depth; and

Staff Findings: While the ordinance does not outright prohibit “cuts” and “fills” in excess of 25

feet, the proposal would include a “cut” of 26 feet into the slope.

6. design grading to preserve the crest of prominent ridges. Buildings may be located on the prominent ridges, as long as the requirements of this subdivision are met.

Staff Findings: Staff is concerned with the amount of grading needed to create the building and parking pad. As proposed, these pads would require the prominent knolls and ridges of the site to be graded out.

- b. Design streets and driveways that generally follow existing contours, except where necessary for public safety or to minimize the adverse impacts from traffic:
 1. use cul-de-sacs and common drives where practical and desirable to preserve slopes; and
 2. avoid individual long driveways, unless necessary to locate the principal structures on a less sensitive areas of the site.

Staff Findings: The proposal would avoid a long driveway as the new apartment building would be served by a connection to the existing Minnetonka Hills Apartment driveway from Jordan Avenue.

- c. Concentrate development on the least sensitive portion of the site to maximize the preservation of significant trees and natural features:
 1. preserve sensitive areas by clustering buildings or using other innovative approaches; and

Staff Findings: The proposal would be located such that, while it would remove woodland preservation areas, it would not break up the continuity of the existing preservation area. That said, staff believes that the proposed building and parking lot would remove the existing and natural slope on the site.

2. maintain sufficient vegetation and design the scale of the development so that it does not overwhelm the natural character of the steep slope.

Staff Findings: The proposal would preserve some vegetation along Jordan Avenue. However, the proposal would remove a significant amount of vegetation east of the existing apartment building.

- d. Preserve steep slopes that buffer residences from non-residential sources of light and noise.

Staff Findings: It is very likely that the slope and associated vegetation provides some noise mitigation from US 169 for the existing Minnetonka Hills apartment building. Were the proposed building constructed, it would also provide a level of noise mitigation.

Finding 2: The development will not result in soil erosion, flooding, sever scarring, reduced water quality, inadequate drainage control, or other problems.

- a. Wherever practical, minimize the impervious surface area and maximize the use of natural drainage systems:
 1. design any new drainage systems away from neighboring properties, away from cut faces or sloping surfaces of a fill, and towards appropriate drainage facilities, whether artificial or natural. Drainage systems must comply with the city's water resources management plan; and
 2. use existing natural drainage system as much as possible in its unimproved state, if the natural system adequately controls erosion.

Staff Findings: Runoff would be directed to the catch basin and natural depression in the southeast corner of the site. However, staff believes that design alternatives could result in a reduction in the amount of impervious surface.

- b. Avoid building on or creating steep slopes with an average grade of 30 percent or more. The city may prohibit building on or creating slopes in the following situations:

1. where the city determines that reasonable development can occur on the site without building on or creating slopes; or
2. development on such slopes would create real or potentially detrimental drainage or erosion problems.

Staff Findings: The slopes onsite have an average grade of 26 percent.

- c. design slopes to be in character with the surrounding natural terrain;

Staff Findings: The proposal would significantly change the natural terrain of the site both aesthetically and physically.

- d. use benching, terracing, or other slope-stabilizing techniques for fill, as determined appropriate by the city engineer;

Staff Findings: The proposal includes a number of retaining walls, but does not incorporate benching or terracing.

- e. install and maintain erosion control measures during construction in accordance with the current Minnesota pollution control agency best management practices; and

Staff Findings: If the city decided to approve the project, this would be included as a condition of approval.

- f. revegetate disturbed areas as soon as practical after grading to stabilize steep slopes and prevent erosion, as required by the city.

Staff Findings: If the city decided to approve the project, this would be included as a condition of approval.

Finding 3. The proposed development provides adequate measures to protect public safety.

- a. limit the slopes of private driveways to not more than 10 percent, the driveway should have sufficient flat areas at the top and toe to provide vehicles a landing area to avoid

vehicles slipping into the adjacent street during icy conditions. The city may require a driveway turn-around; and

- b. provide sufficient access for emergency vehicles to reach the proposed buildings.

Staff Findings: Minor modifications would be needed to the site plan to meet this standard. However, it is likely compliance could be achieved.

Variance Standard

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

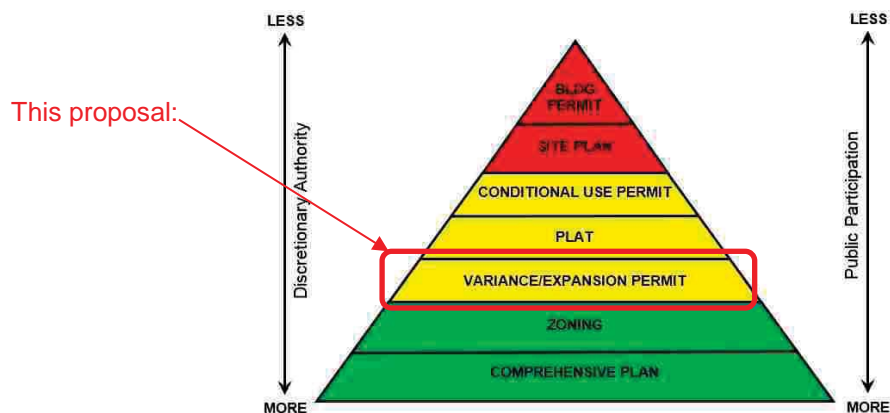
Natural Resources

If approved, best management practices must be followed during the course of site preparation and construction activities. This would include installation and maintenance of a temporary rock driveway, erosion control, and tree protection fencing. As a condition of approval the applicant must submit a construction management plan detailing these management practices.

Outside Agencies

The applicant’s proposal has been submitted to various outside agencies for review, including MnDOT and Hennepin County.

Pyramid of Discretion



Motion Options

The planning commission has three options:

1. Concur with staff's recommendation. In this case, a motion should be made recommending the city council adopt the resolution denying proposal.
2. Disagree with staff's recommendation. In this case, a motion should be made directing city staff to prepare a resolution, with findings, to approve the project "as-is" without modifications.
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.

Voting Requirement

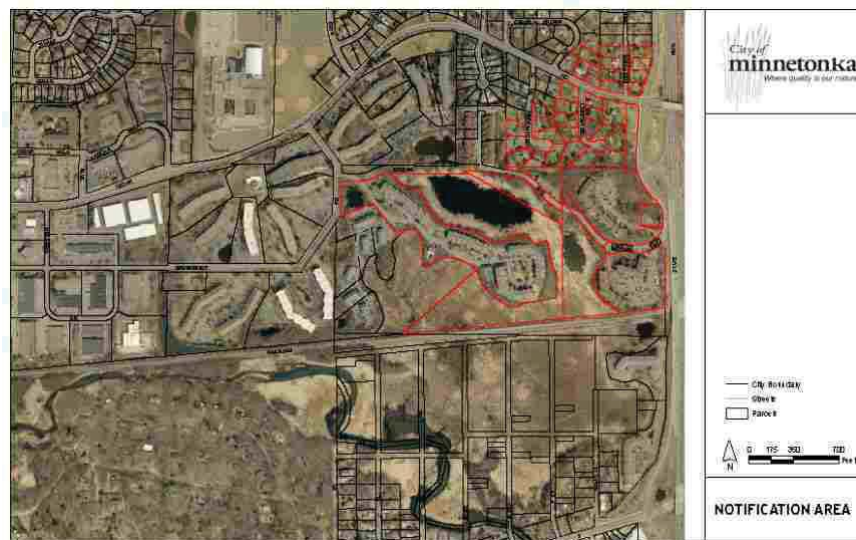
The planning commission will make a recommendation to the city council on all aspects of the applicant's proposal. A recommendation requires an affirmative vote of a simple majority.

The city council's final approval requires affirmative votes as follows:

- Master Development Plan amendment: 4 votes
- Site and Building Plans: 5 votes, due to the parking variance.

Neighborhood Comments

The properties in red were originally included in the notification area approved by city council as part of the ordinance introduction on April 24, 2017.



After some consideration, the townhomes at the end of Cove Drive, which initially fell outside of the city's traditional notification, area were included. This secondary mailing went out on May 31, 2017.

The city sent notices to a combined mailing total of 80 area property owners and received several comments. Their correspondence is attached.

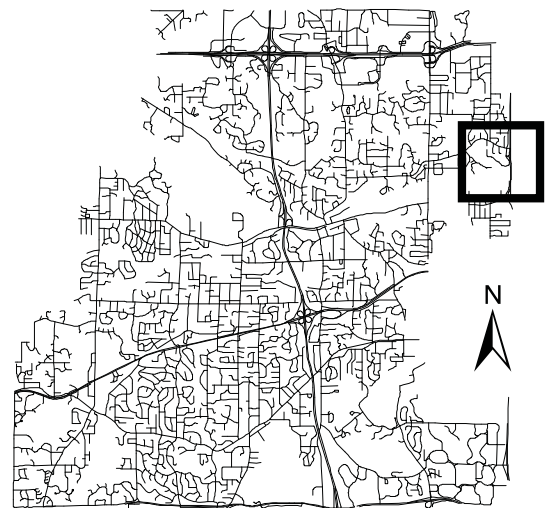
**Deadline for
Decision**

July 15, 2017



Location Map

Project: Minnetonka Hills Apartment 2nd Addn
Applicant: Alliant Engineering
Address: 2800/2828 Jordan Ave
Project No. 86157.17a



This map is for illustrative purposes only.



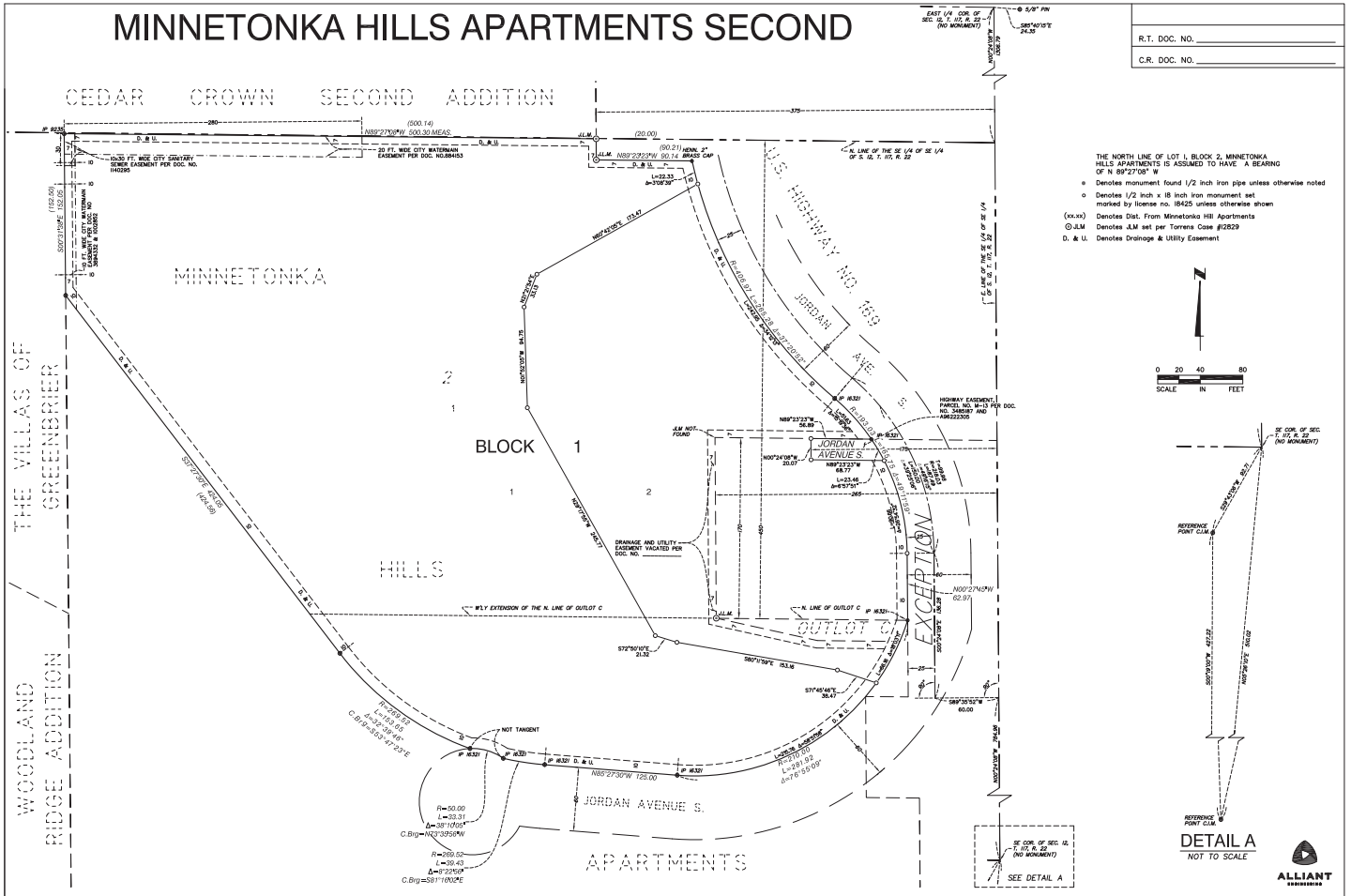
Context Map



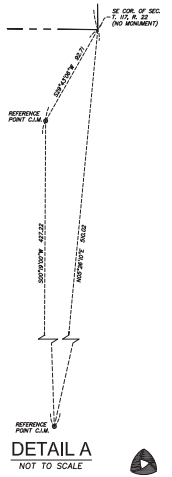
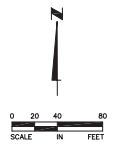
Current Proposal

MINNETONKA HILLS APARTMENTS SECOND

R.T. DOC. NO. _____
 C.R. DOC. NO. _____



- THE NORTH LINE OF LOT 1, BLOCK 2, MINNETONKA HILLS APARTMENTS IS ASSUMED TO HAVE A BEARING OF N 89°27'08" W
- o Denotes monument found 1/2 inch iron pipe unless otherwise noted
 - o Denotes 1/2 inch x 18 inch iron monument set marked by license no. 18425 unless otherwise shown
 - (x,xx) Denotes Dist. From Minnetonka Hill Apartments
 - ⊙ A.M. Denotes A.M. set per Torrens Case #2829
 - D. & U. Denotes Drainage & Utility Easement



TRE	Common Name	Scientific Name	DBH	Height (ft +/-)	Classification	Remarks	Removal Dates	Removal Status	Height (ft +/-)
170	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
171	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
172	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
173	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
174	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
175	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
176	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
177	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
178	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
179	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
180	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
181	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
182	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
183	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
184	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
185	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
186	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
187	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
188	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
189	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
190	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
191	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
192	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
193	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
194	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
195	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
196	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
197	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
198	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
199	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
200	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35

TRE	Common Name	Scientific Name	DBH	Height (ft +/-)	Classification	Remarks	Removal Dates	Removal Status	Height (ft +/-)
201	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
202	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
203	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
204	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
205	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
206	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
207	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
208	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
209	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
210	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
211	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
212	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
213	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
214	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
215	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
216	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
217	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
218	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
219	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
220	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35

TRE	Common Name	Scientific Name	DBH	Height (ft +/-)	Classification	Remarks	Removal Dates	Removal Status	Height (ft +/-)
221	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
222	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
223	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
224	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
225	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
226	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
227	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
228	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
229	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35
230	Red Pine	Pinus strobus	12	40	Significant	1	10/20/18	10/20/18	35

FOR REVIEW ONLY
PRELIMINARY
NOT FOR CONSTRUCTION

LEGEND:
 DENOTES TREES TO BE REMOVED
 DENOTES DEAD OR DYING TREES TO BE REMOVED

NOT SCALE
 ALL DIMENSIONS SHALL BE SUBJECT TO WHAT IS SHOWN ON THE ORIGINAL DRAWING
 ALL DIMENSIONS SHALL BE SUBJECT TO WHAT IS SHOWN ON THE ORIGINAL DRAWING
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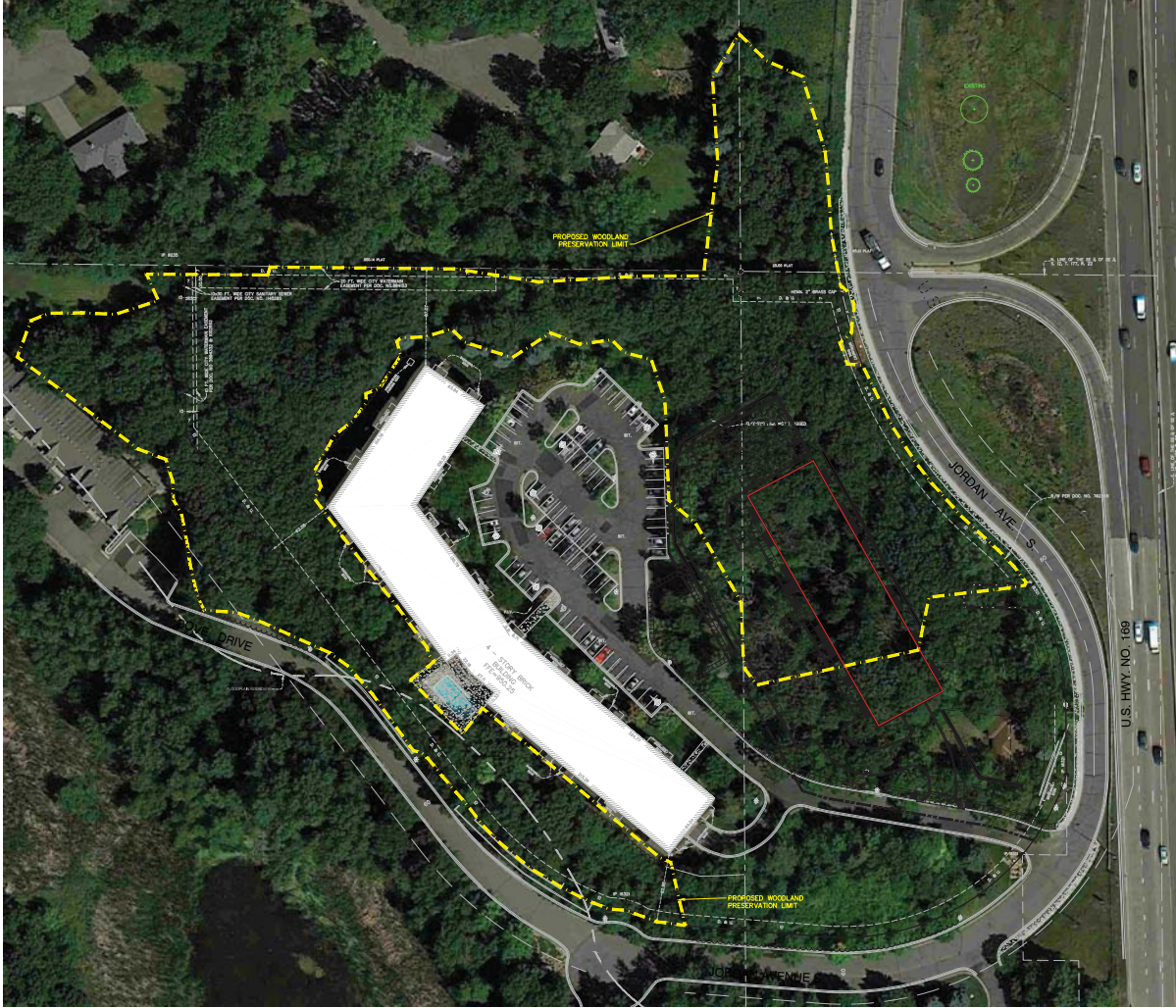
233 Park Ave S, Ste 300
 Minneapolis, MN 55415
 612.758.3099 FAX
 www.alliantenergy.com

MINNETONKA HILLS APARTMENTS
 2828 JORDAN AVE.
 MINNETONKA, MINNESOTA
 PUD AMENDMENT
 SIGNIFICANT TREE INVENTORY

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

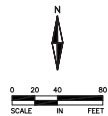
Date: _____ License No. _____
 QUALITY ASSURANCE/CONTROL
 BY: _____ DATE: _____
 DATE ISSUED: _____
 1-18-17 CITY COUNCIL
 PROJECT TEAM DATA
 DRAWING NO. _____
 SHEET NO. _____ OF _____
 PROJECT NO. 218-041


L-1.1



FOR REVIEW ONLY
PRELIMINARY
 NOT FOR CONSTRUCTION

WOODLAND PRESERVATION AREA DATA		
DESCRIPTION	AREA (A.C.)	PERCENT
WOODLAND PRES. AREA TO REMAIN	123,906	76%
WOODLAND PRES. AREA TO BE REMOVED	36,330	24%
TOTAL WOODLAND PRES. AREA ON SITE	160,236	100%
WOODLAND PRESERVATION AREA NOT INCLUDED IN CALCULATIONS		





ALLIANT
 CONSULTANTS

233 Park Ave S, Ste 300
 Minneapolis, MN 55415
 612.758.3080 FAX
 612.758.3099 FAX
 www.alliant-inc.com

MINNETONKA HILLS APARTMENTS
 2828 JORDAN AVE
 MINNETONKA, MINNESOTA
PUD AMENDMENT
WOODLAND PRESERVATION AREA

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

Date: _____ License No.: _____

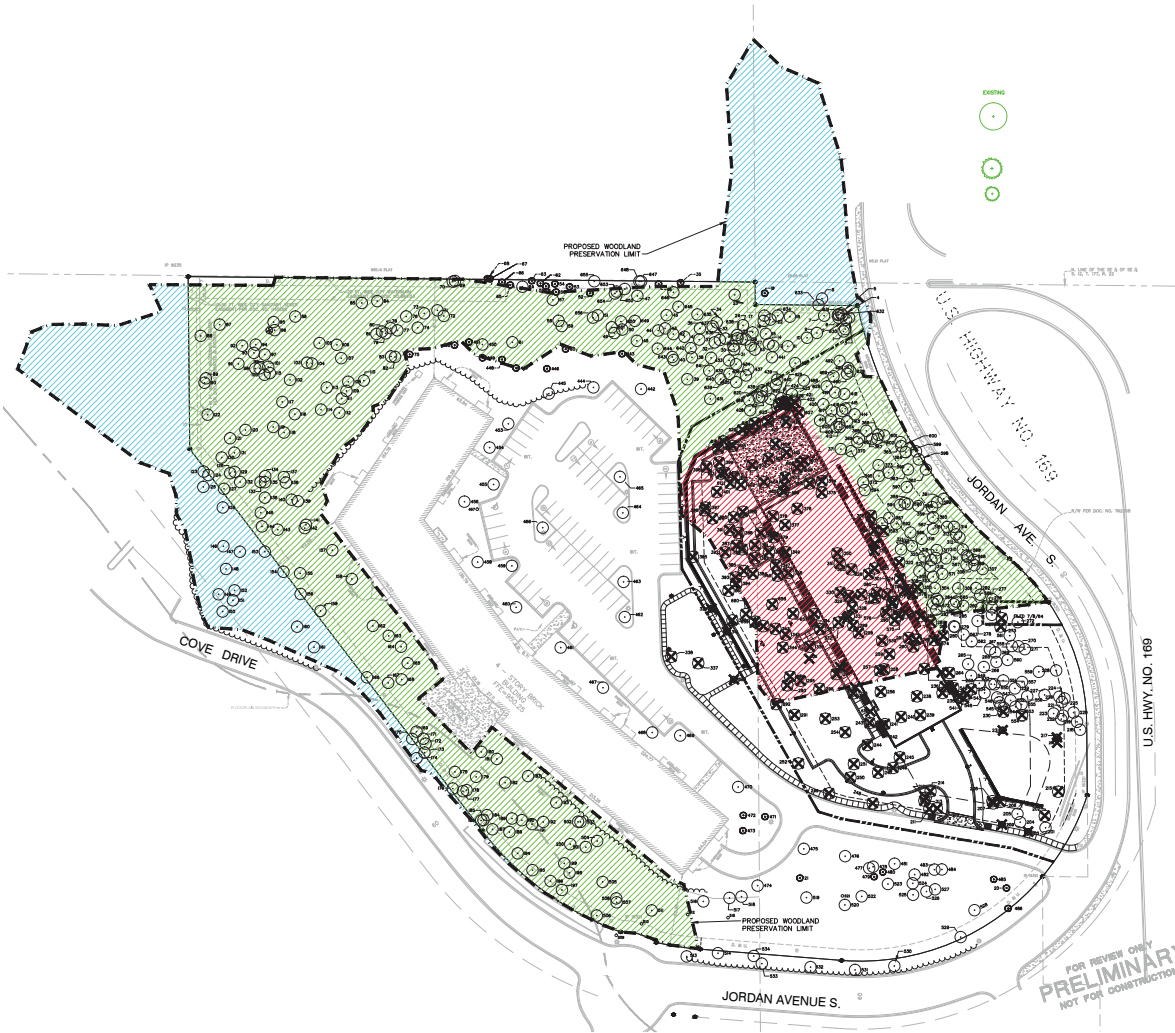
QUALITY ASSURANCE/CONTROL

BY	DATE	ISSUE

PROJECT TEAM DATA

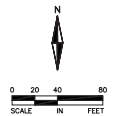
DESIGNED BY: _____
 CHECKED BY: _____
 PROJECT NO.: 216-0141

