

**Minnetonka Planning Commission  
Minutes**

**Feb. 15, 2018**

**1. Call to Order**

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

**2. Roll Call**

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

Staff members present: City Planner Loren Gordon, Assistant City Planner Susan Thomas, Senior Planner Ashley Cauley, and Natural Resources Specialist Aaron Schwartz.

**3. Approval of Agenda**

***Schack moved, second by Sewall, to approve the agenda as submitted with additional comments and a correction to a staff report provided in the change memo dated Feb. 15, 2018.***

***Schack, Sewall, Knight, O'Connell, Powers, and Kirk voted yes. Motion carried.***

**4. Approval of Minutes: Feb. 1, 2018**

***O'Connell moved, second by Powers, to approve the Feb. 1, 2018 meeting minutes as submitted.***

***Schack, Sewall, Knight, O'Connell, Powers, and Kirk voted yes. Motion carried.***

**5. Report from Staff**

Gordon briefed the commission on land use applications considered by the city council at its meeting of Feb. 5, 2018:

- Introduced items for iFly at Ridgedale Center.
- Introduced a telecommunications ordinance amendment to adopt state statute changes to address small technology.
- Held a concept plan review for Ridgedale Active Adult Apartments.

There was a joint comprehensive guide plan meeting Feb. 12, 2018 with city council, planning commission, park board, and EDAC that discussed land use and parks.

Staff has been conducting public outreach to get public input on the comprehensive guide plan.

The next planning commission meeting will be March 1, 2018. A new commissioner, Alex Hanson, will join the commission at that meeting.

**6. Report from Planning Commission Members**

Powers said that the joint study session was very good. Schack found it valuable for the public to be invited to observe the comprehensive guide plan steering committee meetings.

**7. Public Hearings: Consent Agenda**

No item was removed from the consent agenda for discussion or separate action.

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

**A. Variance for a second wall sign at 6150 Baker Road.**

Adopt the resolution which approves a variance to allow for a second wall sign on the east side of the building and a maximum signage area variance from 150 square feet to 180 square feet at 6150 Baker Road.

***Schack, Sewall, Knight, O'Connell, Powers, and Kirk voted yes. Motion carried and the item on the consent agenda was approved as submitted.***

**8. Public Hearings**

**A. Items related to construction of a new home at 3533 and 3535 Orchard Lane.**

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.

Sewall asked where the driveway would be located. Cauley pointed out the location and explained the driveway agreement that already exists.

Schack asked if moving the driveway would make development of the middle lot difficult. Cauley explained that a condition of approval would prevent Lot 7 from being developed.

Powers asked how many trees would be removed. Cauley answered that 30 trees would be removed for the driveway. Schwarz counted a total of 84 trees would be removed.

Christian Dean, architect representing the applicant, stated that he was present to answer questions. He was open to staff's proposed location of the driveway. The applicant would be amenable to using permeable pavers.

The public hearing was opened.

Christina Rudolph, 3529 Orchard Lane, requested that fast-growing trees or vegetation be planted to replace the removed trees and provide a buffer to her house. The plan is wonderful. She loves the house design.

Caroline Munson-Benson, 3525 Orchard Lane, stated that:

- The applicant should have the boundary lines professionally surveyed. She was unable to find all of the stakes to her property.
- “That” parcel was approved many years ago for development and she bought the house to preserve the wooded area. The woodland is one of the last natural habitats left in Minnetonka. She saw 18 deer this year. She was appalled that 84 trees would be removed.
- A pond forms in the woodland every spring. She would like to hear more about the floodplain and wanted to make sure her natural habitat would not be ruined.
- She asked if the garage would face her house. She was concerned with that.
- The proposal would impact her quality of life.

No additional testimony was submitted and the hearing was closed.

Cauley pointed out the layout of the proposed garage and house on the site. The proposal would be required to treat water runoff for the additional impervious surface. Engineering staff found that the proposal meets the stormwater treatment requirements. The proposal would excavate within the floodplain to mitigate for the fill of floodplain. This would result in an increase of floodplain storage on the site to improve the current situation. All of the excavation and mitigation would be done without impacting trees.

Cauley and Schwartz explained tree mitigation requirements and the location of the proposed conservation easement area.

Cauley noted that a survey was required as part of the application. The plans were prepared by a licensed surveyor.

Cauley explained that the lots have been taxed as buildable lots, so the property owners have some expectation that the lots would be buildable.

Schack confirmed with Cauley that Lot 7 would not be able to be developed. Cauley explained the location of the driveway. The location of utilities may impact the driveway location.

Schack thought the proposal makes the best out of a situation that is not ideal. She appreciated the driveway being moved to save trees. The lot is developable and the proposal is the most reasonable option.

Sewall and Chair Kirk agreed. They support the proposal. Chair Kirk would like permeable pavers to be a requirement of approval.

Powers found the environmental impact sad, but supports the proposal because there is no legal basis to deny it. The property owner has rights.

Sewall commended staff for working with the applicant to decrease the environmental impact and tree loss. The proposal is the best option for a bad situation.

***Knight moved, second by Powers, to recommend that the city council adopt the resolution approving a floodplain alteration permit, conditional use permit and a setback variance for the construction of a new home at 3533 and 3535 Orchard Lane.***

***Schack, Sewall, Knight, O'Connell, Powers, and Kirk voted yes. 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. Amendments to the design criteria for the Ridgedale Restaurant Properties at 12415 Wayzata Boulevard.**

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.

Mike Blank, 12425 Wayzata Boulevard, representing the applicant, Ridgedale Center, thanked staff for working through complex issues. Cauley did a great job summarizing the need for the amendment to the May approval. Keeping the signs organized and identifying design criteria has been accomplished. He was available for questions.