L-1.2



WOODLAND PRESERVATION AREA DATA		
WOODLAND PRES. AREA TO REMAIN	AREA (S.F.)	PERCENT
WOODLAND PRES. AREA REMOVAL	62,906	76%
WOODLAND PRES. AREA REMOVAL	24,330	29%
TOTAL WOODLAND PRES. AREA ON SITE	87,236	105%
OFF-SITE WOODLAND PRESERVATION AREA NOT INCLUDED IN CALCULATIONS	148,006	183%

- LEGEND**
- PROPOSED PRES. AREA REMOVAL
 - PROPOSED PRES. AREA TO REMAIN
 - PRES. AREA OFF SITE



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ALLIANT
MINNETONKA
233 Park Ave S, Ste 300
Minneapolis, MN 55415
612.758.3080 **WPH**
612.758.3099 **PHX**
www.alliant-inc.com

MINNETONKA HILLS APARTMENTS
2828 JORDAN AVE
MINNETONKA, MINNESOTA
PUD AMENDMENT
WOODLAND PRESERVATION AREA

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

CLARK WOLLING, PE License No. _____

Date _____

QUALITY ASSURANCE/CONTROL

BY _____ DATE _____

DATE _____ ISSUE _____

3-15-17 OFF-SITE COMMENTS

3-15-17 OFF-SITE COMMENTS

3-15-17 OFF-SITE COMMENTS

3-15-17 OFF-SITE COMMENTS

3-15-17 OFF-SITE COMMENTS

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3-15-17 OFF-SITE COMMENTS

3-15-17 OFF-SITE COMMENTS

3-15-17 OFF-SITE COMMENTS

PROJECT TEAM DATA
DESIGNED BY _____
CHECKED BY _____
PROJECT NO. 216-0141

L-1.3



MITIGATION CALCULATIONS:

TOTAL DBH INCHES ON SITE: 7833
 TOTAL DBH INCHES TO BE REMOVED: 2091 INCHES
 WITHIN BASIC TREE REMOVAL AREA: 1858 INCHES
 REMAINING INCHES TO BE REMOVED: 233 INCHES

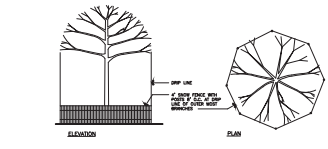
MITIGATION REQUIREMENTS:
 HIGH PRIORITY TREES = REPLACE 1 FOOT FOR EVERY FOOT REMOVED, 1 INCH PER INCH REMOVED
 TREES WITHIN WOODLAND PRESERVATION AREA = REPLACE 1 FOOT FOR EVERY FOOT REMOVED, 1 FOOT PER FOOT REMOVED
 SIGNIFICANT TREES = PROVIDE (1) 2" TREE FOR EACH TREE REMOVED

MITIGATION PROVIDED:
 CONIFEROUS: REMOVED 227.5 FEET HIGH PRIORITY CONIFEROUS TREES = 227.5 FEET NEW TREES REQUIRED
 PROVIDED = 22.7 FEET CONIFEROUS TREES, SEE LANDSCAPE PLAN
 DECIDUOUS: REMOVED 22 INCHES HIGH PRIORITY TREES = 22 INCHES NEW TREES REQUIRED
 PROVIDED = 22 INCHES, SEE LANDSCAPE PLAN
 REMOVED (9) SIGNIFICANT TREES = (9) 2 INCH = 18 INCHES NEW TREES REQUIRED
 PROVIDED = 18 INCHES, SEE LANDSCAPE PLAN
 TOTAL PROVIDED INCHES = 54 DECIDUOUS INCHES, 232 FEET CONIFEROUS
 SEE LANDSCAPE PLAN

NOTES:
 - HEIGHT TO DBH INCHES ASSIGNED TO BE 17 DBH = 3.0' HT. WHERE APPLICABLE
 - NO TREES TO BE DISTURBED WITHIN WOODLAND PRESERVATION AREA OUTSIDE OF BASIC TREE REMOVAL AREA

PRESERVATION NOTES:

- BEFORE ANY CONSTRUCTION OR GRADING OF DEVELOPMENT PROJECT IS TO OCCUR, A TREE PROTECTION FENCE (AT LEAST 4 FEET IN HEIGHT AND STAKED WITH POSTS NO LESS THAN EVERY 5 FEET) SHALL BE INSTALLED AROUND THE DRIP LINE OF WOODED AREAS. THE DRIP LINES OF SIGNIFICANT/HIGH PRIORITY TREES TO BE PRESERVED OR AT THE PERIMETER OF THE CRITICAL ROOT ZONE (WHICHEVER IS GREATER). SIGNS SHALL BE PLACED ALONG THE FENCE LINE IDENTIFYING THE AREA AS A TREE PROTECTION AREA AND PROHIBITING GRADING BEYOND THE FENCE LINE. THIS FENCE MUST REMAIN IN PLACE UNTIL ALL GRADING AND CONSTRUCTION ACTIVITY IS TERMINATED.
- NO EQUIPMENT, CONSTRUCTION MATERIALS OR SOIL MAY BE STORED WITHIN THE DRIP LINES OF ANY SIGNIFICANT TREES TO BE PRESERVED.
- NO ENCRICHMENT, LAND DISTURBANCE, GRADE CHANGE, TRENCHING, FILLING, COMPACTION OR CHANGE IN SOIL CHEMISTRY SHALL OCCUR WITHIN FENCED AREAS PROTECTING SIGNIFICANT TREES.
- CONTRACTOR TO PREVENT THE CHANGE IN SOIL CHEMISTRY DUE TO CONCRETE WASHOUT AND LEAKAGE OR SPILLAGE OF TOXIC MATERIALS, SUCH AS FUELS OR PAINTS.
- DRAINAGE PATTERNS ON THE SITE SHALL NOT CHANGE CONSIDERABLY CAUSING DRASTIC ENVIRONMENTAL CHANGES IN THE SOIL MOISTURE CONTENT WHERE TREES ARE INTENDED TO BE PRESERVED.
- DEAD, DISEASED OR DYING SIGNIFICANT TREES WERE NOT INCLUDED AS PART OF THE EXISTING TREE INVENTORY.
- NO SIGNIFICANT TREES SHALL BE REMOVED UNTIL THIS TREE PRESERVATION PLAN IS APPROVED BY THE CITY OF MINNETONKA.
- REFER TO THE LANDSCAPE PLAN FOR MITIGATION/REFORESTATION SPECIES, CALIBER INCHES AND PLANTING LOCATION.
- HIGH PRIORITY TREE = MORE THAN 15 INCHES DBH DECIDUOUS (EXCLUDING BOX ELDER, ELM, POPULAR, WILLOW, SILVER MAPLE, BLACK LOCUST, AMUR MAPLE, FRUIT TREES, MULBERRY, NORWAY MAPLE) OR 20" PLUS CONIFEROUS (EXCLUDING COLORADO SPRUCE OR PLANTED SCREENS).
- SIGNIFICANT TREE = ANY DECIDUOUS TREE MORE THAN 8 INCHES DBH OR ANY CONIFEROUS TREE OVER 15 FEET IN HEIGHT.



1 TREE PROTECTION DETAIL

TREE LEGEND:

- EXISTING SIGNIFICANT/HIGH PRIORITY TREE TO BE PROTECTED
- EXISTING SIGNIFICANT/HIGH PRIORITY TREE TO BE REMOVED
- CRITICAL ROOT ZONE RADIUS (1.5xDBH) FOR PRESERVED TREES
- TREE PROTECTION LIMITS
- BASIC TREE REMOVAL AREA (MITIGATION NOT REQUIRED)
- WOODLAND PRESERVATION AREA

**FOR REVIEW ONLY
PRELIMINARY
NOT FOR CONSTRUCTION**

N

0 15 30 60
SCALE IN FEET

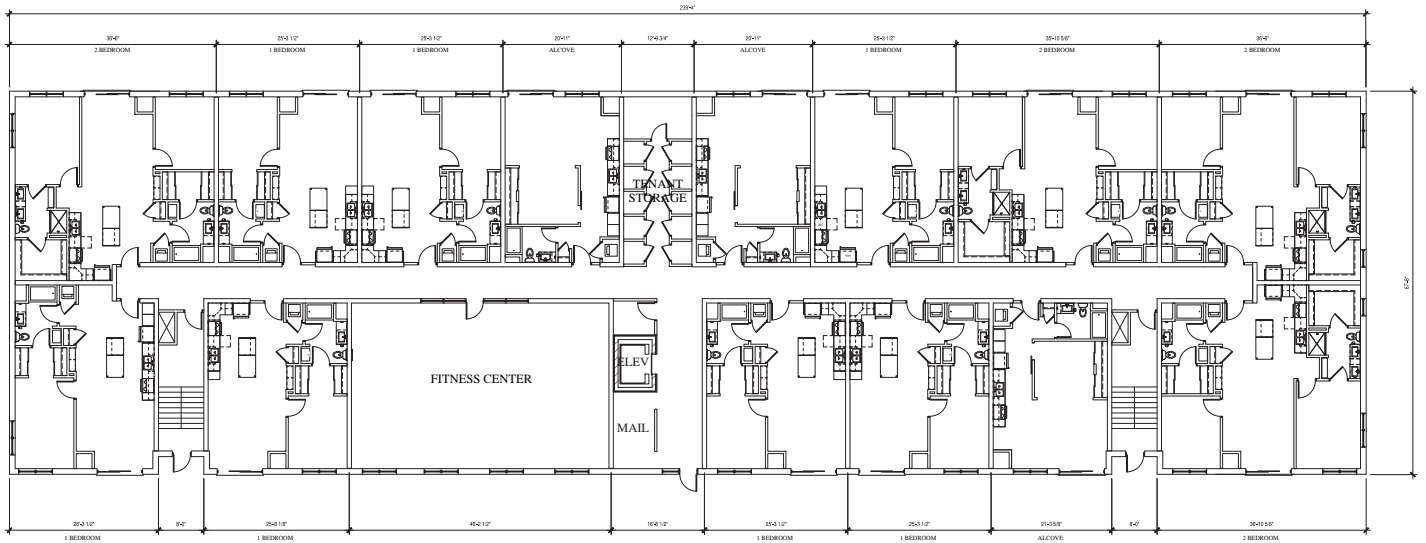
ALLIANT
 233 Park Ave S, Ste 300
 Minneapolis, MN 55415
 612.758.3080 FAX
 612.758.3099 FAX
 www.alliant-inc.com

**MINNETONKA HILLS APARTMENTS
 2828 JORDAN AVE.
 MINNETONKA, MINNESOTA
 PID AMENDMENT
 TREE PRESERVATION PLAN**

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

Date	License No.
QUALITY ASSURANCE/CONTROL	
BY	DATE
DATE	ISSUE
7-17-17 CITY SUBMITTAL	
8-18-17 CITY COMMENTS	
PROJECT TEAM DATA	
DRAWN	WK
CHECKED	JG
PROJECT NO.	218-044

L-1.4



FIRST FLOOR PLAN
1/8" = 1'-0"



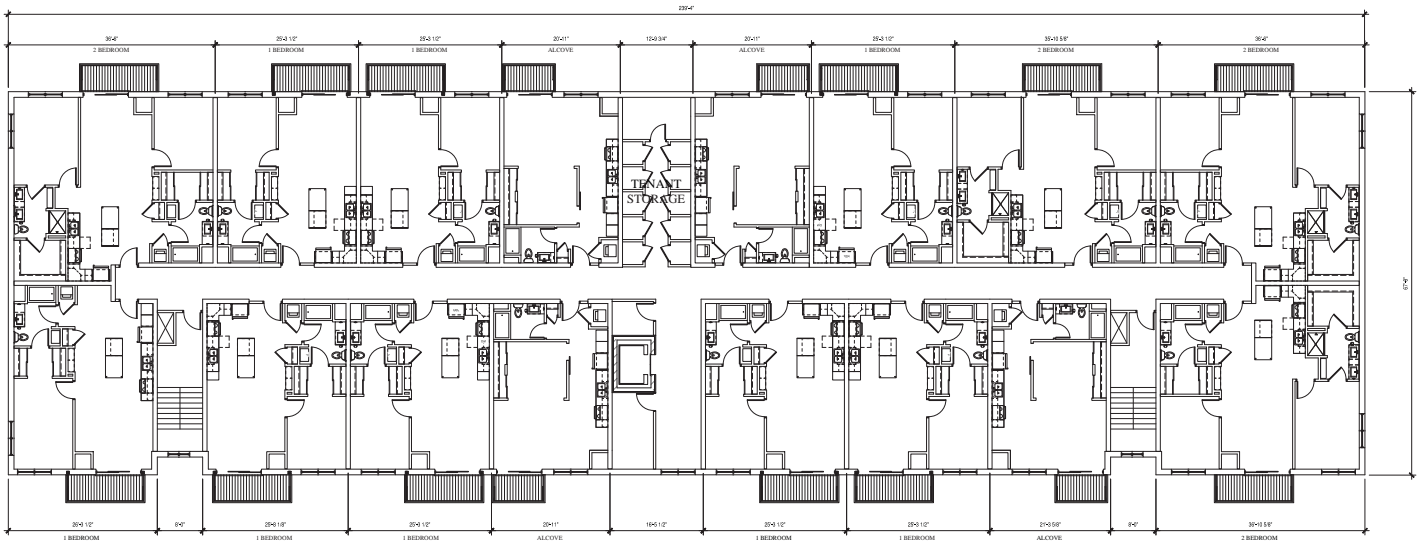
BUILDING SUMMARY		
BUILDING/SITE DATA		
•	5 STORIES/78 UNITS	
•	14 UNITS FOR 1ST FLOOR	
•	16 UNITS PER STORY 2-5	
•	UNIT MIX	
	ONE BEDROOM/1 BATH =	39 UNITS (50%) 720 SF
	ALCOVE/1 BATH =	19 UNITS (24%) 589 SF
	TWO BEDROOM/2 BATH =	20 UNITS (26%) 1082 SF
	TOTAL	78 UNITS

MINNETONKA HILLS APARTMENTS

MINNETONKA, MN

DATE: MARCH 14, 2017
DRAWN BY: JOHN FERRIER

CSM 900 Washington Avenue South, Suite 1000
Minneapolis, MN 55415
Phone: 612.336.2921 Fax: 612.336.2922
DEVELOPING REAL ESTATE FOR PEOPLE,
BUSINESS & COMMUNITIES



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



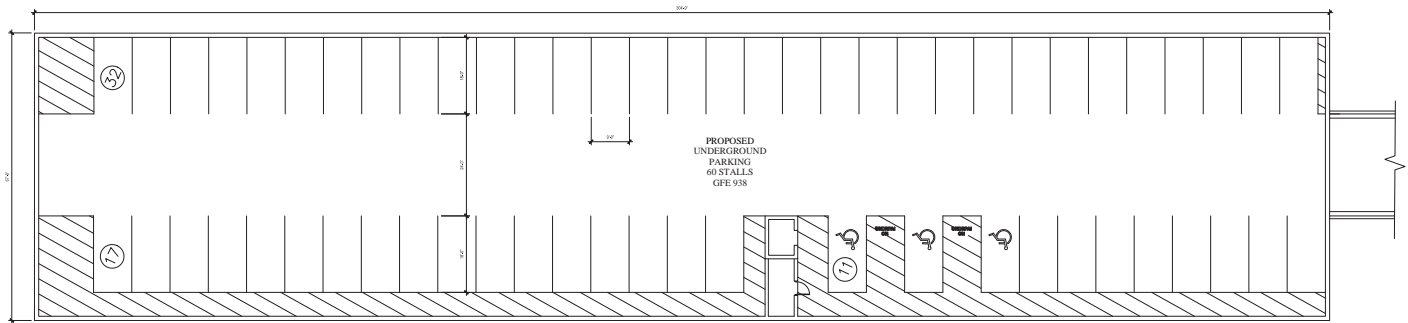
BUILDING SUMMARY

BUILDING/SITE DATA		
• 5 STORIES/78 UNITS		
• 14 UNITS FOR 1ST FLOOR		
• 16 UNITS PER STORY 2-5		
• UNIT MIX		
ONE BEDROOM/1 BATH =	39 UNITS (50%)	720 SF
ALCOVE/1 BATH =	19 UNITS (24%)	589 SF
TWO BEDROOM/2 BATH =	20 UNITS (26%)	1082 SF
TOTAL		78 UNITS

MINNETONKA HILLS APARTMENTS
MINNETONKA, MN

DATE: MARCH 14, 2017
DRAWN BY: JOHN FERRIER





12 GARAGE FLOOR PLAN
3/20/17





NORtheast ELEVATION
10'-1/2"

MATERIAL KEY		
◆ BRICK VENEER	◆ BALCONY WITH ALUMINUM RAILING	◆ OVERHEAD GARAGE DOOR
◆ BRICK SOLDIER COURSE	◆ FIBERGLASS WINDOWS	◆ CAST-IN-PLACE CONCRETE
◆ PREFINISHED METAL COPING	◆ PRIVACY DIVIDER	
◆ INSULATED METAL PANELS	◆ MAGIC PAK	
◆ PREFINISHED FIBER CEMENT SIDING	◆ SLIDING GLASS DOOR	



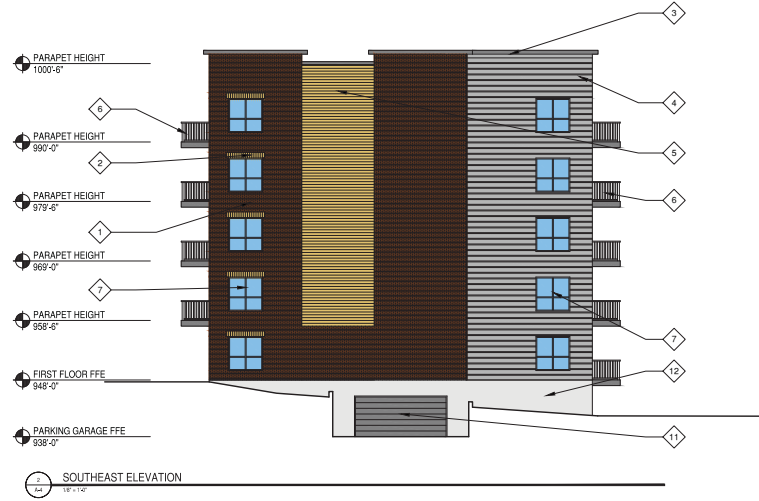
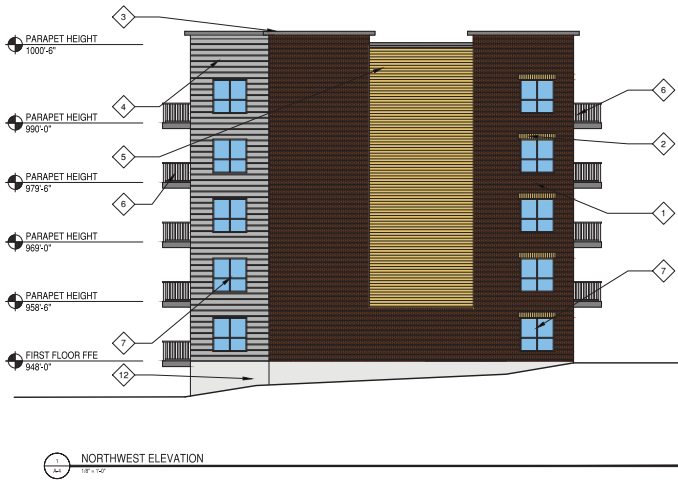
SOUTHWEST ELEVATION
10'-1/2"

MINNETONKA HILLS APARTMENTS

MINNETONKA, MN

DATE: MARCH 14, 2017
DRAWN BY: JOHN FERRIER

CSM
900 Washington Avenue South, Suite 3000
Minneapolis, MN 55415
Phone: 612.336.2900 Fax: 612.336.2902
DEVELOPING REAL ESTATE FOR PEOPLE,
BUSINESS & COMMUNITIES



MATERIAL KEY		
◇ BRICK VENEER	◇ BALCONY WITH ALUMINUM RAILING	◇ OVERHEAD GARAGE DOOR
◇ BRICK SOLDIER COURSE	◇ FIBERGLASS WINDOWS	◇ CAST-IN-PLACE CONCRETE
◇ PREFINISHED METAL COPING	◇ PRIVACY DIVIDER	
◇ INSULATED METAL PANELS	◇ MAGIC PAK	
◇ PREFINISHED FIBER CEMENT SIDING	◇ SLIDING GLASS DOOR	

MINNETONKA HILLS APARTMENTS

MINNETONKA, MN

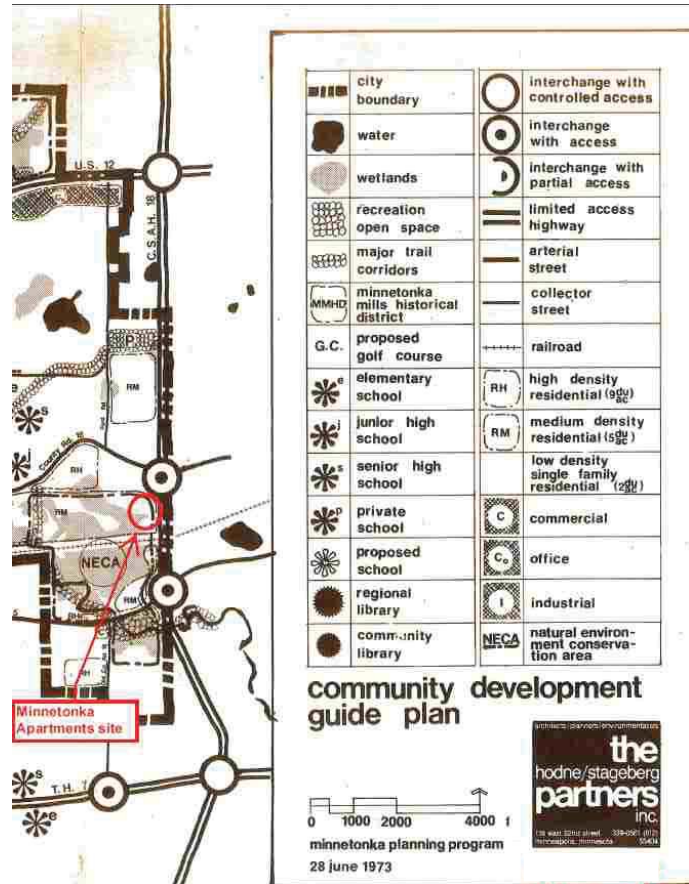
DATE: MARCH 14, 2017
DRAWN BY: JOHN FERRIER



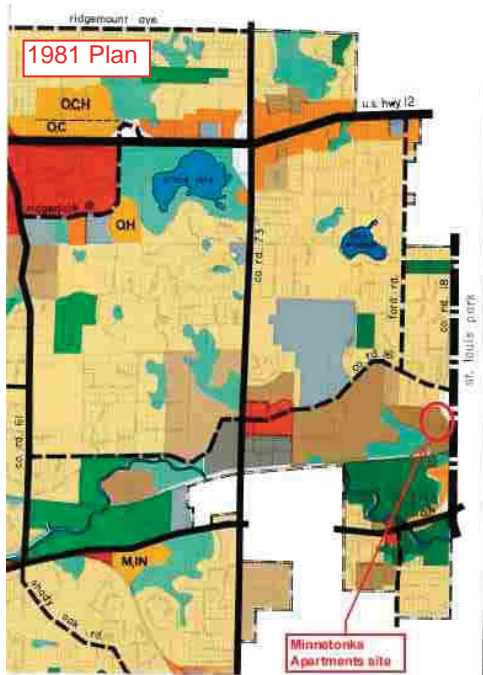
Comprehensive Plan



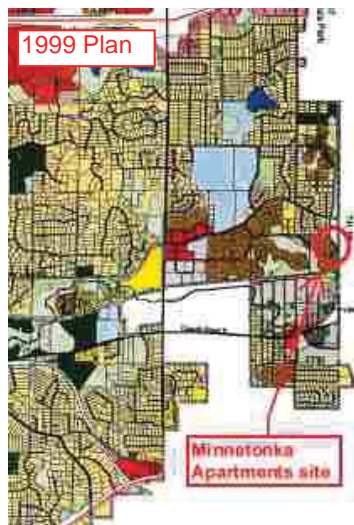
1962 Plan:
 Subject property guided for industrial



1973 Plan:
 Subject property guided for Medium Density Residential



Subject Property Designation:
 1981: High Density Residential
 1999: High Density Residential
 2008: High Density Residential



Historical Aerials

Historical Photos



1966



1986



1988



1991

Past Staff Reports

Staff Report:
May 2, 1985

TO : Planning Commission and Members of the City Council
THROUGH : Ann Perry, Director of Planning
FROM : Paul Krauss, Senior Planner
MEETING DATE : May 2, 1985
SUBJECT : Rezoning Petition No. 401, R-4 to P.U.J. "CSM Apartment Project" and Master Development Plan Review
APPLICANT : Gary Holmes, for the CSM Corporation
LOCATION : 2804/2808 Jordan Avenue, generally located west of County Road 18, north of the Burlington-Northern Railroad tracks, east of Greenbrier Apartments and south of Cedar Lake Road.

PROPOSAL/SUMMARY: The applicants propose to construct 248 apartment units in 3 buildings on a 19 acre site which is guided for High Density residential uses. The site is presently zoned R-4, Multiple Family Residential. A previous proposal for 143 units at a density of 13.6 units per acre on 10.92 acres was continued by the Planning Commission in April of 1984 due to design and traffic concerns.

The plan envisions the construction of a 90 unit, 3 story building on the wooded hillside. An 83 unit 3-story structure and a 75 unit 4-story building would be located in the mined-out area located in the southern portion of the property. The buildings are attractively designed, featuring face brick exteriors, individual porches and pitched roofs. Underground parking is provided as are two private swimming pools. Access will be provided via Jordan Avenue which will ultimately be extended from the current cul-de-sac, to provide a loop road connection to Greenbrier Drive. Right-of-way will be dedicated to the west property line and a portion of the street will be constructed under this proposal.

In our opinion, the plan is well designed and represents a great improvement over the applicant's previous attempts to develop this property. The site's natural amenities, including mature tree cover, steep slopes and the wetland, are worked into the plan in a manner that maximizes their preservation. Landscaping, grading and building siting are utilized to provide a high standard of buffering for the single family neighborhood to the north. Internal circulation and access is well planned although there are several aspects of the issue which must yet be resolved.

The primary concern of staff is the overall traffic implications of this proposal and the potential need for roadway extensions. We are concerned that the proposed cul-de-sac street without the street extension will not be able to serve the number of units proposed in the development. Coupled with this concern is a potential for adverse safety conditions at the present intersection of Jordan Avenue with County Road 18 and Cedar Lake Road. A second concern of staff is the potential noise impacts to the railroad tracks located to the south and the quality of the buffer between these tracks and the buildings. It is our position that these noise impacts should be reviewed prior to the City granting rezoning approvals. A last concern deals with the half acre single family homestead that is located to the northeast of this property. If this property cannot be acquired by the developer a high standard of screening should be incorporated to protect the home from impacts associated with the development.

Four minor variances are required with this development. Three of the variances relate to parking. These include a 12 stall variance for enclosed parking, a 26 stall variance based upon a "proof of parking" concept and a 10' parking setback variance at the southeast corner of the site adjacent to County Road 18. In our opinion, the variances are warranted as an improved plan results. In addition, the plan will ultimately support the total number of stalls required by the ordinance. The final variance is for a 13' setback reduction between Building 2 and future Jordan Avenue extension. We believe this request is reasonable given the building configuration and buffering that will be provided for the road.

Because of staff's concerns regarding the traffic implications for this development and the fact that the developers did not submit a traffic report, staff is recommending that a rezoning from B-4 to P.U.D. not be approved at this time. However, we do feel that an approval should be given to a Concept Plan as provided in the P.U.D. ordinance to allow for a plan for the developer to base a traffic report and an Environmental Assessment Worksheet on. It is our opinion that an EAW should be completed prior to the rezoning in order to ascertain what the potential noise impacts will be as well as to determine any potential impacts involving the roadway extension construction. In conclusion, we do feel that the developer has admirably improved the project and the project is one that staff can support provided that the traffic report and Environmental Assessment Worksheet conclude that the development is appropriate given the surrounding public improvements in the area.

BACKGROUND :

On June 19, 1967, the Minnetonka Village Council gave second reading to a request to rezone the Weiser & Slade property from R-1 to R-4. This property, located at the NW corner of the intersection of County Road 18 and the Burlington-Northern Railroad tracks constitutes the southern 12.4 acres of the current CSM proposal. The development concept called for the construction of 90 townhomes on the property. The parcel is currently controlled by Herb Mason who also owns vacant property located west of the site.

On May 9, 1968, the Minnetonka Village Council granted final approval to rezoning the Lahr property from R-1 to R-4. The Lahr property constitutes the northern 6.5 acres of the current CSM proposal.

On August 3, 1981, the City Council approved a Conditional Use Permit for grading and excavation to allow the mining of gravel for County Road 18 construction. Herb Mason, the current property owner, was the applicant for the C.U.P. The grading was to occur on the southern 12.4 acres of the current CSM site. A copy of the approved plan and minutes are included in the appendix of this report. A development concept was also approved by the City which called for the construction of 195 dwelling units and for the road connection between Jordan Avenue and Greenbrier Drive. The road connection was similar to the one approved in conjunction with the Greenbrier project in the early 1970's.

On February 2, 1984, the Planning Commission was scheduled to review the original CSM request. Due to concerns raised by staff, the applicant pulled the item to modify the proposal. At that time the CSM proposal would have occupied an 8.5 acre site including the 6.5 acre Lahr property and the northern 2 acres of the property owned by Herb Mason. The proposal called for constructing 143 apartments in one, six-story structure.

On April 19, 1984, the Planning Commission reviewed CSM's development proposal. Since the item was pulled from the February 2, 1984 agenda, the site area was increased to 9.3 acres by the addition of more of the Mason property. It is significant to note that nearly 10 acres of the Mason property located along the railroad tracks would have remained as an exception to the proposal. The Planning Commission and staff voiced a variety of concerns with the submittal which called for the construction of 143 apartments. Project density was to have been 13.6 units per acre. Due to concerns with traffic, density, building height and setbacks, the request was continued.

SITE CHARACTERISTICS: The 19 acre site contains three distinct areas. Land to the north is a heavily forested hilltop that is currently occupied by a single family residence (the Lahr homestead). The highest point on the property, 974' is found in this area. Slopes fall steeply away to a 904' elevation located in the wetland to the southwest. The land mass slopes down on the north and east as well although not as steeply as on the bluff oriented to the southwest.

Moving to the south, one encounters a large area that was mined for fill material used in the construction of County Road 18. This area is largely flat and elevated approximately 7' above the wetland. Having been mined the area is devoid of trees except along the wetland fringe.

The western portion of the property is occupied by a large wetland associated with Minnehaha Creek. The wetland is protected by City ordinance as well as being a designated Public Waters protected by the MndNR.

Surrounding land uses include:

- North - Single family homes fronting on Cedar Crest Road, a cul-de-sac with access to Cedar Lake Road. The homes are located approximately 30' below the crest of the hill found on the CSM site.
- South - Burlington-Northern Railroad tracks.
- East - County Road 18. There is also a 1/2 acre homestead occupied by a single family home that is shown as an exception on the CSM proposal. The property survey indicates that the south wall of the home may actually be located on the CSM site. The home shares a driveway to Jordan Avenue with the Lahr home. Jordan Avenue is a City street that ends in a cul-de-sac adjacent to the subject site. Plans approved for the Greenbrier development show an extension of Jordan Avenue to the west with a connection to Greenbrier Drive.
- West - Condominiums and apartments comprising the Greenbrier complex.

GENERAL SITE DESIGN/ARCHITECTURE: The plan is designed around an extension of Jordan Avenue to the west, towards Greenbrier Drive. The street provides the sole means of access to the property. It also divides the site roughly in half, separating the high, wooded hill from the mined out area.

Development planned for the north half of the property is very well sited. The building will be located on the south/west facing bluffline. This location provides for exciting views out over the wetland. At the same time, a high degree of tree preservation is provided through a sensitive grading plan. A surface parking lot is located north/east of the building and will not be visible from any off-site location due to grading and tree preservation. The site plan will result in locating the 90 unit building and parking slightly below the crest of the north-facing bluff. Since the homes to the north are already situated substantially below site grades, the residents should have little or no direct views of the CSM development.

A 1/2 acre single family homestead adjacent to Jordan Avenue is not included in the CSM site. From a planning standpoint we view this as rather unfortunate as the home will be surrounded by high density development. Due to site topography, the homestead does not appear to represent a buildable site for CSM. Nevertheless, its incorporation could be used to justify an increase in project density. If it remains a free-standing lot, the CSM plan will have to incorporate adequate buffering to ensure that the residential environment is maintained. As proposed, the home will share the CSM access drive to Jordan Avenue. The site survey indicates that the home is actually located 4' into the CSM parcel. The southwest corner of the home will be located only 15' from the access drive making an appropriate buffer difficult to develop.

The south half of the property does not contain many natural features worth protecting due to the previous mining operations. Views to the west out over the wetland are its only natural amenity. Site constraints include proximity to County Road 18 and the Burlington-Northern Railroad tracks. The plan calls for developing two buildings in this area. The larger 83 unit (Building 1) is oriented towards the wetland. The building is located in a manner that attempts to maximize the setback from the railroad tracks but the attempt is not entirely successful. We suggest that the building may suffer from serious noise and vibration impacts from the railroad since the mainline track is located only 85' from the building. The problem is exacerbated by the fact that the building and the railroad are located at the same elevation. The landscape buffer concept currently proposed by the plan is inadequate. Staff is recommending that the applicant increase the height from 3 to 4 stories while keeping the number of apartments constant. This modification will result in decreasing the size of the building footprint and enabling the setback from the tracks to be increased. The 75 unit building will be 4 stories as opposed to the 3 stories of the other two structures. The height will offer views of the wetland over the 83 unit building to the west.

Due to the current lot division request, staff requested that a new development concept be prepared for the remaining land. The revised concept prepared for the original February submittal calls for the construction of 134 units in two buildings for a density of 12.6 units per acre. The applicant for the lot division has not provided a revised concept based upon CSM's current acquisition plans. Due to the reduced amount of area remaining, the February concept would result in a density of 16.8 units/acre. The road connection was maintained although it was shifted to a more northerly location.

The parcel has undergone extensive mining and consequently, contains few natural features of significance. Approximately the western 1/3 of the parcel is located under a large wetland. The Burlington Northern Railroad tracks form the southern boundary.

Little effort was devoted to preparing the plan as evidenced by the lack of detail. The revised road location appears to work from an engineering and traffic flow standpoint. However, as noted in the staff report on the CSM site plan, the alignment raises numerous questions regarding cost, timing and environmental damage.

Staff cannot recommend approval of the lot division request until an acceptable development concept has been provided and the questions regarding Mr. Mason's participation in the road are resolved. We have no serious objections to the lot division request in principle. However, if it is permitted to occur the 2.6 acres should be merged with the balance of CSM's property to create one tax parcel.

STAFF COMMENT :

This project has a long and difficult history. Staff began working with the developer early last summer and since then experienced a series of delays due to poor design concepts and incomplete or inadequate submittals. Over the course of these negotiations the quality of the plan has gradually improved. However, the ultimate product unfortunately falls short of our expectations. Staff finds that we cannot support this request for the following reasons:

1. Generally poor design concept and execution.
2. The site is too intensively developed to meet the intent of the R-4 District.
3. Access plans do not include adequate consideration of the road connection between Jordan Avenue and Greenbrier Drive.
4. Inadequate consideration given to the future development of remaining Mason parcel south of the site and the single family home located on Jordan Avenue.
5. Inadequate consideration of tree preservation.
6. Plan modifications are required in the areas of grading, drainage, utilities, fire safety and architecture.
7. Three variances are required for building height, and number of parking spaces (enclosed and total spaces) that staff is unable to justify.

STAFF RECOMMENDATION: Staff recommends that Site Plan Review No. 222 and Preliminary Plat No. 1535 be denied for reasons noted above.

/jhf

TO : Planning Commission and Members of the City Council

THROUGH : Ann Perry, Director of Planning

FROM : Paul Gross, Senior Planner

MEETING DATE : November 21, 1985

SUBJECT : Final Site Plan Review No. 222-B

APPLICANT : Gary Holmes, for the GSM Corporation

LOCATION : 2804/2808 Jordan Avenue, generally located west of County Road 16, north of the Burlington-Northern Railroad tracks, east of Greenbrier Apartments and south of Cedar Lake Road.

PROPOSAL/SUMMARY.

The applicants are proposing to construct 240 apartments in 3 buildings on a 19 acre site. The site is zoned for high density residential development and is currently zoned R-4 Multiple Residential. The project will result in a development density of 12.66 units per acre which is at the low end of the acceptable range for high density development. The City Council rezoned the site to P.U.D. and gave it Master Development Plan approval on October 28, 1985.

This project, in a number of variations has been frequently reviewed by staff and the Planning Commission. Over time, the site expanded from 6.53 acres to the current 19 acres. Most recently, a revised development concept proposing 248 apartments was reviewed and approved by the Planning Commission and City Council in the Spring of this year.

The current proposal represents a high quality residential project that is sensitive to protecting the natural features of the site and the single family neighborhood located to the north. It is a refined version of the plan which received Master Development Plan approval from the City. The plan provides the construction of an 89 unit, 3-story building on the wooded hillside. A 79 unit 4-story structure and a 72 unit 4-story building would be located in the mined-out area located in the southern portion of the property. The buildings are attractively designed, featuring face brick exteriors, individual porches and pitched roofs. Each structure is fully sprinklered. Underground parking is provided as are two private swimming pools. Access will be provided via Jordan Avenue. The street will terminate in a cul-de-sac at the west driveway. Right-of-way for the extension of Jordan Avenue to Greenbrier Road will need to be dedicated although the road is not likely to be built in the near future. The right-of-way will preserve the extension option for the City should the road ever be needed.

Plans have been refined since the original Master Development Plan submittal. Staff is recommending several additional modifications, mostly in the areas of landscaping and tree preservation. These improvements are not considered to be major and can be handled by staff prior to issuing building permits.

The Environmental Assessment Worksheet for the project has been circulated to the review agencies. Comments are generally favorable although the review period is being extended to November 29 due to additional information on sanitary sewer flows, requested by the MnPCA.

A Final Plat will shortly be prepared and submitted to the City Council. The plat will dedicate the Jordan Avenue right-of-way, provide all requested easements and create three outlots. Outlot A will cover the right-of-way for the Jordan Avenue extension. Outlot B will be dedicated to the City to protect the wetland. Outlot C will be transferred to an adjoining property owner to rectify a surveying error and provide the home with standard R-1 setbacks.

A total of five variances are required. These include:

- 8' building setback from the south property line for Building 1;
- 13' building setback from Jordan Avenue for Building 2;
- 21 stalls covered by a proof-of-parking concept;
- 27 enclosed stalls; and
- 22% hardsurface coverage.

In our opinion, the variances are reasonable and result in an improved site plan.

Based upon the foregoing, staff is recommending that the site plan be approved with variances, subject to appropriate stipulations.

BACKGROUND

On June 19, 1967, the Minnetonka Village Council gave second reading to a request to rezone the Weiser & Slade property from R-1 to R-4. This property, located at the NW corner of the intersection of County Road 18 and the Burlington-Northern Railroad tracks constitutes the southern 12.4 acres of the current CSM proposal. The development concept called for the construction of 90 townhomes on the property. The parcel is currently controlled by Herb Mason who also owns vacant property located west of the site.

On May 9, 1968, the Minnetonka Village Council granted final approval to rezoning the Lahr property from R-1 to R-4. The Lahr property constitutes the northern 6.5 acres of the current CSM proposal.

On August 3, 1981, the City Council approved a Conditional Use Permit for grading and excavation to allow the mining of gravel for County Road 18 construction. Herb Mason, the current property owner, was the applicant for the C.U.P. The grading was to occur on the southern 12.4 acres of the current CSM site. A copy of the approved plan and minutes are included in the appendix of this report. A development concept was also approved by the City which called for the construction of 195 dwelling units and for the road connection between Jordan Avenue and Greenbrier Road. The road connection was similar to the one approved in conjunction with the Greenbrier project in the early 1970's.

On February 2, 1984, the Planning Commission was scheduled to review the original CSM request. Due to concerns raised by staff, the applicant pulled the item to modify the proposal. At that time the CSM proposal would have occupied an 8.5 acre site including the 6.5 acre Lahr property and the northern 2 acres of the property owned by Herb Mason. The proposal called for constructing 143 apartments in one, six-story structure.

On April 19, 1984, the Planning Commission reviewed CSM's development proposal. Since the item was pulled from the February 2, 1984 agenda, the site area was increased to 9.13 acres by the addition of more of the Mason property. It is significant to note that nearly 10 acres of the Mason property located along the railroad tracks would have remained as an exception to the proposal. The Planning Commission and staff voiced a variety of concerns with the submittal which called for the construction of 143 apartments in a single multi-story building. Project density was to have been 13.6 units per acre. Due to concerns with traffic, density, building height and setbacks, the request was continued.

On May 2, 1985, the Planning Commission reviewed a revised Concept Plan that called for 248 apartments and a gross density of 13.6 units per acre. The plan represented a large improvement over earlier proposals. Under the P.U.D. Ordinance, a non-binding Concept Plan approval was granted. Area residents object to impacts of the proposed roadway connection to Greenbrier Road.

On June 6, 1985, the City Council granted the project a concept approval.

On September 5, 1985, the Planning Commission reviewed an application for rezoning to P.U.D., Master Development Plan approval, Preliminary Plat and EAW review. Plans had been revised as recommended by staff to utilize a 4-story building near the railroad tracks to increase setbacks and reduce the impact of rail traffic on the residents. Based upon a report by the City's traffic consultant, staff recommended that Jordan Avenue not be extended to Greenbrier Drive. Projected traffic demand did not appear to warrant road construction. Instead, it was recommended that right-of-way be taken to permit road construc. in should it ever be required.

The Planning Commission recommended that the requests be approved.

On October 7, 1985, the City Council granted First Reading to the Rezoning Petition and approved the Master Development Plan an EAW. The EAW was sent out to reviewing agencies. The Council agreed with staff and Planning Commission recommendations regarding Jordan Avenue.

On October 24, 1985, the City Council gave Second Reading to the rezoning request.

SITE CHARACTERISTICS: The 1^{1/2} acre site contains three distinct areas. Land to the north is a heavily forested bluff that is currently occupied by a single family residence (the homestead). The highest point on the property, 974' is found in the bluff. Slopes fall steeply away to a 904' elevation located in the wetland to the southwest. The land mass slopes down on the north and east as well although not as steeply as on the bluff oriented to the southwest.

Moving to the south, one encounters a large area that was mined for fill material used in the construction of County Road 18. This area is largely flat and elevated approximately 7' above the wetland. Having been mined the area is devoid of trees except along the wetland fringe.

The western portion of the property is occupied by a large wetland associated with Minnehaha Creek. The wetland is protected by City ordinance as well as being a designated Public Waters protected by the MdDNR.

Surrounding land uses include:

- North - Single family homes fronting on Cedar Crest Road, a cul-de-sac with access to Cedar Lake Road. The homes are located approximately 30' below the crest of the hill found on the CSM site.
- South - Burlington-Northern Railroad tracks.
- East - County Road 18. There is also a 1/2 acre homestead occupied by a single family home that is shown as an exception on the CSM proposal. The property survey indicates that the south wall of the home may actually be located on the CSM site. The home shares a driveway to Jordan Avenue with the Lahr home. Jordan Avenue is a City street that end in a cul-de-sac adjacent to the subject site. Plans approved for the Greenbrier development show an extension of Jordan Avenue to the west with a connection to Greenbrier Road.
- West - Condominiums and apartments comprising the Greenbrier complex.

GENERAL SITE DESIGN/ARCHITECTURE: The plan is designed around an extension of Jordan Avenue to the west, towards Greenbrier Road. The street provides the sole means of access to the property. It also divides the site roughly in half, separating the high, wooded hill from the mined out area.

Development planned for the north half of the property is very well sited. The building will be located on the south/west facing bluffline. This location provides for exciting views out over the wetland. At the same time, a high degree of tree preservation is provided through a sensitive grading plan. A surface parking lot is located north/east of the building and will not be visible from any off-site location due to grading and tree preservation. The site plan will result in locating the 84 unit building and parking slightly below the crest of the north-facing bluff. Since the homes to the north are already situated substantially below site grades, the residents should have little or no direct views of the CSM development.

A 1/2 acre single family homestead is not included in the CSM site. We have often stated a preference to have this parcel incorporated into the site. However, prevailing grades make it an unattractive site for multi-family development with the CSM proposal.

In the past we have noted that a portion of the homestead is located on the CSM property due to an apparent surveying error when the home was built. CSM has created a .06 acre outlot (Outlot C) with the stated intent to dedicating it to the homeowner. Outlot C will provide the home with the standard R-1 15' sideyard setback. Title to Outlot C should be transferred to the homeowner concurrently with the Final Plat.

The home will gain access to Jordan Avenue via the private driveway to the north CSM building. An appropriate cross access easement should be provided with the plat. Buffering with existing spruce trees and new plantings will be provided.

The south half of the property does not contain many natural features worth protecting due to the previous mining operations. Views to the west out over the wetland are its only natural amenity. Site constraints include proximity to County Road 18 and the Burlington-Northern Railroad tracks. The plan calls for developing two buildings in this area. The larger 79 unit (Building 1) is oriented towards the wetland. The building is located in a manner that attempts to maximize the setback from the railroad tracks.

Utilizing proposals by staff, the wing of Building 1 that was located nearest the tracks has been deleted. The setback is currently 40' to the property line and approximately 80' to the tracks. While the setbacks are similar to those provided by the approved Concept Plan, the modifications to the building footprint has greatly reduced the structures exposure to the tracks. Information contained in the E.A.W. indicates that State and Federal noise guidelines will be met.

The MnPCA has reviewed the submitted EAW and voiced some concerns with noise impacts. State noise guidelines recommended by the MnPCA are somewhat more severe than Federal standards. Federal standards will apparently be met but State standards may be exceeded for the southern building due to rail traffic. We would like the applicant to work with the MnPCA on this issue. However, we note that the proposed 70'-80' setback is identical to that which exists for the Ponds and Klott buildings located to the west. In our opinion, the applicants have made an excellent attempt to mitigate noise impacts by a combination of building and siting landscaping.

The proposed buildings will be attractive 3 and 4 story structures. Exterior materials include face brick with wood trim. Porches will be provided as will pitched roofs. Each structure is provided with underground parking. One and two bedroom apartments will be provided. One bedroom units will contain 754 sq. ft., two bedroom units will have either 985 sq. ft. or 1,024 sq. ft. depending upon location.

Two outdoor swimming pools will be provided. The pool serving the north building will be located in a central location on a bluff overlooking the wetland. The pool area will be used to visually break the 390' long structure into two wings. The two southern buildings will be served by a pool located in a landscaped area between the north building and County Road 18.

No details are provided on trash storage or the placement of HVAC equipment. With buildings of this scale, staff is requiring that trash storage be centrally located within the structure and HVAC equipment be placed on the roof behind the peaks.

ACCESS/TRAFFIC :

Jordan Avenue is currently a cul-de-sac which serves only two homes and dead-ends at the CSM site. It has a poor connection to Cedar Lake Road via the County Road 18 on-off ramp. Historically, plans developed since the late 1960's and early 1970's concurrent with the Greenbrier development, envisioned the extension of Jordan Avenue to the west where it would connect to Greenbrier Road. The historic connection was to take an alignment directly across the wetland, to a long peninsula of developable property that remains vacant to this day. However, a preliminary study was never completed to document this need.

Throughout the course of staff reviews of the various CSM proposals, obtaining the road connection has been a primary issue due both to the roads history, and our belief that the road was required to promote safe and efficient access in the area. A new alternative alignment was developed for the road which we believed to be more environmentally sensitive. The new route took the road around the north shore of the wetland and avoided most of the filling that would otherwise have been required. CSM has been willing to work with staff on the roadway and would have dedicated right-of-way and undertaken much of the grading.

After the Concept Plan was reviewed by the City, Benshoof and Associates was retained to study alternatives, undertake an analysis of traffic demand and make any appropriate recommendations. Their report strongly indicates that the road connection is not required to maintain the safe and efficient flow of traffic through the area. The roadway would improve access for several types of trips in the area and may offer some improvement for emergency vehicle access and response times, however, these improvements are not considered to be widespread or significant. Based upon this

analysis, we have concluded that the large expenditure of funds that would be required for this road and significant potential for environmental damage to the wetland and tree cover, cannot now be justified.

Meetings with Hennepin County have indicated that the Jordan Avenue/Cedar Lake Road/County Road 18 intersection can be altered to improve the safety and efficiency of access to the CSM parcel. The County had already programmed signalization and some improvement for this intersection. The improvements include construction of a second north bound lane to provide for a free right turn and stacking area. The County is proposing to add a median extension to improve access into the CSM parcel. These improvements are illustrated on an attached map and will be made in 1986.

Based on these conclusions, we are recommending that Jordan Avenue terminate in a cul-de-sac which should be located at the west entrance to the southern half of the CSM site.

While we have no reason to dispute the traffic analysis, we would like to keep the option of the road connection open should it ever prove to be required. Therefore, we are recommending that the applicant dedicate an outlot for right-of-way purposes over the projected northern alignment. We do not intend to require that the alignment be graded due to concern for tree preservation and wetland protection.

After reviewing the available data both the Planning Commission and City Council concurred with the staff recommendation.

Plans have been revised to incorporate the cul-de-sac adjacent to the western-most entrance to the site. The street will be public. The applicant should petition the City for roadway construction. Preliminary plans indicate that grades will not exceed 5%. Final plans should be submitted with the Final Plat.

Roadway plans are acceptable with the following modifications:

1. The western driveway should enter the cul-de-sac at a right angle with a standard curb cut.
2. Stop signs should be provided at all three driveways.
3. Grading on the north side of the street is too steep to be stabilized or serve as planting areas. We believe that stepped retaining walls designed by an engineer are required.
4. The north driveway should be redesigned to enter the street at a right angle while providing adequate sight distance and safe grades.

PARKING

Parking will be provided by a mix of underground and surface stalls. Based upon the ordinance, the 240 unit development should have a total of 480 parking stalls with 240 enclosed. A total of 482 stalls is being proposed which exceeds ordinance requirements.

The applicant is requesting a variance for 27 enclosed stalls. Staff is supporting this variance due to the improved site plan that results. At our recommendation, Buildings 2 and 3 are 4-story rather than 3-story structures. This configuration permits reduced hardsurface coverage, improved views and increased setbacks from County Road 18 and the railroad tracks. The only problem is that the applicant cannot provide sufficient underground parking within the reduced building footprint. We are recommending that the required variance be approved. The shortfall will be made up by surface stalls.

The applicant is also requesting approval to avoid building 21 stalls under a proof-of-parking concept. The variance would increase green space and tree preservation and could be made available if necessary. We also note that the applicant has agreed to provide one enclosed stall with each apartment. Staff was concerned that a parking shortfall could have arisen if underground stalls were extra cost options.

Internal circulation in the parking lots is well designed and acceptable without modification. The large number of landscaped traffic islands is particularly worthy of note.

LANDSCAPING

A revised landscaping plan has been provided for review. The plan contains several excellent features, however, additional refinements are warranted.

The plan offers a high degree of tree preservation. Existing tree cover will be maintained over large portion of the northern hill and bluffline. The trees include a large number of spruce trees and oaks. The tree cover combined with proposed and existing grades will provide a high level of screening for the single family homes located to the north (refer to the site sections supplied by the applicant). Mature trees will also screen the northern building site from County Road 18 in addition to providing a significant amount of buffering for the 1/2 acre single family lot that may remain along Jordan Avenue. Trees will also be preserved along the wetland fringe. A sump area located between Building 2 and Jordan Avenue will benefit from tree preservation and become an attractive buffer for the building.

Staff is highly supportive of the applicant's efforts at tree preservation. However, due to the large number of trees and the dense stands they are located in, it is essential that staff walk the site with the applicant to stake preservation areas prior to undertaking any grading. Final grading plans would be revised by staff to maximize preservation. Transplantation of existing trees should be an essential part of the project. Trees up to 8"-10" in diameter can usually be moved with a good chance of survival. Based upon experience from other plans in the City we disagree with the applicants assertion that the maximum size for transplantation is 5". Landscaping plans should be modified during construction to account for transplantation.

Tree preservation along the steep slope west of Building 3 is not clear from the grading plan. We prefer to see grading stop at the building line with work undertaken from above. The plans appears to accomplish this but are not very well defined in this area.

New plant material is being proposed to supplement tree preservation. In general, the planting concept is well designed. Parking lot and foundation plantings are particularly well done. We find the landscaping plan to be acceptable with the following modifications:

1. Increase minimum plant sizes to meet ordinance requirements.
2. Increase the size of the spruce trees that buffer the southern building from the railroad tracks to 10'-12' minimum. Add at least 10 more spruce trees along the top to the retaining wall to provide additional screening and noise mitigation.
3. The landscape buffer that protects the 1/2 acre homestead largely consists of unidentified trees designated for preservation. If these trees are not dense enough to provide adequate protection for the home, 8'-10' spruce trees should be added.
4. Planting along County Road 18 should include a mix of conifers to provide year-round screening from the highway.

Plans for the required underground irrigation system should be provided for review and approval by staff.

The ordinance requires a landscape budget of \$87,600 for this project. Projected expenditures total \$75,000. We find this to be acceptable due to the large amount of tree preservation being proposed.

PUBLIC UTILITIES:

There are two watermains located on the CSM site. A 10" line will need to be relocated, at the developers expense, to accommodate Building 3.

Sanitary sewer is available in the vicinity of the site. However, a new public line must be extended across an adjoining parcel of property before it reaches the CSM site. The applicants must obtain an easement for this line from the owner. The easement should be aligned with the proposed extension of Jordan Avenue across the property to avoid having to relocate it in the future. The sewer line should be located in a manner that minimizes tree removal. We are recommending that staff be permitted to assess the impact of final sewer plans on tree cover and be able to require reforestation if warranted.

FIRE SAFETY

It is not possible to construct fire lanes around any of the structures due to the presence of steep slopes, mature trees or wetland. Consequently, all buildings are to be fully sprinklered. The Fire Marshal will need to review and approve the locations of necessary fire hydrants.

GRADING/DRAINAGE:

With a project of this magnitude, large scale grading is unavoidable. We are not greatly concerned with grading on the south 1/2 of the site since it has already been subjected to extensive gravel mining operations. Grading on the north site is much more critical due to the desire to maximize tree preservation. In general, the grading plan is well designed and should result in the creation of good building sites while maximizing tree preservation. The grading is particularly well designed in the northwest corner of the site where it will provide an excellent buffer between the project and single family homes to the north. Staff would like to see the following elements incorporated into the final grading plan.

- The grading plan should be coordinated with the tree preservation plan in a manner that makes it possible for staff to work with the developer to maximize preservation. Staff may make modifications to the grading plan or require the use of retaining walls to enhance the protection of mature trees.
- The plan includes several retaining walls which will be used to protect the public street and/or county Road 18. Due to their size and importance, plans should be prepared by a registered structural engineer. We have reviewed the plans and believe that retaining walls should be required along the north side of Jordan Avenue. We feel the walls are warranted to stabilize the steep slopes and provide suitable areas for landscaping.
- The applicants have indicated a conceptual erosion control plan on their submittals. The plan should be refined as necessary to protect the slopes and wetland and satisfy the requirements of the watershed district.
- The grading plan has been modified to improve buffering between Building 1 and the railroad tracks. A retaining wall and 4' high berm have been added. These improvements coupled with heavy landscaping and the revised building footprints results in what we believe to be a high level of screening from the tracks.
- Based upon Planning Commission and City Council action, Jordan Avenue will be paved only up to the westernmost driveway. Plans have been modified to provide the required cul-de-sac.

The preliminary drainage plan is acceptable to staff. All land located below the 904' contour will be incorporated into an outlet and dedicated to the City. A sump and drainage easement will also be provided for the sedimentation pond. A series of catch basins and storm sewer will be used to run all stormwater into a sedimentation pond, prior to flowing into the wetland. The sedimentation pond is designed as an attractive landscaping amenity for the project.

Project approval by the Minnehaha Creek Watershed District and the MnDNR will be required.

PLATTING/EASEMENTS:

The applicants will need to submit a Preliminary Plat for approval to subdivide the site. Right-of-way for Jordan Avenue will need to be dedicated. Provisions should be made to permit the construction of a new cul-de-sac located in the vicinity of the west entrance to the south site.

The wetland (below 904' contour) and approximate location of the north alignment for the Jordan Road right-of-way will need to be platted into outlets and dedicated to the City. Outlet A provides right-of-way for the Jordan Avenue extension should the Council ever determine that construction is warranted. It will be dedicated to the City. Outlet C will be given to the 1/2 acre homestead located on Jordan Avenue. The outlet will be used to correct an underlying surveying error and provide standard R-1 sideyard setbacks.

The following easements should be provided on the Preliminary Plat:

- Standard drainage and utility;
- Sump and drainage easements over the sedimentation pond; and
- Easements covering all public water and sewer extensions.

The preliminary plat must be submitted prior to building permit issuance.

CURRENT ZONING : The site has been rezoned to P.U.D. and the Master Development Plan for the CSM project has been approved.

GUIDE PLAN : The site is guided for High Density Residential development. The proposed plan is consistent with this designation.

COMPLIANCE WITH THE ORDINANCE: P.U.D.

	<u>Ordinance</u>	<u>Proposed</u>
Minimum Project Size	5 acres	18.95 acres
Project Density	12 units/acre minimum	12.66 units/acre
F.A.R.	0.5	0.33
Lot Coverage	35%	9%
Building Setback		
Building 1	N 35'(wetland) E 50' S 40' W 35'(wetland)	N 35' E 300' S 40' V ₁ W 35'
Building 2	N 48' E 50' S 48' W 35'(wetland)	N 35' V ₂ E 128' S 240' W 110'(wetland)
Building 3	N 35' E 35' S 35' W 35'(wetland)	N 86' E 340' S 63' W 155'
Parking	480 Total 240 Enclosed	482 stalls V ₃ 213 Enclosed V ₄
Parking Setback	25'	N 90' E 40' S 20' W n/a
Hardsurface Coverage within 150' of the Wetlands	15%	22% V ₅

Variations Required:

- V₁ - 8' variance for building setback from the south property line for Building 1.
- V₂ - 13' setback variance from Jordan Avenue for Building 2.
- V₃ - 21 stalls to be made available under "proof of parking" concept.
- V₄ - 27 enclosed stalls.
- V₅ - Variance for 22% hardsurface coverage within 150' of wetland.

ENVIRONMENTAL ASSESSMENT WORKSHEET:

The project is large enough to require a mandatory Environmental Assessment Worksheet. The EAW was prepared and sent out to the usual review agencies. Responses have been received from the Metro Council, Metro Waste Control Commission, Minnehaha Creek Watershed District, MnDOT, MnPCA, and MnDNR.

Most of the responses are favorable and indicate that an EIS is not required. The responses are attached to this report. The MnPCA has requested some additional information on sanitary sewage flows. The data has been prepared and is currently being submitted to the agencies. The review period has been extended to November 29 to permit an adequate review of the addendum.

STAFF COMMENT :

Staff has been working with the applicant on this project for an extraordinarily long period of time. The proposal has been redesigned several times since the earlier efforts were found to be unacceptable by staff and the Planning Commission. The result is a plan which we believe to be very well designed and which we are recommending you approve subject to appropriate stipulations.

In our opinion, the proposal offers:

- Attractive architecture and residential amenities;
- High levels of site design;
- Substantial preservation of mature trees, attractive landscaping;
- Protection for the wetland;
- Excellent protection for the low density residential neighborhood to the north;
- Enhanced protection for the community and improved development flexibility offered by the P.U.D. as opposed to utilizing the underlying R-4 zoning.

The Final Site Plan incorporates several refinements to the Master Development Plan. Of note is the incorporation of the cul-de-sac for Jordan Avenue; refined landscape plan and improved buffering from the railroad tracks. We also note that a Preliminary Plat will shortly be prepared and submitted to the City. The plat will transfer a 0.063 acre parcel to the 1/2 acre homestead located on Jordan Avenue to correct a surveying error and provide buffering for the home.

Staff has proposed that several additional modifications be incorporated. Most would result in improved tree preservation and buffering.

The EAW has received an initial review and most of the agency comments are favorable. The MnPCA had several comments on noise impacts and recommended a noise standard. We are asking the applicant to work with the PCA but note that in our opinion, the plan incorporates several refinements designed to minimize noise impacts from the railroad. We also note that the project appears to meet federal noise guidelines and is consistent with other multi-family development in the area.

Finally, the plan requires a total of five variances. There is a 13' setback variance to permit a 35' setback from Jordan Avenue for Building 2. The variance was created when staff recommended that the building height be increased from 3 to 4 stories to improve site design. We note that Jordan Avenue is essentially an internal road in this area and that there will be little or no adverse impact.

Building 1 has an 8' setback variance to permit a 40' setback from the railroad tracks. We note that the building is carefully sited to minimize impacts of the railroad. The building was also changed from 3 to 4 stories for the same reason. We also note that only a small corner of the building intrudes into the setback.

There are two parking variances. The first is to provide 217 out of 240 required enclosed parking stalls. The variance results from staff's recommendation to increase building height and reduce coverage to improve site design. We also note that the applicant has agreed to allocate an enclosed stall with each apartment rather than make them extra cost options, to avoid a parking shortfall with surface stalls. The second parking related variance is for 21 parking stalls which would not be constructed under a proof-of-parking concept.

The final variance is to permit 22% hardsurface coverage within 150' of a wetland. We note that hardsurface coverage has been slightly decreased from the concept plan and that the project is well designed from the standpoint of environmental protection.

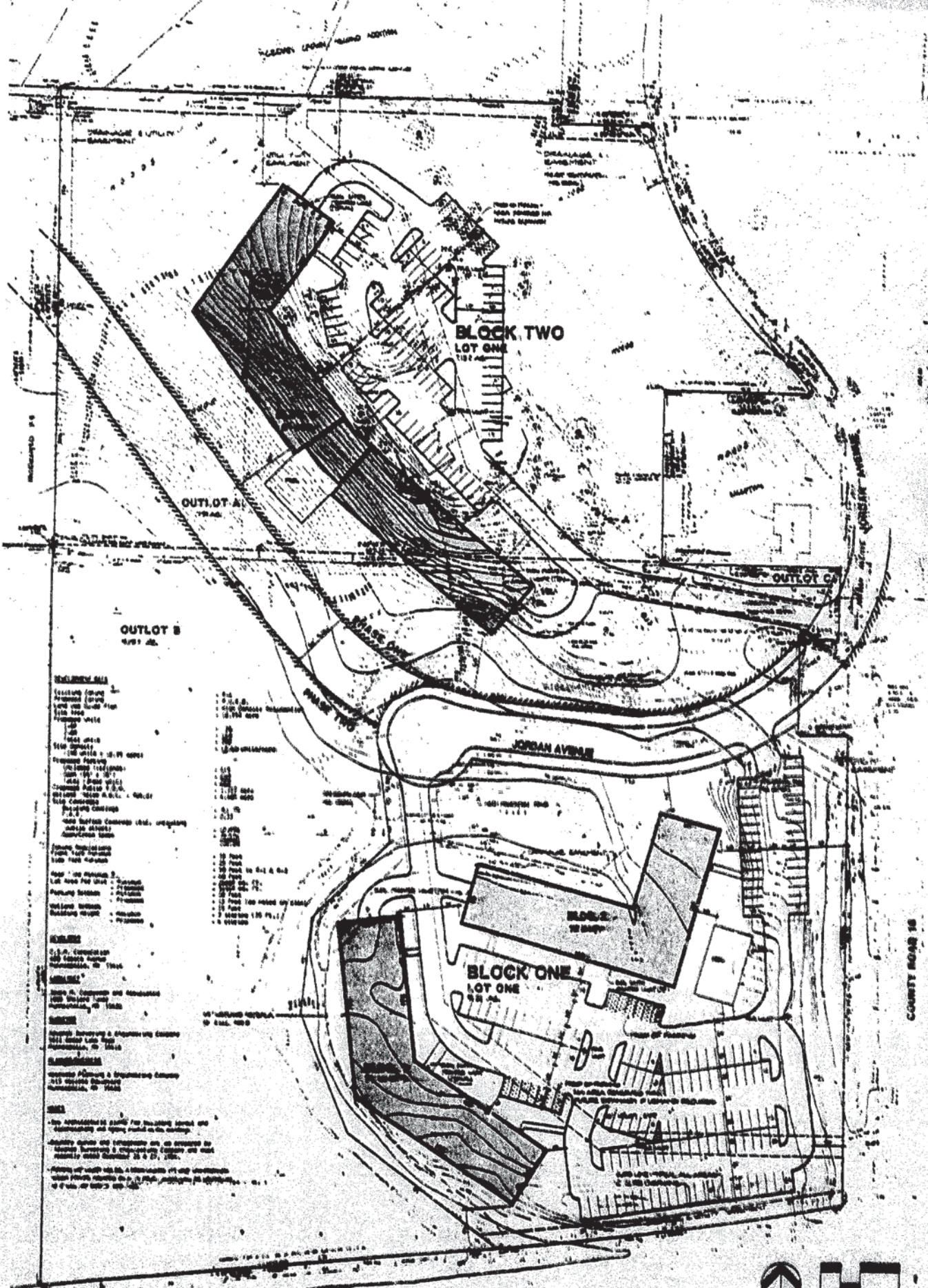
STAFF RECOMMENDATION: Staff recommends approval of Final Site Plan No. 222-B with the following variances:

1. 8' setback variance from the south property line for Building 1.
2. 13' setback variance from Jordan Avenue for Building 2.
3. 21 stalls to be made available under "proof of parking" concept.
4. 27 enclosed stalls.
5. Variance for 22% hardsurface coverage within 150' of wetland.

Subject to the following stipulations:

1. Review and approval of the E.A.W. by the Environmental Quality Board and the City of Minnetonka.
2. Approval of a preliminary plat dedicating all required right-of-way and easements prior to building permit issuance. Outlots covering the wetland and Jordan Avenue right-of-way extension should be created and dedicated to the City. Outlot C will need to be dedicated to the owner of an adjoining homestead to correct a surveying error and provide buffering.
3. Locate trash storage areas within the buildings and HVAC equipment on the roof behind the false eables.
4. Provide stop signs at the intersection of each of the 3 driveways with Jordan Avenue. Reconfigure the driveways as recommended by staff.
5. Petition the City for road and utility improvements, as required.
6. Each enclosed parking stall shall be assigned to an apartment and any rental fees shall be included in the normal rental sale for the unit.
7. Retaining walls shall be designed by a professional engineer. Incorporate retaining wall along the north side of Jordan Avenue to stabilize the steep slopes and provide planting areas.
8. Staff is to walk the site with the applicant prior to undertaking any grading to delineate preservation areas. Minor revisions to the plans will be required by staff if improved preservation results.
9. Revise the landscaping plan as recommended to:
 - Provide the required underground sprinkler system;
 - Improve screening along the railroad tracks, County Road 18 and Jordan Avenue;
 - Improve or attempt at tree preservation.
 - Provide reforestation of the sanitary sewer easement if required.
10. Final utility and grading plan approval by the Engineering Department.
11. Work with the MnPCA to resolve their concerns with noise impacts.
12. Project approval by the Hennepin County Highway Department.

718E
3/2/85 PCSP122R.N21



COUNTY ROAD NO. 78

COUNTY ROAD 16

BURLINGTON NORTHERN RAILROAD



ALL RIGHTS RESERVED
NO PART OF THIS DOCUMENT
MAY BE REPRODUCED OR
TRANSMITTED IN ANY FORM
OR BY ANY MEANS
WITHOUT THE WRITTEN
PERMISSION OF THE
DEVELOPER

DEVELOPER
CSM CORPORATION

MASTER SITE PLAN / PRELIM PLAT
MINNETONKA HILLS



**City Council Agenda Item #12A
Meeting of March 15, 2004**

Brief Description: Introduction of an ordinance amending the Minnetonka Hills Apartments' PUD master development plan and approving final site and building plans for the Minnetonka Hills Townhomes project at 2800, 2828, and 2855 Jordan Avenue for Minnetonka Hills Apartments L.L.C.

Recommended Action: Introduce the ordinance and refer it to the EDA and planning commission.

Introduction

The applicant is Minnetonka Hills Apartments, L.L.P., represented by David Carland (vice president). They are proposing to build a 14-unit, two-story townhome building next to the existing Minnetonka Hills development. The building would have underground parking, with each unit having an underground garage space. (See the attached narrative and plans on pages A6–A17.) The proposed townhouse site and the surrounding apartments are guided for high density residential and zoned PUD, planned unit development.

This proposal requires:

- (1) an ordinance amending the Minnetonka Hills master development plan and approving final site and building plans for the proposed townhomes; and
- (2) a preliminary plat to relocate the property lines around the proposed townhome building.

Comments

The applicants have advised staff that they would be willing to include two affordable units in the project. Staff is recommending that this proposal be sent to the EDA for a recommendation on the affordable housing part of this project.

The purpose of introducing an ordinance is to give the city council the opportunity to review a new application before sending it to the planning commission for a recommendation. Introducing an ordinance does not constitute an approval.

Staff Recommendation

Introduce the ordinance on pages A1–A3 and refer it to the EDA and planning commission.

Submitted through:

John Gunyou, City Manager

Originated by:

Geoff Olson, Planning Director

ORDINANCE NO. 2004-

AN ORDINANCE AMENDING A PUD MASTER DEVELOPMENT PLAN FOR THE MINNETONKA HILLS APARTMENTS AND APPROVING FINAL SITE AND BUILDING PLANS FOR THE MINNETONKA HILLS TOWNHOMES PROJECT AT 2800, 2828, AND 2855 JORDAN AVENUE

THE CITY OF MINNETONKA ORDAINS:

Section 1.

1.01 This ordinance hereby amends a planned unit development master development plan for the Minnetonka Hills Apartments, and approves final site and building plans for the Minnetonka Hills Townhomes at 2800, 2828 and 2855 Jordan Avenue (Project 86157.04a). Adoption is based on the findings in the _____, 2004, staff report.

1.02 The property is legally described as follows:

The South 170 feet of the North 450 feet of the east 265 feet of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE1/4) of Section 12, Township 117, Range 22,

Except that part lying Easterly of a line parallel with and distant 25 feet Westerly of the following described line:

Commencing at the Southeast corner of Section 12, Township 117, Range 22; thence North along the East line thereof 784.96 feet; thence deflect to the left at an angle of 90 degrees, a distance of 60 feet to the actual point of beginning of the line to be described; thence deflect to the right at an angle of 90 degrees, a distance of 136.28 feet; thence e deflect to the left along a 26 degree 16 minutes 46 seconds curve (delta angle 49 degrees 16 minutes 15 seconds, tangent distance 99.98 feet), distance of 150 feet and there terminating;

and also

Outlot C, MINNETONKA HILLS APARTMENTS, according to the recorded plat thereof, Hennepin County, Minnesota.

and also

That part of Lot 1, Block 2, MINNETONKA HILLS APARTMENTS, Hennepin County Minnesota described as follows:

Beginning at the most westerly corner of Outlot C, said MINNETONKA HILLS APARTMENTS; thence on the Northwesterly extension of the Southwesterly line of said Outlot C an assumed bearing of North 77 degrees 31 minutes 44 seconds West a distance of 71.00 feet; thence North 43 degrees 31 minutes 36 seconds West a distance of 100.00 feet; thence North 00 degrees 74 minutes 34 seconds East a distance of 190.00 feet; thence South 89 degrees 35 minutes 26 seconds East a distance of 183.30 feet to the easterly line of said Lot 1; thence Southeasterly, Westerly and Southerly along the Easterly line of said Lot 1 to the point of beginning.

Section 2.

2.01 This ordinance is based on the following findings:

1. The proposal would meet the required standards and ordinances for a site and building plan approval.

Section 3.

3.02 Approval is subject to the following conditions:

1. The site must be developed and maintained in substantial conformance with the following plans, unless modified by the conditions below:

Section 4. A violation of this ordinance is subject to the penalties and provisions of Chapter XIII of the city code.

Section 5. This ordinance is effective immediately.

Adopted by the city council of the City of Minnetonka, Minnesota, on _____, 2004.

Karen J. Anderson, Mayor

ATTEST:

Kathleen A. Magrew, City Clerk

ACTION ON THIS ORDINANCE:

Date of introduction:

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 correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota at a regular meeting held on _____, 2004.

Kathleen A. Magrew, City Clerk

Date:

MINNETONKA
HILLS
TOWN HOMES
CITY SUBMITTAL

MINNETONKA
MINNESOTA

PRELIMINARY
NOT FOR
CONSTRUCTION



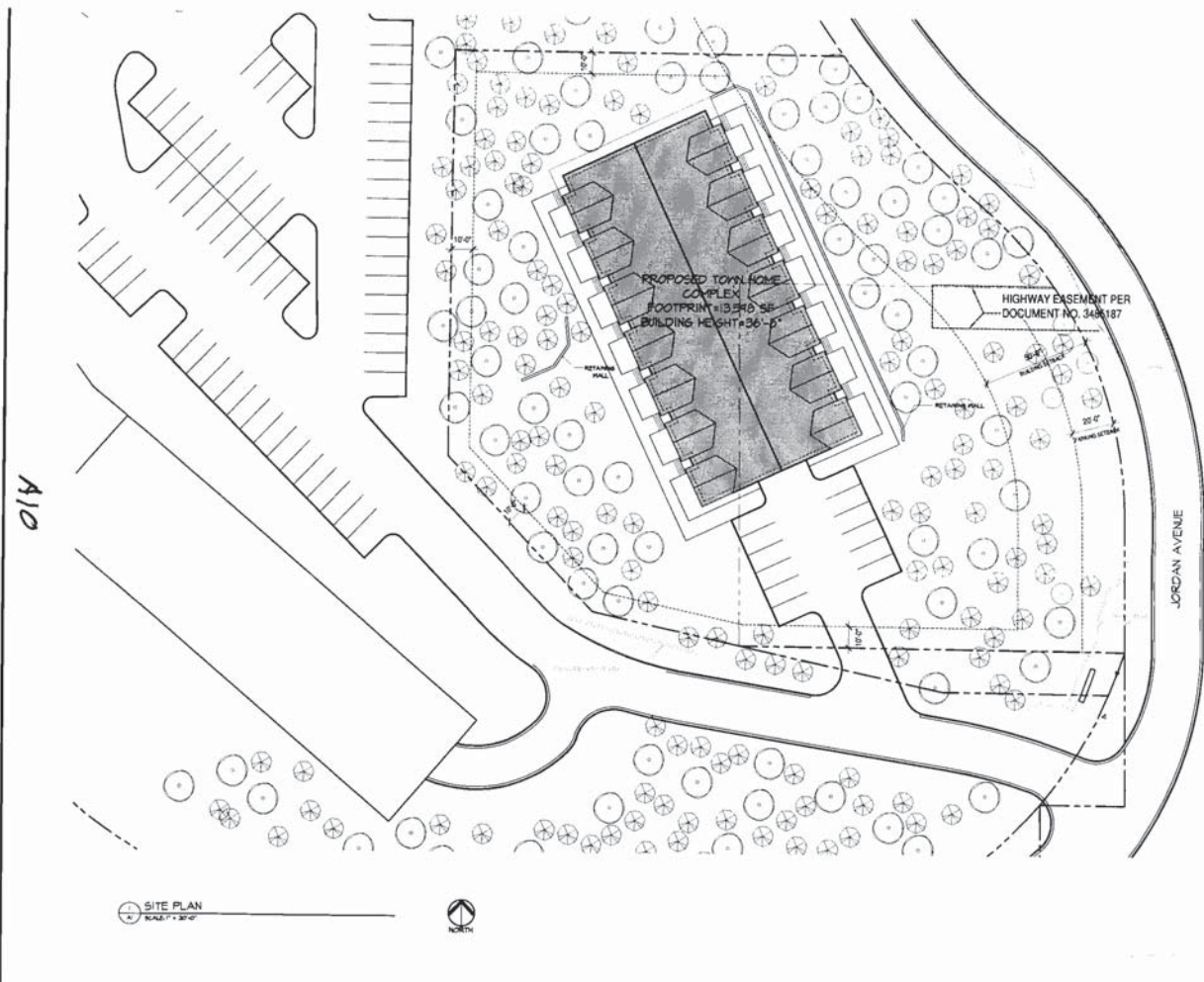
Registration:
I hereby certify that I am a duly licensed Professional Engineer in the State of Minnesota, License No. 123456, and that I am the author of the work of this project.
Date: FEBRUARY 2, 2004
Signature: [Signature]

Date: _____ Reg. No. _____
Drawn By: JOHN PERKINS
Checked By: _____
Project Manager: DAVID KRAMER
Date: FEBRUARY 2, 2004
Signature: _____

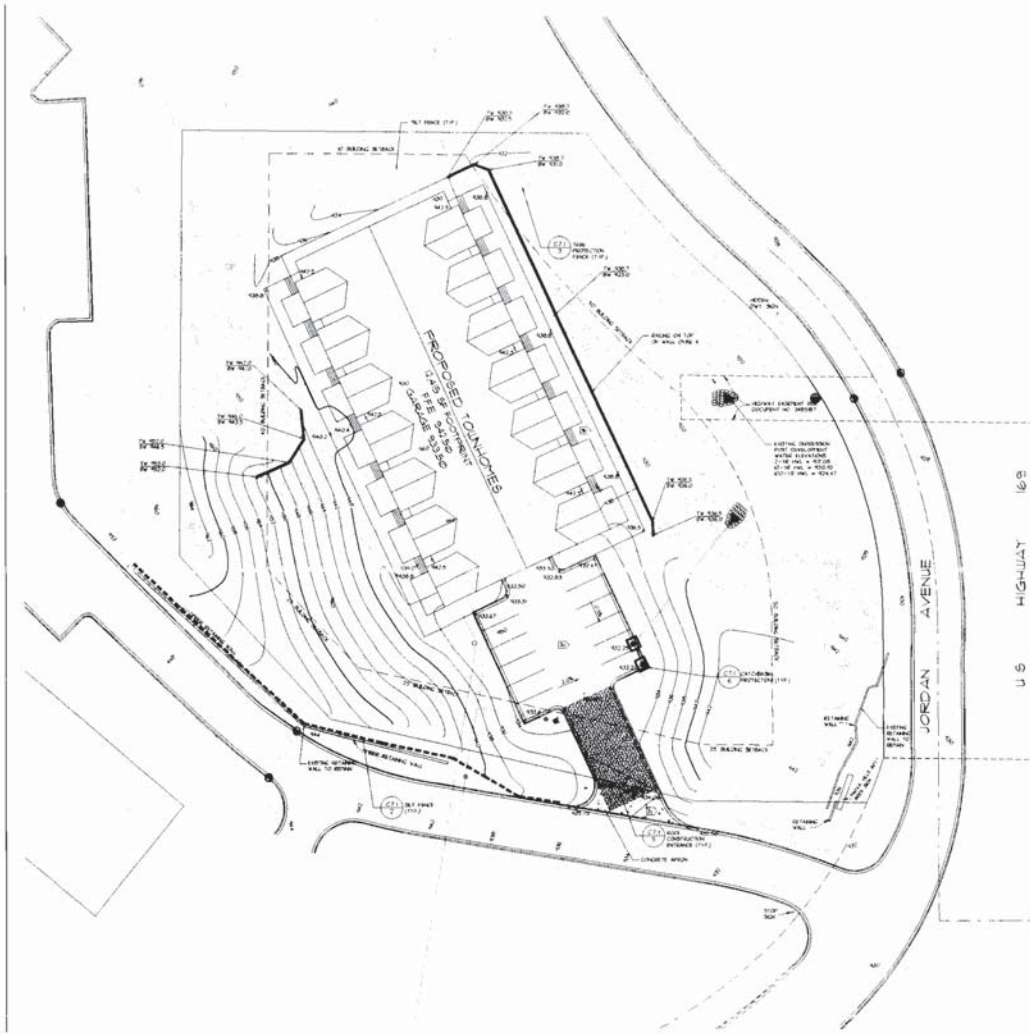
Project No. _____
Sheet Title _____

SITE PLAN

Sheet No. _____
A1



111



NOTES

1. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MINNETONKA AND THE STATE OF MINNESOTA. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MINNETONKA AND THE STATE OF MINNESOTA.

GRADING & PAVING NOTES

- 1. EXISTING GRADE SHALL BE MAINTAINED UNLESS OTHERWISE NOTED.
- 2. FINISH GRADE SHALL BE AS SHOWN ON THIS PLAN.
- 3. ALL GRADING SHALL BE ACCORDING TO THE FINISH GRADE SHOWN ON THIS PLAN.
- 4. ALL PAVING SHALL BE ACCORDING TO THE FINISH GRADE SHOWN ON THIS PLAN.
- 5. ALL GRADING SHALL BE ACCORDING TO THE FINISH GRADE SHOWN ON THIS PLAN.
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- 9. ALL GRADING SHALL BE ACCORDING TO THE FINISH GRADE SHOWN ON THIS PLAN.
- 10. ALL PAVING SHALL BE ACCORDING TO THE FINISH GRADE SHOWN ON THIS PLAN.

EROSION CONTROL NOTES

- 1. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MINNETONKA AND THE STATE OF MINNESOTA.
- 2. ALL EROSION CONTROL MEASURES SHALL BE ACCORDING TO THE FINISH GRADE SHOWN ON THIS PLAN.
- 3. ALL EROSION CONTROL MEASURES SHALL BE ACCORDING TO THE FINISH GRADE SHOWN ON THIS PLAN.
- 4. ALL EROSION CONTROL MEASURES SHALL BE ACCORDING TO THE FINISH GRADE SHOWN ON THIS PLAN.
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- 10. ALL EROSION CONTROL MEASURES SHALL BE ACCORDING TO THE FINISH GRADE SHOWN ON THIS PLAN.

NPCES AREA SUMMARY

LANDING	AREA (SQ FT)	AREA (SQ YD)
EXISTING	100,000	1,111
PROPOSED	200,000	2,222
TOTAL	300,000	3,333

GOPHER STATE ONE CALL
CALL BEFORE YOU DIG
877-482-2342
www.gopherstateonecall.org

SCALE
1" = 20'
IN FEET

OWNER/DEVELOPER
CSM Corporation
10000 Hennepin Avenue, Suite 100
Minnetonka, MN 55343

CITY
City of Minnetonka
10000 Hennepin Avenue, Suite 100
Minnetonka, MN 55343

DWG SHEET NO.
111

PROJECT MANAGER
John Smith

DATE
02/10/04

SITE PLAN REVIEW
02/10/04

PROJECT
MINNETONKA HILL TOWNHOMES
MINNETONKA, MN

LANDFORM
MINNEAPOLIS - PHOENIX

FILE NAME
C:\Users\johnd\Documents\111.dwg

PROJECT NO.
111

PRELIMINARY GRADING PLAN
C3

A12



BUILDING RENDERING
SCALE: 1/8" = 1'-0"



BUILDING RENDERING
SCALE: 1/8" = 1'-0"



BUILDING RENDERING AT ENTRY
SCALE: 1/8" = 1'-0"

MINNETONKA
HILLS
TOWN HOMES
CITY SUBMITTAL

MINNETONKA,
MINNESOTA

PRELIMINARY
NOT FOR
CONSTRUCTION

CSM
COMMUNITY SERVICES
MINNETONKA, MN

DATE: FEBRUARY 12, 2004
DRAWN BY: JIM FERRIS
CHECKED BY: JIM FERRIS
PROJECT MANAGER: DAVID RUPPEN
DATE: FEBRUARY 12, 2004
SCALE: 1/8" = 1'-0"

PROJECT NO.
SHEET TITLE

BUILDING RENDERINGS

SHEET NO.

RECEIVED A7
FEB 12 2004



1 SITE PHOTO
SCALE



2 SITE PHOTO
SCALE



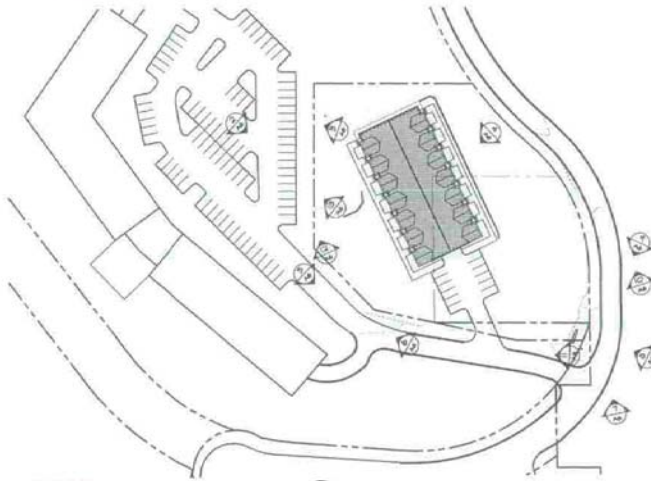
3 SITE PHOTO
SCALE



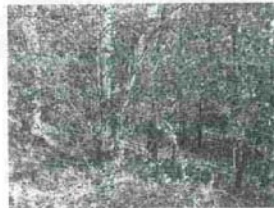
4 SITE PHOTO
SCALE



5 SITE PHOTO
SCALE



6 SITE PLAN
SCALE: 1/8\"/>



7 SITE PHOTO
SCALE



8 SITE PHOTO
SCALE



9 SITE PHOTO
SCALE



10 SITE PHOTO
SCALE



11 SITE PHOTO
SCALE



12 SITE PHOTO
SCALE



13 SITE PHOTO
SCALE

MINNETONKA
HILLS
TOWN HOMES
CITY SUBMITTAL

MINNETONKA,
MINNESOTA

PRELIMINARY
NOT FOR
CONSTRUCTION

CSM
COMMUNITY SERVICES
MINNETONKA, MN

NOTIFICATION
I hereby certify that this is an
accurate and complete copy
of the original as submitted to
the City of Minnetonka.

Date: _____ Reg. No. _____
Drawn By: JOHN FENNER
Checked By: _____
Project Manager: DAVID KUMMER
Date: FEBRUARY 12, 2004
Revisions

Project No. _____
Sheet Title _____

SITE PHOTOS

Sheet No. _____

A6

RECEIVED
FEB 12 2004

A17

12. INTRODUCTION OF ORDINANCES.

- A. Ordinance amending the Minnetonka Hills Apartments PUD master development plan and approving final site and building plans for the Minnetonka Hills Townhomes project at 2800, 2828, and 2855 Jordan Avenue for Minnetonka Hills Apartments L.L.C.**

Callison suggested that staff work with architects on townhome developments to encourage more individualization of the facades.

Thomas moved, Callison seconded a motion to introduce an ordinance amending a PUD Master Development Plan for the Minnetonka Hills Apartments and approving final site and building plans for the Minnetonka Hills Townhomes project at 2800, 2828, and 2855 Jordan Avenue and refer it to the EDA and planning commission. All voted "yes." Motion carried.

November 14, 2003

David Carland
Minnetonka Hills Apartments, L.L.P.
2575 University Avenue W
St. Paul MN 55114

RE: Application is considered incomplete

Mr. Carland:

The City has received preliminary plat, master development plan, and site and building plan review applications for development of the property at 2828 Jordan Avenue. In 1987, this property was incorporated into the Minnetonka Hills Apartments master development plan. As such, any change in use of the property requires review and amendment of this existing plan.

To process the submitted applications, more detailed information is required. The following information must be submitted for your application to be considered complete:

- 1) A survey that includes all of the property owned/controlled by Minnetonka Hills Apartments, L.L.P.;
- 2) The number of housing units in each of the existing buildings must be noted on the survey or in a written statement;

At the time of its development, the density of the apartment complex was incorrectly calculated; a large wetland area was included in the calculation. As part of the current proposal, the existing and proposed density of the development must be reviewed.

- 3) A plan for the proposed underground garage;

The project narrative indicates that each unit would have a private garage space within the underground garage; plans must be provided to verify parking standards are met.

Having briefly reviewed the materials already submitted, staff has a number of concerns regarding the proposed project.

1) Density

The proposed townhome unit will increase the overall density of the already high-density Minnetonka Hills development. Staff would suggest the inclusion of some affordable housing as part of the project to justify the increase.

2) Tree Loss

As proposed, the project would result in significant tree loss. Staff would suggest that alternative building and driveway locations be considered which would preserve trees on the site.

3) Recreational Use for Residents

City code requires a planned unit development project to provide 10% of the gross project area for private recreational use for its residents. This 10% area must be shown on the overall site plan.

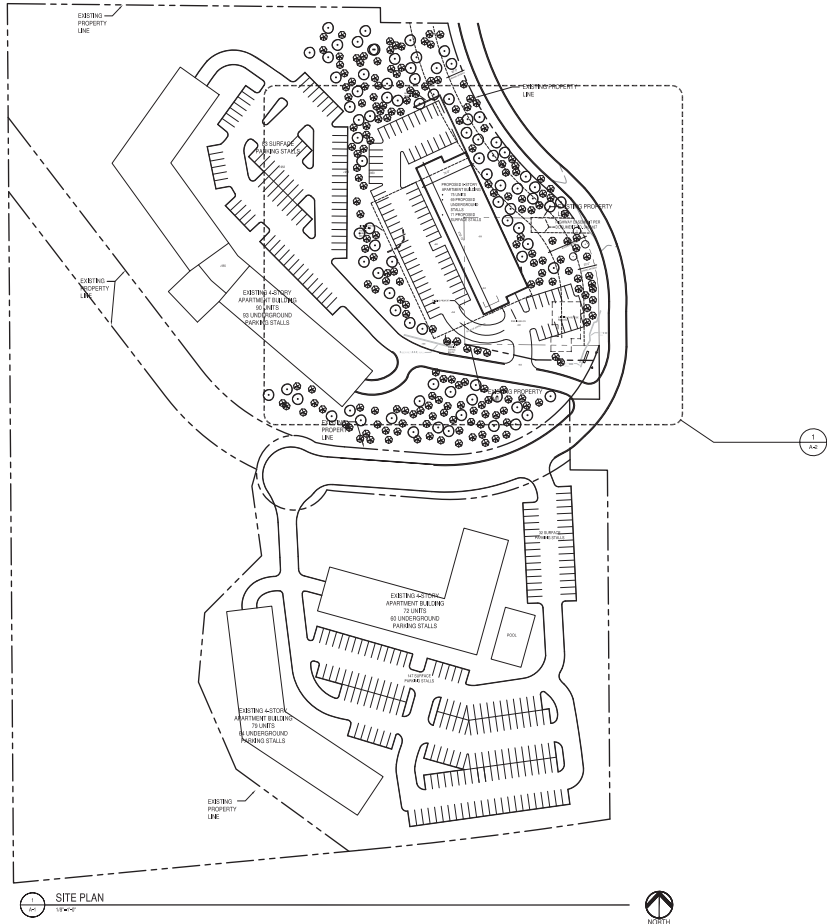
Thank you for submitting the required additional information and for materials already submitted. Please call me to schedule a meeting to discuss the items outlined in this letter. I may be reached at 952-939-8292.

Sincerely,



Susan Thomas
City of Minnetonka, Planner

2016 Concept Plan



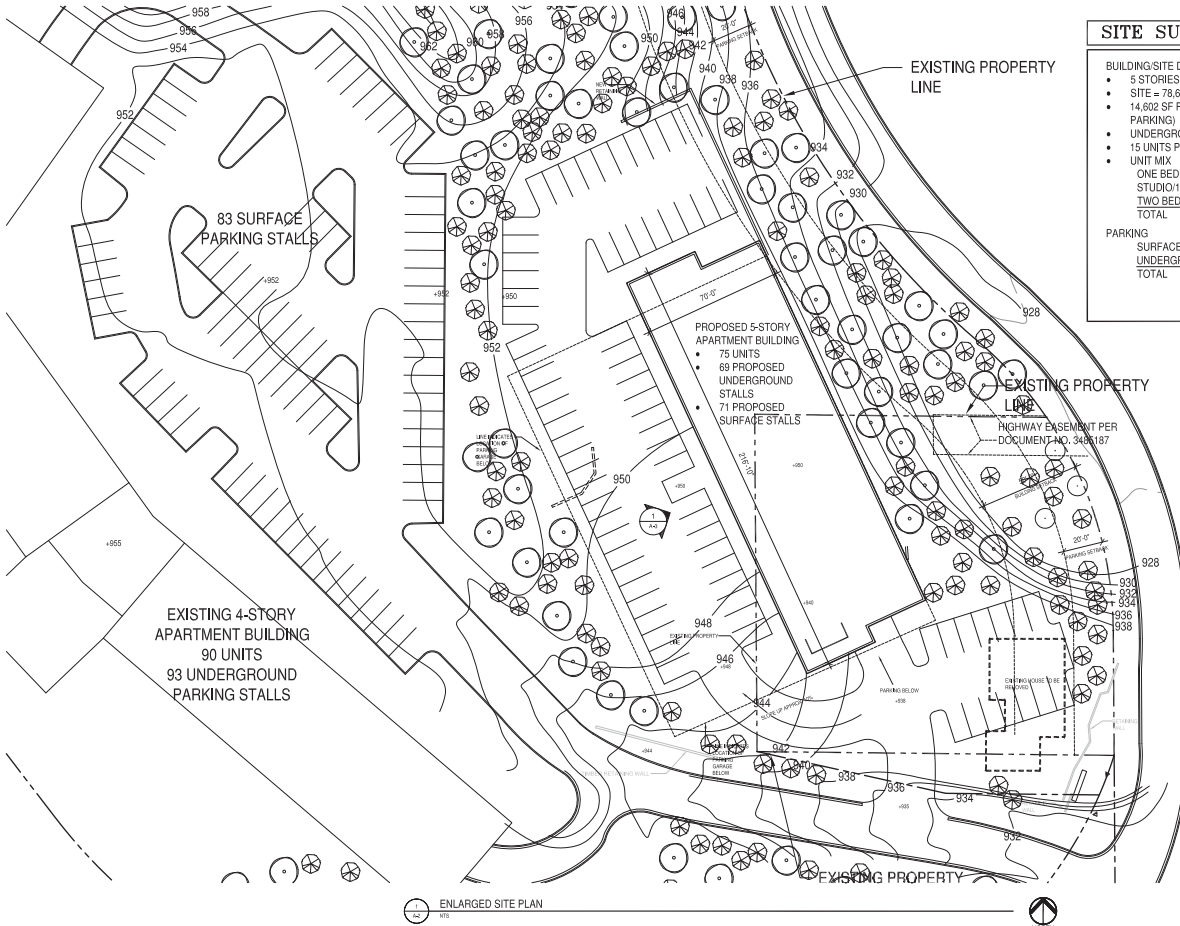
MINNETONKA HILLS APARTMENTS
MINNETONKA, MN

A4

DATE: MAY 18, 2016
DRAWN BY: JOHN FERBER

CSM 500 Woodlawn Avenue South, Suite 3000
Minnetonka, MN 55345
Tel: (763) 255-2222 Fax: (763) 255-7333
DEVELOPING REAL ESTATE FOR THOUSANDS OF BUSINESS & COMMUNITIES

A-1
Minnetonka Hills Apartments



SITE SUMMARY	
BUILDING/SITE DATA	
• 5 STORIES	
• SITE = 78,665 SF (1.81 ACRES)	
• 14,602 SF PER STORY = 73,010 SF (NOT INCLUDING UNDERGROUND)	
PARKING	
• UNDERGROUND PARKING = 26,813 SF	
• 15 UNITS PER STORY	
UNIT MIX	
ONE BEDROOM/1 BATH = 30 UNITS (40%)	762 SF
STUDIO/1 BATH = 20 UNITS (27%)	583 SF
TWO BEDROOM/2 BATH = 25 UNITS (33%)	1015 SF
TOTAL	75 UNITS
PARKING	
SURFACE PARKING = 71 STALLS	
UNDERGROUND PARKING = 69 STALLS	
TOTAL	140 STALLS

EXISTING 4-STORY
APARTMENT BUILDING
90 UNITS
93 UNDERGROUND
PARKING STALLS

PROPOSED 5-STORY
APARTMENT BUILDING
• 75 UNITS
• 69 PROPOSED
UNDERGROUND
STALLS
• 71 PROPOSED
SURFACE STALLS

ENLARGED SITE PLAN
1/4" = 1'-0"



MINNETONKA HILLS APARTMENTS

MINNETONKA, MN

DATE: MAY 18, 2015
DRAWN BY: JOHN FERREIR





COLORED SITE PLAN



MINNETONKA HILLS APARTMENTS
MINNETONKA, MN

DATE: MAY 18, 2016
DRAWN BY: JOHN FERRIER

CSM 100 Woodglen Avenue South, Suite 3000
Minnetonka, MN 55345
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DEVELOPING REAL ESTATE FOR MUNICIPAL BUSINESS & COMMUNITIES

A-3
Minnetonka Hills Apartments



CONCEPTUAL ELEVATION

MINNETONKA HILLS APARTMENTS

MINNETONKA, MN

A7

DATE: MAY 18, 2016
DRAWN BY: JOHN FERBER

CSM 500 Woodlawn Avenue South, Suite 3000
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DEVELOPING REAL ESTATE FOR MUNICIPAL
BUSINESS & COMMUNITIES

A-4
Minnetonka Hills Apartments

PLANNING COMMISSION JULY 7, 2016 MEETING MINUTES

B. Concept plan for a 75-unit apartment building at 2828 and 2800 Jordan Avenue.

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

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

John Ferrier of CSM Corporation, applicant, stated that:

- He appreciated the planning commission reviewing the concept plan.
- He agreed that a traffic study is warranted. His company owns additional properties in the area. He wants to make sure the amount of traffic would be appropriate.
- Staff found a previous plan not viable due to a steep slope on the site. The multi-family housing market is on fire right now. The building would be located in an appropriate area to deal with the topography.
- There is a berm on the west side. That is not a naturally occurring slope. It was created when an adjacent site was graded. He explained the grading of the site. There would be tuck-under parking utilizing the topography. The slope preservation ordinance criteria would be followed.
- A lot of the trees are not quality. As many of the trees as possible would be preserved.
- His company has enjoyed 97 percent occupancy rates over the past 10 years. There is a need in this area.
- The exterior would have a modern feel with a flat roof to reduce the height of the building. Stone and metal would be used.
- He was excited to hear the commissioners' comments.
- The clientele are interested in studio apartments.
- A goal is to incorporate shared amenities with the building to the west. A playground would be great.
- He was open to using the roof of the building as an amenity.
- This type of product typically houses people 30 to 35 years of age.
- The site would remain pretty wooded which is a feeling common in Minnetonka.
- There would be approximately 60 feet between the proposed apartment building and the one to the west.
- Two layers of underground parking would not be possible due to the level of the water table, amount of grading, and cost.

- Creating something to work well with the rest of the buildings for a long time is a priority.
- A studio apartment would be approximately 600 square feet.

Calvert noted that the architecture of the proposed building is different than the surrounding buildings. She was not sure how she felt about an urban feel. She understood the appeal for a young demographic. It would change the feel of the area. She looked forward to hearing from the natural resources staff. She was concerned for the oak trees. Mr. Ferrier was open to suggestions on the aesthetics of the building. It is a conceptual plan. This product has been successful in other suburban markets.

Calvert stated that a gabled roof would look extremely tall without removing a story. Mr. Ferrier said that could be considered.

Hanson asked if the number of parking stalls could be reduced to save green space. Cauley said staff could evaluate the proposed building's amount of parking comprehensively with surrounding available parking lots. Mr. Ferrier would be very open to reducing the amount of parking. The amount was reduced slightly from the city's ordinance requirement after speaking with city staff a year ago.

Rachel Peterson, property manager at Minnetonka Hills, stated that there is always ample outdoor parking space. There may be a waiting list for the underground heated parking.

Mr. Ferrier stated that the applicant will look for the most efficient way to utilize the slope to provide parking.

CITY COUNCIL JULY 25, 2016 MEETING MINUTES

A. Concept plan for a 75-unit apartment building at 2828 and 2800 Jordan Avenue

Gordon gave the staff report.

John Ferrier, with CSM Corporation, applicant, thanked staff for the opportunity to receive comments on the concept plan. The house on the site is currently vacant. There is a need in the market for the proposal. The new building would have studio apartments with an open floor plan. He agreed that there is a need to complete a traffic study. The slopes would be optimized. As many trees as possible would be saved. There would be tree replacement. Some of the scrub trees would be replaced with quality landscaping. The floor plan would be as compact as possible. That is one reason for the flat roof. Similar colored brick with a contemporary style would attract a different market. He has heard from residents requesting to be on a waiting list. He is excited about the site.

Wagner noted that the area has a lot of high-density housing, but there is no playground at any of the surrounding buildings. The proposal would match what is in the area, but would stick out of the view from Highway 169. He will wait until he sees the engineering plans before commenting on the number of units. He did not have a massive aversion to the proposal.

Schneider agreed with Gordon that one and a half parking stalls for each apartment may be appropriate considering the studio apartments. An apartment building would fit the site. The five-story height does not scare him, but the block nature of the front caused him to pause. He sees a benefit to underground parking, scaling back the number of units, and adding some variety to the appearance. A third of the outside parking may be able to be eliminated. Hopefully some trees and green space could be preserved with a reduction of the parking surface.

Bergstedt concurred with Schneider. He was very comfortable with an apartment building. There would be massive grading and tree loss, but everything possible should be done to minimize it. The building looks like an uninteresting block building. Designing the building to give it more architectural character would be beneficial.

Allendorf liked how the Applewood Pointe building ended up looking. He concurred with Schneider and Bergstedt.

Traffic Study

To: Ashely Cauley, Senior Planner
City of Minnetonka

From: Matt Pacyna, PE, Senior Associate
Tom Sachi, PE, Senior Engineer

Date: May 26, 2017

Subject: 2800 Jordan Avenue Parking and Traffic Study

Introduction

SRF has completed a parking and traffic study for the proposed residential development in the southwest quadrant of the US 169/Cedar Lake Road interchange in Minnetonka (see Figure 1: Project Location). The proposed development would be constructed on a vacant parcel adjacent to the northern apartment building within the Minnetonka Hills residential complex. The main objectives of this study are to review existing operations within the study area, evaluate traffic and parking impacts of the proposed development, and recommend any necessary improvements to accommodate the proposed development. The following information provides the assumptions, analysis, and recommendations offered for consideration.

Existing Conditions

Existing conditions were reviewed to establish a baseline to identify future impacts associated with the proposed development. The evaluation of existing conditions includes intersection turning movement counts, field observations, and an intersection capacity analysis.

Data Collection

Weekday turning movement counts were collected from 6:00 a.m. to 7:00 p.m. at the Jordan Avenue and Minnetonka Hills driveway to identify the existing site trip generation and peak hour turning movement volumes. In addition to the driveway counts, historical peak period intersection turning movement counts and Minnesota Department of Transportation (MnDOT) Loop Detector Ramp data were collected at the following locations as part of a 2016 signal retiming project. The 2016 data was utilized to identify non-construction conditions.

- Cedar Lake Road and Jordan Avenue
- Jordan Avenue and US 169 Southbound Ramps

Observations were completed to identify roadway characteristics (i.e. roadway geometry, posted speed limits, and traffic controls) within the study area and the existing parking supply/demand at the site. Further discussion regarding parking is provided later in this memorandum. Average daily traffic volumes were provided by MnDOT.



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Project Location

2800 Jordan Avenue Parking and Traffic Study
City of Minnetonka

001710604
May 2017

Figure 1

Cedar Lake Road is primarily a three-lane (i.e. two-lane with turn lanes) undivided roadway, while Jordan Avenue is primarily a two-lane roadway. The posted speed limit along Cedar Lake Road is 35 miles per hour (mph), while other roadways are assumed to be 30 mph. Jordan Avenue has a 20 mph advisory speed limit south of the US 169 Southbound Ramps due to the limited sight distance within the area. The Cedar Lake Road/Jordan Avenue intersection is signalized, while the remaining study intersections are side-street stop controlled. It should be noted that the Jordan Avenue/US 169 Southbound Ramp intersection has a northbound stop control, southbound free movement, and westbound yield control. Existing geometrics, traffic controls, and volumes are shown in Figure 2.

Intersection Capacity Analysis

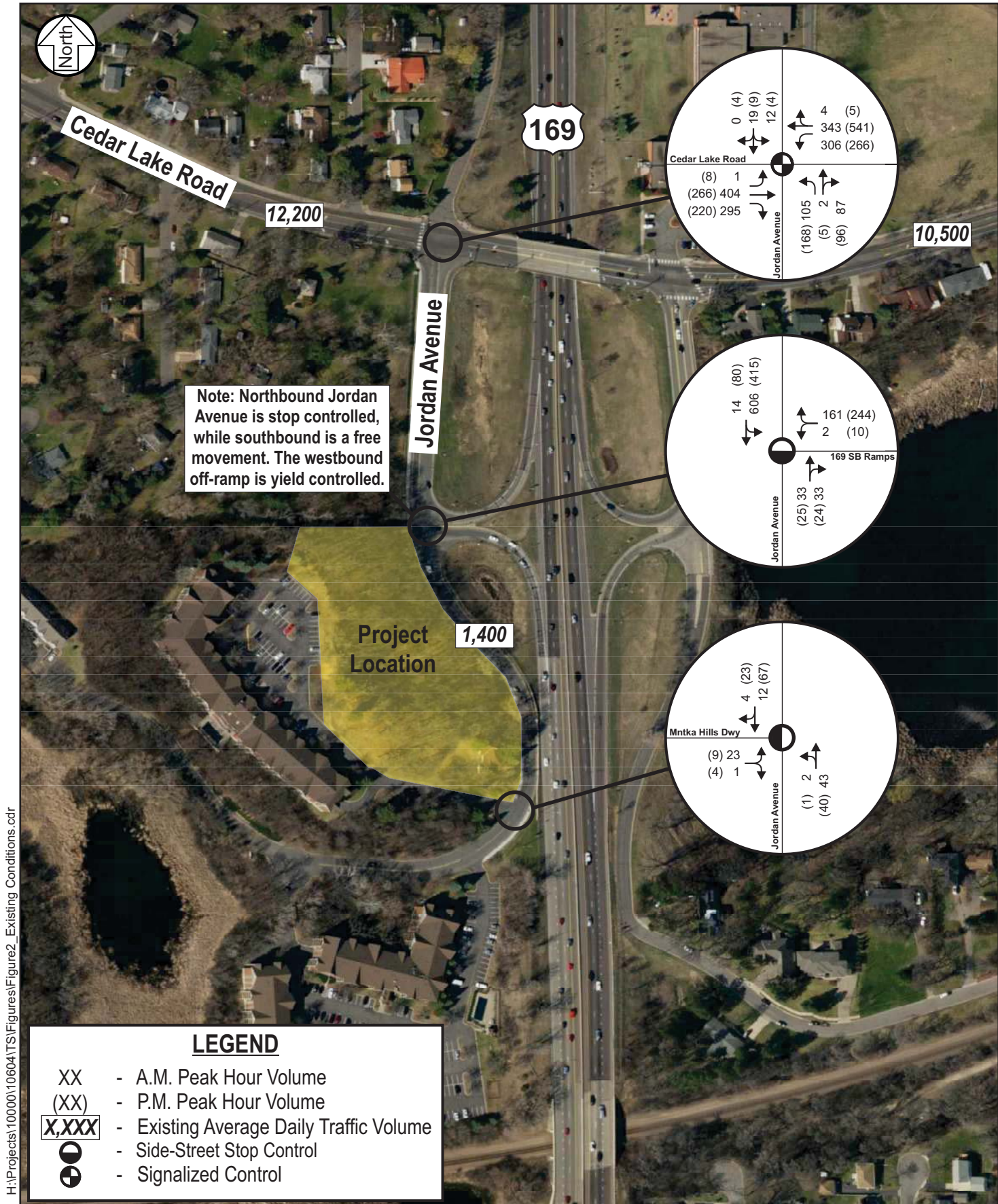
An existing intersection capacity analysis was completed for the weekday a.m. and p.m. peak hours to establish a baseline condition to which future traffic operations can be compared. The study intersections were analyzed using Synchro/SimTraffic (Version 9).

Capacity analysis results identify a Level of Service (LOS), which indicates the quality of traffic flow through an intersection. Intersections are given a ranking from LOS A through LOS F. The LOS results are based on average delay per vehicle, which correspond to the delay threshold values shown in Table 1. LOS A indicates the best traffic operation, with vehicles experiencing minimal delays. LOS F indicates an intersection where demand exceeds capacity, or a breakdown of traffic flow. Overall intersection LOS A through LOS D is generally considered acceptable in the Twin Cities Metro Area.

Table 1 Level of Service Criteria for Signalized and Unsignalized Intersections

LOS Designation	Signalized Intersection Average Delay/Vehicle (seconds)	Unsignalized Intersection Average Delay/Vehicle (seconds)
A	≤ 10	≤ 10
B	> 10 - 20	> 10 - 15
C	> 20 - 35	> 15 - 25
D	> 35 - 55	> 25 - 35
E	> 55 - 80	> 35 - 50
F	> 80	> 50

For side-street stop controlled intersections, special emphasis is given to providing an estimate for the level of service of the side-street approach. Traffic operations at an unsignalized intersection with side-street stop control can be described in two ways. First, consideration is given to the overall intersection level of service. This takes into account the total number of vehicles entering the intersection and the capability of the intersection to support these volumes.



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Existing Conditions

2800 Jordan Avenue Parking and Traffic Study
City of Minnetonka

Figure 2

Second, it is important to consider the delay on the minor approach. Since the mainline does not have to stop, the majority of delay is attributed to the side-street approaches. It is typical of intersections with higher mainline traffic volumes to experience high levels of delay (i.e. poor levels of service) on the side-street approaches, but an acceptable overall intersection level of service during peak hour conditions.

Results of the existing intersection capacity analysis shown in Table 2 indicate that the study intersections currently operate at an acceptable overall LOS B or better during the a.m. and p.m. peak hours with the existing geometric layout and traffic controls. No significant delay or queuing issues were identified.

Table 2 Existing Intersection Capacity Analysis

Intersection	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Delay	LOS	Delay
Cedar Lake Road and Jordan Avenue	B	12 sec.	B	10 sec.
Jordan Avenue and US 169 Southbound Ramps ⁽¹⁾	A/B	14 sec.	A/A	8 sec.
Jordan Avenue and Minnetonka Hills Driveway ⁽¹⁾	A/A	9 sec.	A/A	9 sec.

(1) Indicates an unsignalized intersection with side-street stop control, where the overall LOS is shown followed by the worst approach LOS. The delay shown represents the worst side-street approach delay.

Proposed Development

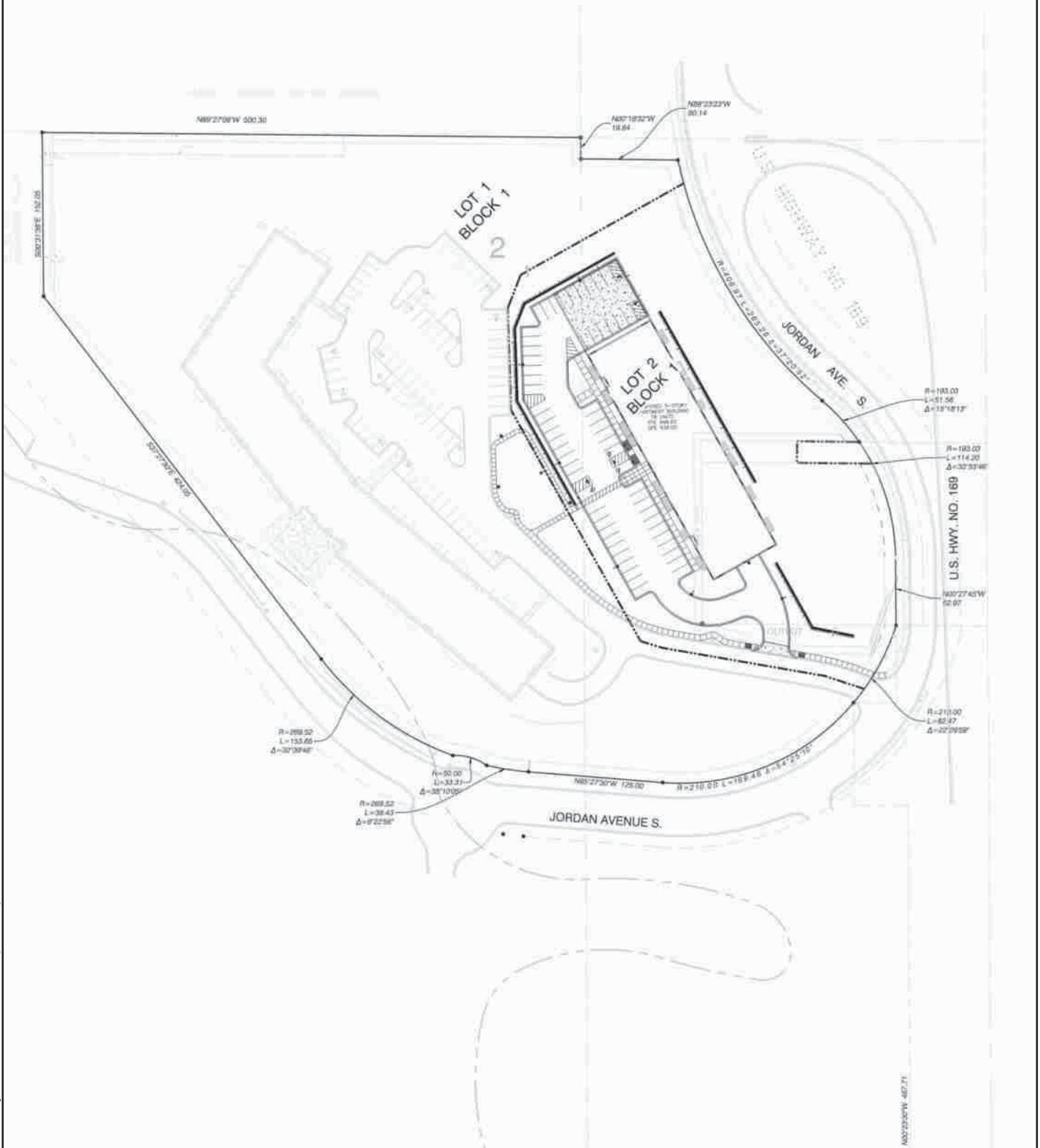
The proposed development, shown in Figure 3, would occupy a vacant parcel adjacent to the 2828 Jordan Avenue Apartment building. The proposed development would comprise of 78 apartment units, which were assumed to be fully operational by the year 2018. Access to the proposed development is expected to be constructed along the existing driveway to the adjacent Minnetonka Hills apartments. Approximately 62 surface parking spaces and 60 underground parking spaces are proposed. Additional parking information is provided later in this memorandum.

Year 2019 Conditions

To identify potential impacts associated with the proposed development, traffic forecasts for year 2019 conditions (i.e. one-year after opening) were developed. The year 2019 conditions take into account general area background growth, traffic generated by the proposed development, and area travel pattern changes due to the southbound US 169/16th Street Ramp closure planned in fall 2017. The following sections provide details on the background traffic forecasts, estimated trip generation, and intersection capacity analysis for year 2019 conditions.



MINNETONKA HILLS SECOND ADDITION



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Site Plan

2800 Jordan Avenue Parking and Traffic Study
City of Minnetonka

Figure 3

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May 2017

Background Traffic Growth

To account for general background growth in the area, an annual growth rate of one-half percent was applied to the existing peak hour traffic volumes to develop year 2019 background traffic forecasts. This growth rate is generally consistent with historical trends within the study area.

16th Street Southbound Ramp Closure

Travel pattern changes are expected due to the closure of the southbound US 169 Ramps to/from 16th Street, immediately north of the study area. Leveraging data collected during the *Ford Road Before and After Study*, currently being completed by SRF, the expected traffic volume changes to the Jordan Avenue/US 169 Southbound Ramp intersection as a result of the closure were included in the year 2019 build conditions.

Trip Generation

To account for traffic impacts associated with the proposed development, a trip generation estimate for the weekday a.m. and p.m. peak hours as well as on a daily basis were developed. The future trip generation estimate for the site, shown in Table 3, was developed using two different approaches. The first approach used a rate based on the existing traffic counts collected at the adjacent apartment driveways, while the second approach used the *Institute of Transportation Engineers (ITE) Trip Generation Manual, Ninth Edition*.

Table 3 Trip Generation Estimate

Land Use Type (ITE Code)	Size	A.M. Peak Hour Trips		P.M. Peak Hour Trips		Daily Trips
		In	Out	In	Out	
Existing Apartment Rate						
Apartments ⁽¹⁾	78 Units	5	20	20	11	465
ITE Rate						
Apartments (220)	78 Units	8	32	31	17	519

(1) Based on actual driveway counts collected April 18, 2017.

The trip generation rate of the existing apartment building is approximately one-third less than the rate from ITE during the a.m. and p.m. peak hours. However, to provide a conservative estimate, the ITE rate approach was carried forward for the future analysis. Results of the trip generation estimate indicate the proposed development is expected to generate 40 weekday a.m. peak hour, 48 p.m. peak hour, and 519 daily trips to/from the site. Trips generated were distributed to the study area based on the directional distribution shown in Figure 4, which was developed based on existing travel patterns. Future year 2019 build conditions are shown in Figure 5.



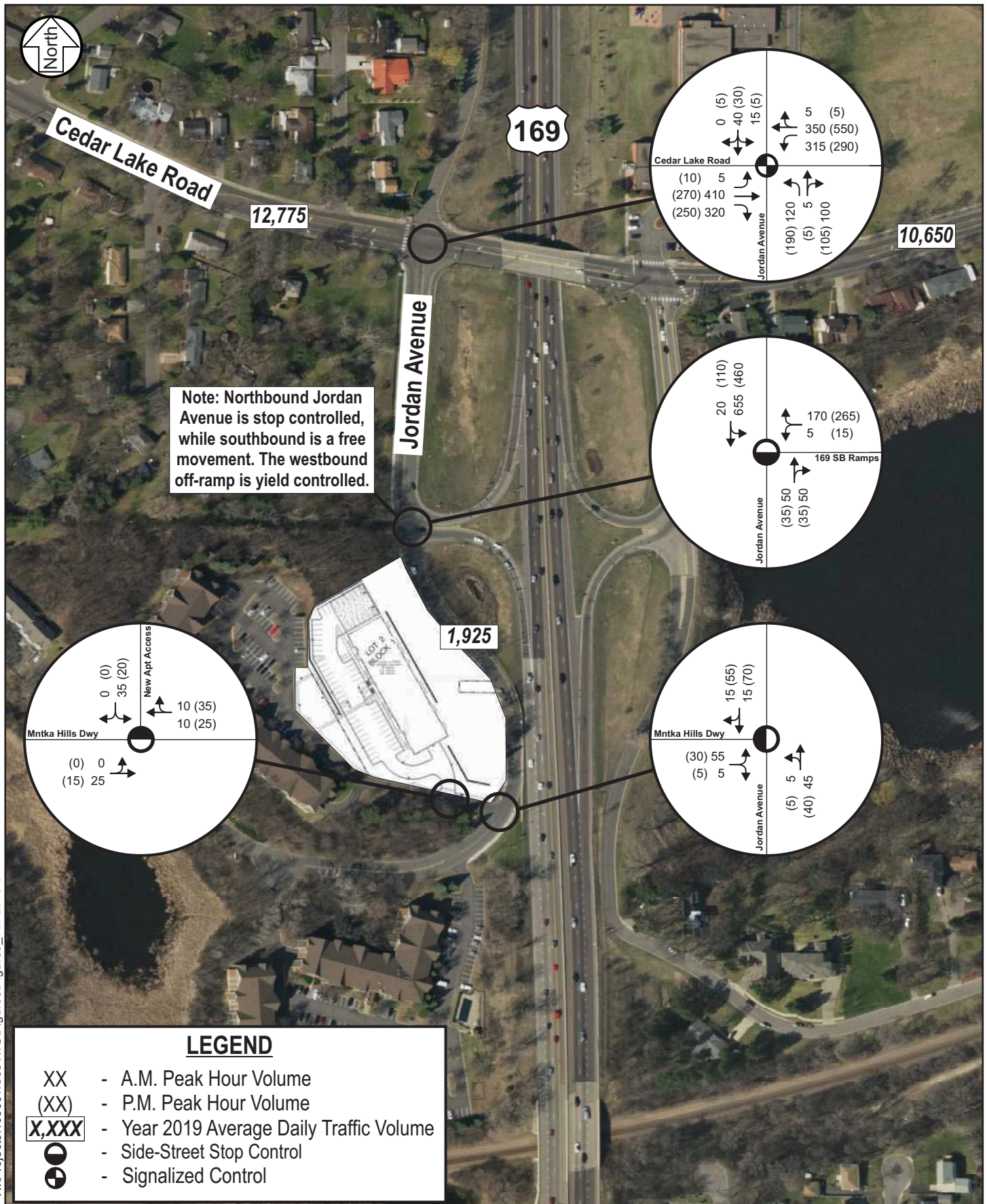
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Directional Distribution
 2800 Jordan Avenue Parking and Traffic Study
 City of Minnetonka

Figure 4

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 May 2017



Year 2019 Intersection Capacity Analysis

To determine if the existing roadway network can accommodate year 2019 build traffic forecasts, a detailed intersection capacity analysis was completed. Additionally, the proposed development driveway was analyzed to determine if any internal capacity issues are expected. Results of the year 2019 build intersection capacity analysis shown in Table 4 indicate that all of the study intersections and proposed access locations are expected to operate at an acceptable overall LOS B or better during the a.m. and p.m. peak hours with the existing roadway geometry and traffic controls.

Table 4 Year 2019 Build Intersection Capacity Analysis

Intersection	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Delay	LOS	Delay
Cedar Lake Road and Jordan Avenue	B	14 sec.	B	12 sec.
Jordan Avenue and US 169 Southbound Ramps ⁽¹⁾	A/B	20 sec.	A/A	9 sec.
Jordan Avenue and Minnetonka Hills Driveway ⁽¹⁾	A/A	9 sec.	A/A	9 sec.
Minnetonka Hills Driveway and New Site Access ⁽¹⁾	A/A	9 sec.	A/A	9 sec.

(1) Indicates an unsignalized intersection with side-street stop control, where the overall LOS is shown followed by the worst approach LOS. The delay shown represents the worst side-street approach delay.

While no mitigation is necessary from an intersection capacity perspective, additional striping enhancements could be considered. In particular, northbound Jordan Avenue approaching Cedar Lake Road could be striped to indicate a dedicated left-turn lane and a shared through/right-turn lane. Although not currently striped this way, this is how motorists were observed driving. The northbound left-turn lane should be approximately 250 feet in length, which would allow for a 100 foot southbound left-turn lane at the Jordan Avenue/US 169 Southbound Ramp intersection. Although not likely to improve intersection capacity, this striping consideration may help reduce confusion for northbound Jordan Avenue/US 169 Southbound Ramp motorists.

In addition to striping, consideration could be given to review the traffic control at the Jordan Avenue/ US 169 Southbound Ramp intersection. A preliminary review indicates that an all-way stop control or modifying the southbound off-ramp to a stop control from a yield control would allow for an acceptable level of service. In either case, 95th percentile queues for the southbound off-ramp are expected to be approximately 75 to 85 feet, which is an increase of 20 to 30 feet. With the expected construction of the southbound off-ramp deceleration lane (currently being built), these queues may be able to be managed without extending to US 169. Both of these alternative traffic control conditions would help motorists identify who has the right-of-way between northbound Jordan Avenue and westbound off-ramp motorists. Further discussions with MnDOT should occur to determine to the appropriate traffic control and timing.

Parking Review

Parking observations were completed to identify the current parking supply and demand (i.e. utilization) for the site to help determine if there will be sufficient parking on-site to accommodate a parking variance for the proposed development. Observations indicate that there are approximately 169 existing parking spaces on site (88 underground, 81 outdoor). The 88 underground spaces are fully leased and are assigned to specific tenants. Four time periods were reviewed to identify the peak parking demand for the site. These time periods were all overnight, when residential land uses are at their peak parking demand. A summary of the parking observations for the entire site is provided in Table 5.

Table 5 Parking Observations

	April 19, 2017 12:00 a.m.	April 20, 2017 5:00 a.m.	April 20, 2017 12:00 a.m.	April 21, 2017 5:00 a.m.
Supply	169	169	169	169
Demand	132	136	138	137
Surplus/(Deficit)	37	33	31	32
Percent Occupied	78%	80%	82%	81%

The proposed development is planning to provide 62 outdoor spaces and 60 underground spaces for a total of 122 spaces. To determine if the proposed parking supply will meet the demand for the site, a detailed parking review was completed using the Minnetonka City Code, the *ITE Parking Generation Manual, 4th Edition*, and the existing parking demand rate for the existing apartment complex. The following information summarizes the parking demand review.

- 1) The minimum parking requirement based on Minnetonka City Code (Chapter 3, Section 300.28) states that for a multi-family residential unit, the minimum number of parking spaces required is two spaces per dwelling unit, of which one space is enclosed. Given the proposed development is 78 units, a total of 156 spaces are required, which results in a 34-space deficit.
- 2) The weekday ITE 85th percentile demand for a 78-unit apartment is 151 spaces, which is expected to occur overnight. This represents a 29-space deficit.
- 3) Based on observations at the existing Minnetonka Hills apartments, a lower demand was observed. A demand of 1.5 spaces per unit was identified, which equates to a peak demand of 117 spaces for the proposed 78-unit apartment complex. This results in a five (5) space surplus.

Results of the parking demand review and observations indicate that there is approximately a 30-space surplus at the existing 2828 Jordan Avenue Apartment surface lot. If the proposed development has a peak parking demand similar to the adjacent apartments, there would be a 35-space surplus between the two buildings. However, if the proposed development has a peak parking demand similar to ITE, there would be only two (2) space surplus. Based on this parking review, the proposed parking supply is expected to meet the demand for the site.

Site Plan Review

A review of the proposed site plan was completed to identify any issues and recommend potential improvements with regard to access, circulation, and sight distance. In general, there are no major issues with the current site access and circulation. However, taller shrubs/landscaping at the driveways, along with the curvature of the roadway obstruct sight lines to Jordan Avenue from the existing Minnetonka Hills Driveway.

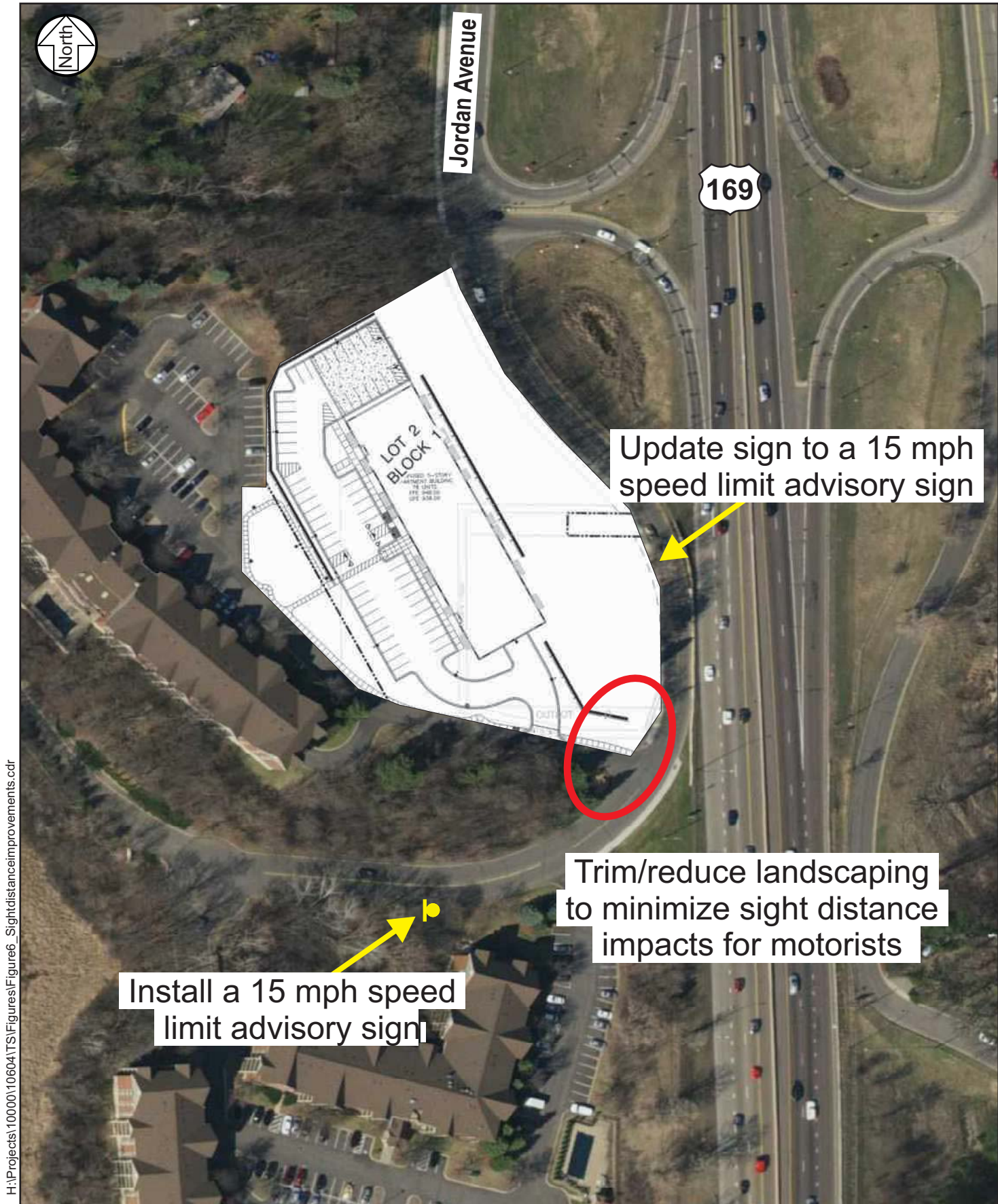


Looking North



Looking South

In both directions, the sight distance is approximately 140 feet. Based on the *AASHTO Policy on Geometric Design of Highways and Streets (2011)*, the decision sight distance for a 20 mph roadway is 225 feet and for a 30 mph roadway is 335 feet. A vehicle making a left-turn from the existing driveway does not have the appropriate sight distance to make these maneuvers. It should be noted that the stopping sight distance for a vehicle traveling along Jordan Avenue at 20 mph is 115 feet, which is adequate. Since there are no advisory speed signs to the southwest along Jordan Avenue, a 15 mph advisory speed sign on Jordan Avenue should be installed. The existing advisory speed sign for southbound traffic along Jordan Avenue should be reduced to 15 mph to improve decision time for motorists exiting the Minnetonka Hills driveway. Additionally, efforts should be made to trim and reduce any landscaping that obstructs the view from this driveway. The sight distance improvements are shown in Figure 6.



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Conclusions and Recommendations

The following study conclusions and recommendations are offered for consideration:

- 1) Study intersections currently operate at an acceptable overall LOS B or better during the a.m. and p.m. peak hours with the existing geometric layout and traffic controls.
- 2) The proposed development includes 78 apartment units and would be fully operational by the year 2018. There is expected to be 62 surface parking spaces and 60 underground parking spaces.
- 3) The proposed development is expected to generate 40 a.m. peak hour, 48 p.m. peak hour, and 519 daily trips to/from the site.
- 4) Results of the year 2019 build intersection capacity analysis indicate that all of the study intersections and proposed access locations are expected to operate at an acceptable overall LOS B or better during the a.m. and p.m. peak hours with the existing roadway geometry and traffic controls.
- 5) **While no mitigation is necessary from an intersection capacity perspective, the following striping and traffic control modifications could be considered.**
 - a. Stripe northbound Jordan Avenue at Cedar Lake Road to include a dedicated left-turn and shared through/right-turn lane. The northbound left-turn lane should be 250 feet in length, which would allow for a 100 foot southbound left-turn lane at the Jordan Avenue/US 169 Southbound Ramp intersection.
 - b. Consider a review of the traffic control at the Jordan Avenue/US 169 Southbound Ramp intersection. A preliminary review indicates that an all-way stop control or modifying the southbound off-ramp to a stop control (from a yield control) would provide acceptable level of services.
- 6) The proposed parking supply is expected to meet the demand for the site.
- 7) **Install a 15 mph advisory speed sign southwest of the Minnetonka Hills driveway.**
- 8) **Reduce the existing advisory speed sign for southbound traffic along Jordan from 20 mph to 15 mph.**
- 9) **Trim and reduce any landscaping that obstructs the view from the existing Minnetonka Hills driveway.**

Neighborhood Comments

On May 10, 2017, at 5:46 PM, [REDACTED]
[REDACTED] wrote:

Tony,

My name is Kevin Lile and I live at 10030 Cove Drive in Minnetonka. I'm currently the President of the Cedar Cove Homeowners Association.

I had intended to attend the Planning Commission meeting earlier this month to express my concerns regarding the proposal to build another apartment building on Jordan Avenue, as part of the Minnetonka Hills complex. However, I learned that discussion of this proposal has been postponed. I am writing to you now to voice my concerns.

My first and most urgent concern has to do with the impact of the addition of 70 plus apartments on Jordan Avenue, and the potential risk it poses for residents of both Cedar Cove and the Minnetonka Hills complex. As I am sure you know, this particular section of Jordan Avenue has no shoulders. It's a very tight fit of one lane in each direction. At present, when the Minnetonka Hills complex parking lots are being snowplowed in the Winter, or when they are being cleaned in the summer, the apartment residents are forced to park their cars on both sides of Jordan Avenue. I don't fault them for this. There is literally no place else for them to park. However, with no shoulders and cars parked on both sides of Jordan, two vehicles travelling in opposite directions are unable to pass one another. Adding 70 plus more apartments would obviously make a bad situation even worse. With cars parked on both sides of Jordan, I believe Emergency Vehicles would likely have a difficult time getting through. Obviously, this could put the life and health of all residents in jeopardy.

This particular section of Jordan is wooded. Removing trees and natural vegetation with an apartment building will change the character of the entrance to both Minnetonka Hills and Cedar Cove, and most definitely not for the better. This coupled with the additional population density will, I believe, have a detrimental impact on the property values at Cedar Cove.

I would appreciate it if you would share my concerns with the members of the Planning Commission. I would also appreciate being informed about when this particular proposal will be on the Planning Commission agenda. I want to be there, as well as do many of my neighbors.

Thank you.

Kevin Lile

From: Susan Goll [REDACTED]
Date: April 24, 2017 at 9:27:08 AM CDT
To: Tony Wagner <twagner@eminnetonka.com>
Cc: Ziegenhagen John [REDACTED]
Subject: Re: Proposed Development at 2800 Jordan Ave

Tony,

Great to hear from you and I do understand. I assumed something was happening as you are usually very good at responding. It seems like the timing is good and I will definitely look at the report after tonight's meeting. Here are some points that might be worth making for you tonight.

I understand about the current plan for High Density Residential - and the house on the site to be demolished is long overdue. I think my greatest concern is for traffic safety when so many cars are added to the entrance on to Jordan which is currently designated "Hidden Driveway" with a 20 mile per hour speed limit around the blind curve. A check of traffic would show that speed limit is routinely exceeded.

The existing Minnetonka Hills building has 90 units and the proposed building adds 78 more units, nearly doubling the number of vehicles using that hidden driveway intersection on Jordan Drive.

Perhaps something could be done to slow traffic around that curve since the speed limit is being ignored, and perhaps a flashing marked crosswalk could be done where pedestrians cross Jordan near that intersection. It seems like a stop sign or something would also be necessary since vehicles routinely exceed the posted speed and adding that many cars seems like a recipe for disaster if nothing is done to change the traffic pattern.

What I'd like to see is a smaller building, but I imagine that is not economically viable for the developer, and there would still be issues with additional vehicles using that hidden driveway.

Susan Goll
[REDACTED]

On Apr 24, 2017, at 8:53 AM, Tony Wagner <twagner@eminnetonka.com> wrote:

Susan --

I so apologize for my delay in responding. I was traveling internationally for work basically from 25-March to 14-April and embarrassingly got behind in my council email.

Tonight, the city council will hear the 'introduction' of the application. We will provide some initial comments and then refer it to the Planning Commission where you can provide public

comment at the hearing. If you'd like to look at the staff report for tonight, it can be found on the City's website (click on gov't, mayor & city council, meetings).

A few items of note.

1. This property has been guided (e.g. Planned in the City's Comprehensive Plan) as High Density Residential. So the ability to keep it fully wooded and/or single family home is extremely unlikely. However, you can advocate concerns on traffic at that intersection (onto Jordan) and density (size / units for the site).
2. Related to the Wooded Area, the city has a woodland preservation ordinance which restricts the # / amount of the area that can be disturbed. According to the staff report, it appears the proposal meets the ordinance/policy today ... but I'll be asking questions tonight prior to introduction.

Hope this helps and I'm happy to chat on the phone as well.

Again my sincere apologies for the delay.

Tony

Tony Wagner
Minnetonka City Council, Ward 2
612-382-5212

Sent from my iPad

On Apr 21, 2017, at 8:34 AM, Susan Goll <[REDACTED]> wrote:

Hi Tony,

I didn't hear anything from you on this and wondered if you have any suggestions.

Susan Goll
[REDACTED]

Begin forwarded message:

From: Susan Goll <[REDACTED]>
Subject: Proposed Development at 2800 Jordan Ave
Date: April 7, 2017 at 11:31:48 AM CDT
To: twagner@eminnetonka.com

Hello Tony,

I so appreciate all your help in the past when we were able to get a sidewalk built on this section of Jordan Ave. So.. My husband John Ziegenhagen and plan to attend the public hearing on May 4th and we are wondering what other steps we might take as individuals, and with our Cedar Cove association and neighbors.

I have looked at the plans on the city site and am very concerned about 2 things:

1. The impact on safety for vehicles and pedestrians of adding that many cars and people to the Minnetonka Hills entrance off Jordan Ave. That entrance onto Jordan is a nearly blind corner and that particular part of Jordan is narrower than the rest of Jordan and cars routinely speed around that corner. The sidewalk has improved safety for pedestrians, and in doing so there are more people walking on that stretch of Jordan but the “crossover” from the south sidewalk to the north sidewalk is right where the entrance to Minnetonka Hills and the nearly blind corner is located. It does not seem like a safe situation to add more cars and people without some kind of change to that section of Jordan, or some kind of entrance change into Minnetonka Hills.
2. Loss of woodland area. It appears from the plan that there will be a significant loss of mature trees, and while the plan says there will be replanting that is still a major concern.

I cannot help but think that additional apartments in our neighborhood will have a negative affect on the property values in our town home development too.

So do you have any suggestion for how our Cedar Cove neighborhood can respond to this?

Susan Goll



From: Franklin [REDACTED]
Sent: Wednesday, June 14, 2017 12:09 PM
To: Ashley Cauley <acauley@eminnetonka.com>
Subject: Minnetonka Hills Proposal

Ms. Cauley: I hope you and/or the planning commission will address the following question when you review the proposal to add yet another building in this complex. My concern is focused on the lack of sidewalks coupled with the fact that the sole entrance and exit is a blind access to the neighboring roadways. Currently, hundreds of existing residents must walk their pets, children and themselves on this blind road which is subject to traffic from four different directions.

The proposal to add hundreds of additional residents without improving the inadequate infrastructure is an open invitation to serious accidents. I can't explain how the original project was approved without sidewalks but surely today's proposed addition should not go forward without mandated corrective action. I understand the draft traffic study suggests some sign changes and altered paint schemes for the roadway. This is not a solution -- in fact, it is laughable on its face. I suggest the planning commission take a walk on that roadway at any time of day to see exactly what risks face the residents and those driving by that inadequate intersection.

Sincerely,

Franklin J. Parisi
10050 Cove Drive
Minnetonka, MN 55305
[REDACTED]

2017 Introduction Minutes

B. Items concerning Minnetonka Hills Apartments at 2800 and 2828 Jordan Avenue

- 1) Major amendment to an existing master development plan;**
- 2) Site and building plan review, with a parking variance;**
- 3) Preliminary and final plats; and**
- 4) Vacation of easements.**

City Planner Loren Gordon gave the staff report.

Wagner said there was a safety concern from nearby neighborhoods about the driveway sightlines. He said a resident raised a second concern about the massive gully and what the foundation would look like.

Acomb asked if consideration would be given to a conservation easement because of the woodland preservation area. She also asked if there would be consideration given to a percentage of the units being affordable. Gordon said it was common practice to evaluate using a conservation easement to protect the area that is not developed and what would be preserved long term. He said the affordability component had not been discussed with the developer but could be asked prior to the planning commission hearing.

Wagner said the staff report indicated the woodland preservation area was at 25 percent. He asked if this was always calculated as the percentage of the total woodland preservation area as opposed to just what was on the property. Gordon said the ordinance stated 25 percent of the woodland preservation area could be impacted.

Schneider said the development may trigger a tree replacement of some kind. Replacing trees on a fully wooded site was not too realistic. He asked what the city's practice was on requiring the replacement be done offsite where there would be public benefit. Gordon said he couldn't point to examples of where replacement was required that could not be done onsite. There were times the full landscaping package wasn't required because it would make the site too dense. He said staff would look into Schneider's idea.

Wiersum said he thought Schneider's idea was an interesting one. There were a lot of trees being removed. If the trees couldn't be replaced he would be OK with a trade for affordable housing.

Wagner moved, Bergstedt seconded a motion to introduce the ordinance and refer it to the planning commission. All voted "yes." Motion carried.

Additional Information Received from Applicant
June 14, 2017



CSM

500 Washington Avenue South, Suite 3000
Minneapolis, MN 55415

DEVELOPING REAL ESTATE FOR PEOPLE,
BUSINESS & COMMUNITIES

June 14, 2017

Ashley Cauley, Senior Planner
City of Minnetonka
14600 Minnetonka Blvd
Minnetonka, MN 55345

Re: Minnetonka Hills Apartments Expansion

Dear Ms. Cauley:

I am writing this letter in regards to CSM Corporation's submittal of plans for an additional building at our Minnetonka Hills Apartments development. We have worked on this version of our proposed development expansion for over a year. The project went before the planning commission and city council in July of 2016 for concept review and was generally supported. We also conducted a neighborhood meeting, and the project received no opposition. After receiving general support of the project, city staff encouraged CSM to make a formal submission. Considerable expense was incurred to fully engineer the site as is a requirement of a formal submittal. After planning staff's initial review of our project, several site modifications were suggested to reduce tree loss and preserve more of the slope. The site had to be re-engineered to meet city staff's suggestions which required additional fees for civil engineering and landscape design. After much coordination with city staff and significant redesign, we were extremely disappointed when planning staff recommended denial of the project in their staff report received on June 2, 2017. City staff's recommendation for denial was based on two items; tree loss and steep slope preservation. We believe the development is a good project, meets the city's comprehensive plan, and fills a need for this product type in the market. In addition, we believe we meet the requirements of the city's steep slope ordinance and can meet the tree preservation ordinance by making revisions as outlined below. The following is our response to the planning staff's findings in regards to tree loss and slope preservation in the June 2nd staff report.

Tree Impacts

Staff Findings:

- On page 3 of the report, staff cites removal of 12 high priority (HP) trees, or 35% of the site's total HP trees, as the maximum allowed by ordinance.
- Also on page 3, staff notes that 20 HP trees are proposed for removal.

Applicant Response:

- We find 18 HP trees were proposed for removal in the plan which the city reviewed (see trees with red "X" on marked-up plan).
- We believe that 3 additional HP trees can be saved by adding a retaining wall to the east section of the infiltration pond. One additional tree in this area can be saved by altering the grading.
- Additionally, we note that 2 HP trees (near main entry) will be removed resulting from a sidewalk which was added per recent city request.
- With the changes as outlined above, we would meet the ordinance by only removing 12 high priority trees.

Slopes

Staff Findings:

- Staff cites the steep slope ordinance stating that cuts greater than 25 feet should be avoided.
- Staff expresses concern that the proposal includes a 26-foot "cut" into the 26 percent slope.

Applicant Response:

- We find the largest "cut" into a steep slope to be 14' ± (see section cut B-B' on attached Steep Slope Analysis exhibit).
- If by "cut" staff intends to refer to the sum of cut and fill as exceeding 25', we find that, within a steep slope zone, the largest such sum is 24' (see section B-B').
- For the reasons stated above, we believe that we meet the requirements of Minnetonka's steep slope ordinance.

We hope that city staff will reconsider their decision to recommend denial of our Minnetonka Hills Apartments expansion based on the above analysis. Much effort and expense has been made to meet the City of Minnetonka's steep slope ordinance and tree loss requirements can be met with minor revisions. Please call me if you would like to discuss further.

Sincerely,



JOHN FERRIER, AIA, NCARB, LEED AP, CID

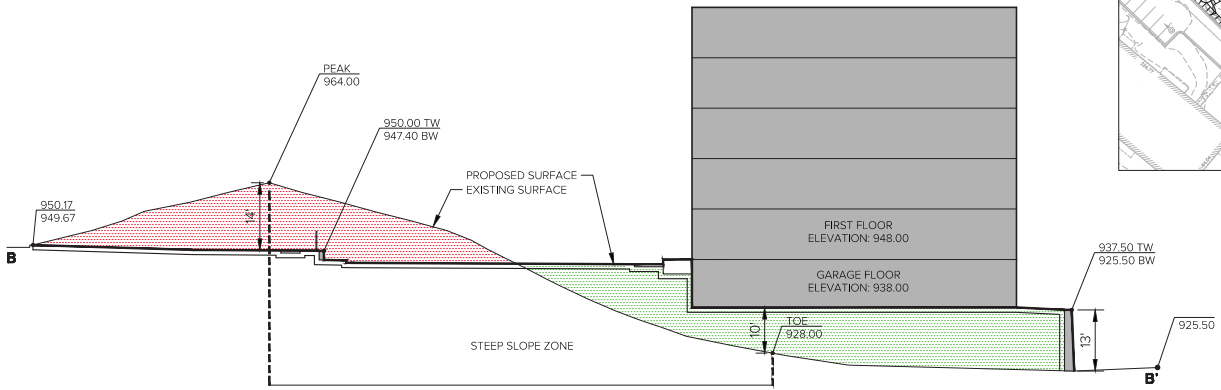
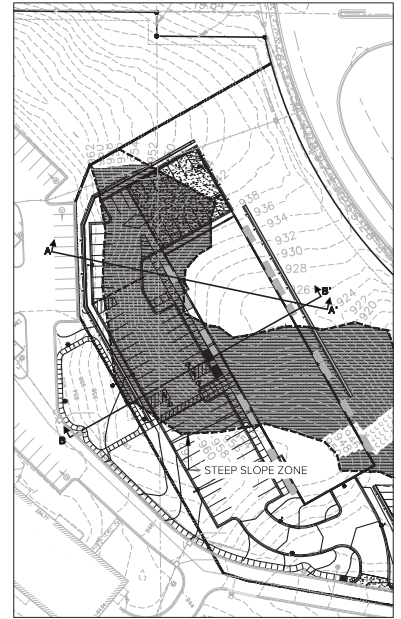
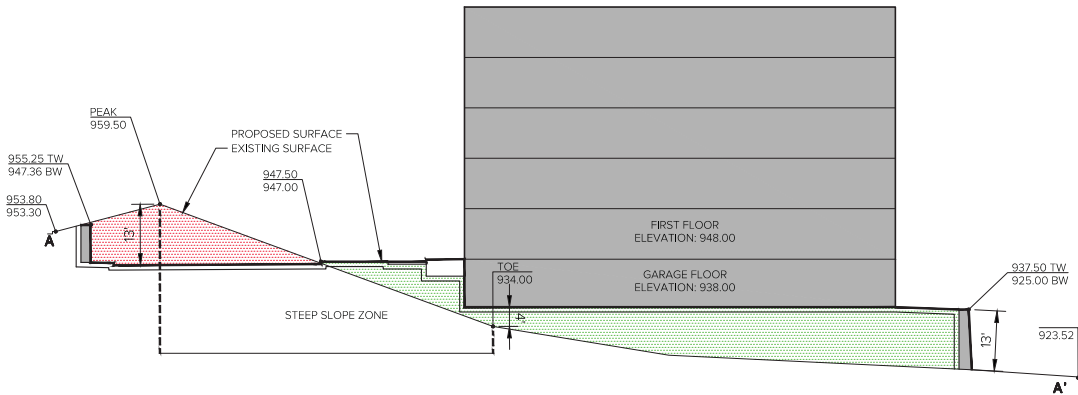
Vice President - Architecture

CSM Corporation | 500 Washington Ave. S., Ste. 3000 | Minneapolis, MN 55415

Main: 612.395.7000 | Direct: 612.395.7037 | Mobile: 612.816.1121 | Fax: 612.395.2731

Email: jferrier@csmcorp.net | www.csmcorp.net

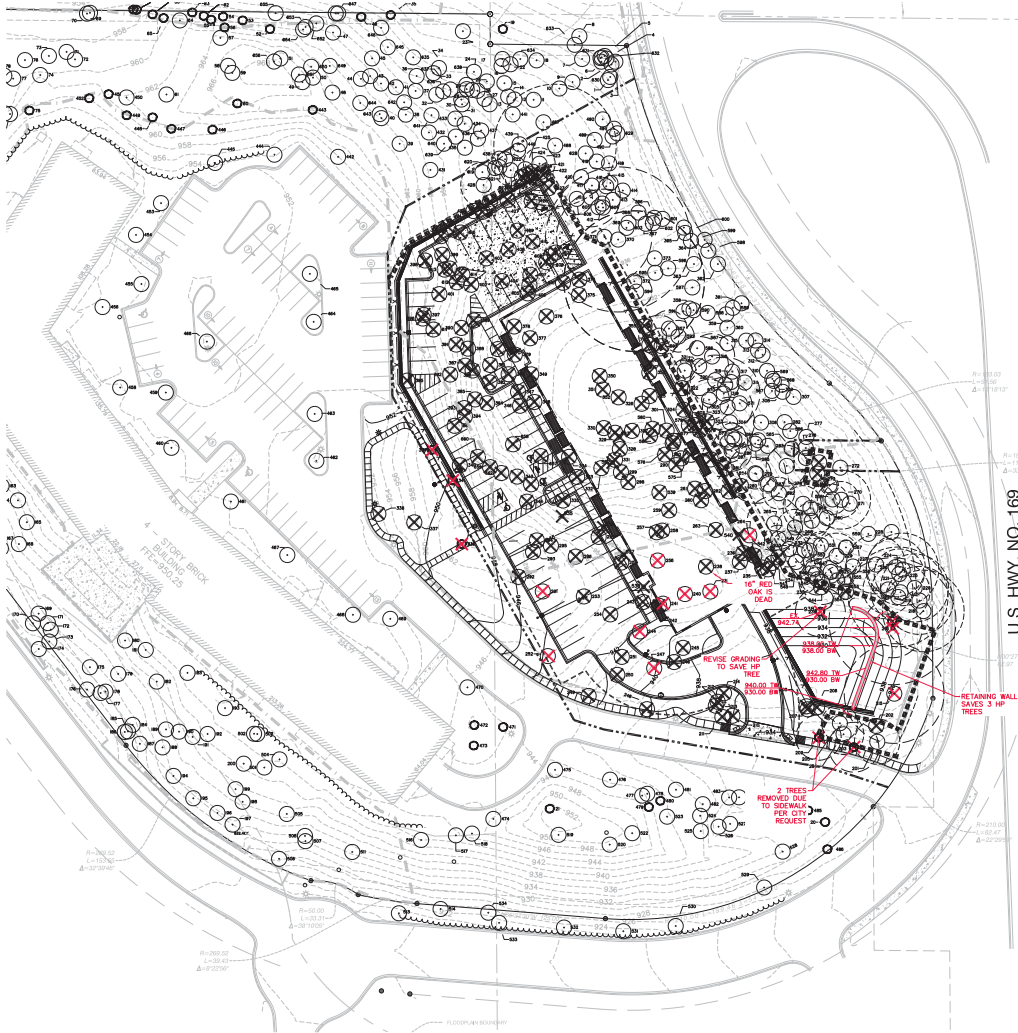
Attachments: Steep Slope Analysis Section, High Priority Tree Removal Plan
CC: Julie Wischnack, Loren Gordon



c:\2016\10014\minnetonka hills steep slope analysis.dwg

MINNETONKA HILLS STEEP SLOPE ANALYSIS
MINNETONKA, MN

N
 0' 10' 20'
 1"
 DATE: 6-7-17
 DRAWN BY: JDG
 SCALE: 1"=20'



MITIGATION CALCULATIONS:

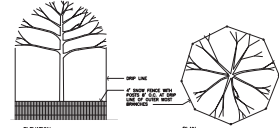
TOTAL DBH INCHES ON SITE: 7535
TOTAL DBH INCHES TO BE REMOVED: 2041 INCHES
REPLACEMENT REQUIRED: 1 FOOT FOR EVERY FOOT REMOVED, 1 INCH PER INCH REMOVED...

MITIGATION PROVIDED:
CONIFEROUS: 227.6 FEET HIGH PRIORITY CONIFEROUS TREES = 227.6 FEET NEW TREES REQUIRED
DECIDUOUS: 22 INCHES HIGH PRIORITY TREES = 22 INCHES NEW TREES REQUIRED...

NOTES:
HEIGHT TO DBH RATIO ASSUMED TO BE 1" DBH = 2.5' HT. WHERE APPLICABLE
NO TREES TO BE DISTURBED WITHIN WOODLAND PRESERVATION AREA OUTSIDE OF BASIC TREE REMOVAL AREA...

PRESERVATION NOTES:

- 1. BEFORE ANY CONSTRUCTION OR GRADING OF DEVELOPMENT PROJECT IS TO OCCUR, A TREE PROTECTION FENCE...
2. LINES OF ANY SIGNIFICANT TREES TO BE PRESERVED.
3. NO ENCROACHMENT, LAND DISTURBANCE, GRADE CHANGE, TRENCHING, FILLING, COMPACTION...
4. CONTRACTOR TO PREVENT THE CHANGE IN SOIL CHEMISTRY DUE TO CONCRETE WASHOUT...
5. DRAINAGE PATTERNS ON THE SITE SHALL NOT CHANGE CONSIDERABLY CAUSING DRASTIC ENVIRONMENTAL CHANGES...
6. DEAD, DISEASED OR DYING SIGNIFICANT TREES WERE NOT INCLUDED AS PART OF THE EXISTING TREE INVENTORY.
7. NO SIGNIFICANT TREES SHALL BE REMOVED UNTIL THIS TREE PRESERVATION PLAN IS APPROVED BY THE CITY OF MINNETONKA.
8. REFER TO THE LANDSCAPE PLAN FOR MITIGATION/REFORESTATION SPECIES, CALIPER INCHES AND PLANTING LOCATION.
9. HIGH PRIORITY TREE = MORE THAN 15 INCHES DBH DECIDUOUS (EXCLUDING BOX ELDER, ELM, POPLAR, WILLOW, SILVER MAPLE, BLACK LOCUST, AMUR MAPLE, FRUIT TREES, MULBERRY, NORWAY MAPLE) OR 20" PLUS CONIFEROUS (EXCLUDING COLORADO SPRUCE OR PLANTED SCREEN).
10. SIGNIFICANT TREE = ANY DECIDUOUS TREE MORE THAN 8 INCHES DBH OR ANY CONIFEROUS TREE OVER 15 FEET IN HEIGHT.



TREE LEGEND:

- 1524 EXISTING SIGNIFICANT/HIGH PRIORITY TREE TO BE PROTECTED
1524 EXISTING SIGNIFICANT/HIGH PRIORITY TREE TO BE REMOVED
1524 EXISTING SIGNIFICANT/HIGH PRIORITY TREE TO BE REMOVED
1524 EXISTING SIGNIFICANT/HIGH PRIORITY TREE TO BE REMOVED
1524 EXISTING SIGNIFICANT/HIGH PRIORITY TREE TO BE REMOVED

FOR REVIEW ONLY
PRELIMINARY
NOT FOR CONSTRUCTION
Scale bar and north arrow.

MINNETONKA HILLS APARTMENTS
2008 JORDAN AVE.
MINNETONKA, MINNESOTA
PUD AMENDMENT
TREE PRESERVATION PLAN
Alliant logo and contact information.

Resolution

Resolution No. 2017-

Resolution denying a major amendment to the existing master development plan, final site and building plans, with a parking variance, and preliminary and final plats for Minnetonka Hills Apartments at 2800 and 2828 Jordan Avenue

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

Section 1. Background.

- 1.01 Alliant Engineering, on behalf of Minnetonka Hills Apartments, LLP is proposing to redevelop the properties at 2800 and 2828 Jordan Avenue. As proposed a 78-unit apartment building would be constructed.
- 1.02 The property is legally described on Exhibit A of this resolution.
- 1.03 The proposed development requires multiple items:
1. Major amendment to an existing master development plan;
 2. Final site and building plans, with a parking variance;
 3. Preliminary and final plat; and
 4. Vacation of existing drainage and utility easements.
- 1.04 On June 22, 2017, the planning commission held a public hearing on this request. The applicant was provided the opportunity to present information. The commission considered all of the hearing testimony and the staff report, which are incorporated by reference into this resolution. The planning commission recommended that the city council deny the proposal and associated requests.

Section 2. Standards and Findings.

2.01 City Code §300.28, Subd. 19 outlines the PUD, planned unit development standards for developments which remove more than 35 percent of the site's high priority trees or 25 percent of a woodland preservation area.

1. Using creative design, which may include the clustering of homes, reducing lot sizes, reducing or expanding normal setbacks, custom grading, retaining walls, buffers and establishing the size and location of building pads, roads, utilities and driveways;

Finding: Given the site's dense vegetation, it would be difficult to redevelop the property without removing a significant amount of the site's regulated trees. While it is unlikely that any high-density development of the site would be in full compliance with the city's tree protection ordinance, a more intuitive and innovative site and building design could reduce the amount of necessary tree removal.

2. Preserving the continuity of woodland preservation areas by developing at the edges of those areas rather than at the core;

Finding: The proposal would not exceed the maximum removal amount of woodland preservation area allowed by ordinance. In fact, the proposal would not break up the continuity of the existing woodland preservation area.

3. Exercising good faith stewardship of the land and trees both before subdivision and after, including the use of conservation easements where appropriate; and

Finding: While the proposal would not meet this requirement outright, the city could require conservation easements over the woodland preservation area. The developer has also indicated a willingness to commit to a stewardship plan to remove buckthorn from the site.

4. Minimizing the impact to the character of the existing landscape and neighborhood.

Finding: While the developer incorporated retaining walls to reduce the amount of required grading, the proposal would undoubtedly change the character of the existing landscape and neighborhood.

2.02 City Code §400.28, Subd. 20(b) outlines the guidelines for consideration

when reviewing steep slope developments:

1. The property is physically suitable for the design and siting of the proposed development will preserve significant natural features by minimizing disturbance to existing topographical forms.

a) Design developments into steep slopes, rather than making significant alterations to the slope to fit the development:

1) avoid building pads that result in extensive grading outside of the building footprint and driveway areas;

Finding: While it is likely that the grading limits around the parking lot could be “tightened” to reduce the amount of required grading, the grading limits do not extend a significant distance beyond the building footprint and parking area.

2) use retaining walls as an alternative to banks of cut-and-fill, and design and site such walls to avoid adverse visual impact;

Finding: The proposal includes a number of retaining walls to reduce the need for cut-and-fill to accommodate the building pad.

3) allow for clustering with different lot shapes and sizes, with prime determinant being to maximize the preservation of the natural terrain;

Finding: While the proposal includes preliminary and final plat, the subdivision is only to allow for separate ownership of the apartment buildings and would not be a requirement.

4) allow flag lots when appropriate to minimize grading;

Finding: This standard does not apply.

5) avoid cuts and fills greater than 25 feet in depth; and

Finding: While the ordinance does not outright prohibit “cuts” and “fills” in excess of 25 feet, the proposal would include a “cut” of 26 feet into the slope.

- 6) design grading to preserve the crest of prominent ridges. Buildings may be located on the prominent ridges, as long as the requirements of this subdivision are met.

Finding: The amount of grading needed to create the building and parking pad would be significant. As proposed, these pads would require the prominent knolls and ridges of the site to be graded out.

- b) Design streets and driveways that generally follow existing contours, except where necessary for public safety or to minimize the adverse impacts from traffic:
 - 1) use cul-de-sacs and common drives where practical and desirable to preserve slopes; and
 - 2) avoid individual long driveways, unless necessary to locate the principal structures on a less sensitive areas of the site.

Finding: The proposal would avoid a long driveway as the new apartment building would be served by a connection to the existing Minnetonka Hills Apartment driveway from Jordan Avenue.

- c) Concentrate development on the least sensitive portion of the site to maximize the preservation of significant trees and natural features:
 - 1) preserve sensitive areas by clustering buildings or using other innovative approaches; and

Finding: The proposal is located such that, while it would remove woodland preservation areas, it would not break up the continuity of the existing preservation area. That said, the proposed building and parking lot would remove the existing and natural slope on the site.

- 2) maintain sufficient vegetation and design the scale of the development so that it does not overwhelm the natural character of the steep slope.

Finding: The proposal would preserve some vegetation along Jordan Avenue. However, the proposal would remove a significant amount of vegetation east of the existing apartment building.

- d) Preserve steep slopes that buffer residences from non-residential sources of light and noise.

Finding: It is very likely that the slope and associated vegetation provides some noise mitigation from US 169 for the existing Minnetonka Hills apartment building. Were the proposed building constructed, it would also provide a level of noise mitigation.

- 2. The development will not result in soil erosion, flooding, severe scarring, reduced water quality, inadequate drainage control, or other problems.

- a) Wherever practical, minimize the impervious surface area and maximize the use of natural drainage systems:

- 1) design any new drainage systems away from neighboring properties, away from cut faces or sloping surfaces of a fill, and towards appropriate drainage facilities, whether artificial or natural. Drainage systems must comply with the city's water resources management plan; and
- 2) use existing natural drainage system as much as possible in its unimproved state, if the natural system adequately controls erosion.

Finding: Runoff would be directed to the catch basin and natural depression in the southeast corner of the site. However, design alternatives could result in a reduction in the amount of impervious surface.

- b) Avoid building on or creating steep slopes with an average grade of 30 percent or more. The city may prohibit building on or creating slopes in the following situations:

- 1) where the city determines that reasonable development can occur on the site without building on or creating slopes; or
- 2) development on such slopes would create real or potentially detrimental drainage or erosion problems.

Finding: The slopes onsite have an average grade of 26 percent.

- c) design slopes to be in character with the surrounding natural terrain;

Finding: The proposal would significantly change the natural terrain of the site both aesthetically and physically.

- d) use benching, terracing, or other slope-stabilizing techniques for fill, as determined appropriate by the city engineer ;

Finding: The proposal includes a number of retaining walls, but does not incorporate benching or terracing.

- e) install and maintain erosion control measures during construction in accordance with the current Minnesota pollution control agency best management practices; and

Finding: If the city decided to approve the project, this would be included as a condition of approval.

- f) revegetate disturbed areas as soon as practical after grading to stabilize steep slopes and prevent erosion, as required by the city.

Finding: If the city were to approve the proposal, this could be included as a condition of approval.

3. The proposed development provides adequate measures to protect public safety.

- a) limit the slopes of private driveways to not more than 10 percent, the driveway should have sufficient flat areas at the top and toe to provide vehicles a landing area to avoid vehicles slipping into the adjacent street during icy conditions. The city may require a driveway turn-around; and

- b) provide sufficient access for emergency vehicles to reach the proposed buildings.

Findings: Minor modifications would be needed to the site plan to meet this standard. However, it is likely compliance could be achieved.

Section 3. Council Action.

3.01 The city council denies the proposal and associated requests based on the findings outlined in section 2 of this resolution.

Adopted by the City Council of the City of Minnetonka, Minnesota, on July 10, 2017.

Terry Schneider, Mayor
Attest:

David E. Maeda, 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 July 10, 2017.

David E. Maeda, City Clerk

Exhibit A

Lot 1, Block 2, Minnetonka Hills Apartments, Hennepin County, Minnesota, EXCEPT that part of Lot 1, Block 2, Minnetonka Hills Apartments lying North of the North line of Outlot C, said Addition and its Westerly extension.

And,

That part of Lot 1, Block 2, Minnetonka Hills Apartments, lying North of the North line of Outlot C, said Addition and its Westerly extension, Hennepin County, Minnesota.
(Torrens property: Certificate of Title No. 1075439)

And,

Outlot C, Minnetonka Hills Apartments, Hennepin County, Minnesota.
(Abstract property)

And,

The south 170 feet of the North 450 feet of the East 265 feet of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ of Se $\frac{1}{4}$) of Section 12, Township 117, Range 22, in Hennepin County, Minnesota,

EXCEPT that part lying Easterly of a line parallel with and distant 25 feet Westerly of the following described line: Commencing at the Southeast corner of Section 12, Township 117, Range 22; thence North along the East line thereof 784.96; thence deflect to the left at an angle of 90 degrees, a distance of 60 feet to the actual point of beginning of the line to be described; thence deflect to the right at an angle of 90 degrees, a distance of 136.28 feet; thence deflect to the left along a 26 degree 16 minutes 46 second curve (delta angle 49 degrees 16 minutes 15 seconds, tangent distance of 99.98 feet), a distance of 150 feet and there terminating.

(Abstract property)