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

Powers found the proposal to be reasonable.

***O'Connell moved, second by Knight, to recommend that the city council adopt the resolution approving amendments to the existing master development plan at 12415 Wayzata Boulevard.***

***Schack, Sewall, Knight, O'Connell, Powers, and Kirk voted yes. Motion carried.***

**C. Items concerning iFly at 12415 Wayzata Boulevard.**

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.

Mark Lee, representing iFly, applicant, stated that this proposal would be the first iFly in Minnesota. It is safe for people of all ages and abilities. Classes are provided to students about the science of flying as well as providing them with the opportunity to fly. He was happy to answer questions.

In response to Chair Kirk's question, Mr. Lee stated that the building would be removed and materials recycled when it outlived its life in approximately 35 years. The building would be designed to enclose the noise and provide a smooth column of air which is safer than previous methods.

Sewall asked if the buildings are all the same size. Mr. Lee stated that a few smaller, tunnel-style buildings still exist, but have been discontinued because of how the fans operate. The proposal is safer than those. This building would be medium sized. There is also a large size.

Knight noted that there would be no noise since it would all be enclosed. He asked if the air would warm up. Mr. Lee answered affirmatively. The air is cooled to remain 72 degrees. Traffic would be louder than the hum from the coolers.

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

Knight asked if the signage would be specific to iFly. Cauley explained that a new tenant would be allowed a sign with a size equal to the existing one.

Powers supported a condition approving the signage for the applicant only.

Schack appreciated the applicant changing the signage to reflect commissioners' comments. She did not mind the size of the signs, but the number of signs would be more troubling if the tenant would change.

***Schack moved, second by Powers, to recommend that the city council adopt the following for iFly at 12415 Wayzata Boulevard with an amendment to apply the approval of the signage to iFly only and no future tenants:***

- 1) ***An ordinance amending an existing master development plan.***
- 2) ***A resolution approving final site and building plans and a sign plan.***

***Schack, Sewall, Knight, O'Connell, Powers, and Kirk voted yes. Motion carried.***

9. **Other Business**

**A. Concept plan review for Chabad Center for Jewish Life at 11170 Mill Run and 2449 Hopkins Crossroad.**

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

Thomas reported. Staff recommends the planning commission provide comments and feedback that the planning commission deems appropriate. The discussion is intended to assist the applicant with future preparation of more detailed development plans.

Rabbi Mordechai Grossbaum, representing the Chabad Center, applicant, stated that:

- He appreciated the opportunity to review the project.
- The programs include classes and lectures for children and adults.
- The building is smaller than many synagogues in the area.
- He appreciated everyone's concerns, interest, and ideas.

Powers asked how many people would visit the site in one week. Rabbi Grossbaum stated that there would be services at 6:30 a.m. Monday and Thursday; 8 a.m. on Sunday; Saturday morning; and overnight on Friday. Throughout the day there would be 5 to 10 staff members at the most. Small classes would be held throughout the day at different times. Lectures would be held at 7 p.m. Celebrations would also be held.

Sewall noted that the area is not very pedestrian friendly since it does not have sidewalks. Rabbi Grossbaum said that the families live close to the property. He would welcome a sidewalk. Many people walk on the street now.

Chair Kirk asked how parking would be handled. Rabbi Grossbaum said that he would work with staff.

Chair Kirk invited those present to provide input.

Stu Silberman, 11123 Mill Run, stated that:

- He was pleased with the detailed and thoughtful approach to the Orchard Lane proposal. This proposal would have more of an extensive impact on the neighbors.
- He was concerned with the public's safety and welfare due to the proposal restricting emergency vehicle access, adding significant additional traffic, and creating a danger to bicyclists and pedestrians.
- The proposal would not be in keeping with the surrounding area.
- It would not minimize tree or soil removal and it would not provide a desirable environment for the community.
- He was concerned that Mill Run would become an auxiliary parking lot. The plowing of snow is not done curb to curb, so the street is narrower during the winter.

- It is already difficult to turn from Mill Run onto Hopkins Crossroad.
- He and his family ride their bikes on Hopkins Crossroad to get to a trail.
- He found the proposed building unattractive.

Jo Soo, 2391 Vernon Circle, stated that:

- He was concerned with the size and aesthetics of the building.
- The intersection of Hopkins Crossroad and Mill Run is already at capacity. He was concerned with the safety of the drivers and pedestrians.
- He was concerned with the privacy, lack of screening, and proximity to the houses.
- He was concerned with water, light, and runoff.
- Each revision of the plan got worse. The height increased, the roof would reflect light, and the windows would be increased from three to 24 windows. The neighbors' comments were ignored.
- The building would be too big and out of character with the neighboring houses. The building would look too big from the view from his backyard.
- The proposal would cause an adverse impact on public health, security, and welfare.
- Parking, noise, and crowds would be an issue.

Michael Leardahl, 2390 Vernon Circle, stated that:

- Parking requirements require one parking space for every two and-a-half seats based on the sanctuary or main assembly space. He stated that the proposal bases the number of parking stalls on the sanctuary area only. The proposal has 40 parking stalls. He added the social hall and other areas, so his calculation finds that there should be 56 additional parking stalls.
- Weddings could have 250 people inside the building and an additional 150 people outside.
- Fetterly Road is 19 feet wide. Mill Run is 21 feet wide. Motorists park on Hillside for school events.
- He was concerned with pedestrian safety.

Amy Taswell, 11120 Mill Run, spoke on behalf of her husband and herself. She stated that:

- She appreciated the applicant hosting a neighborhood meeting and cleaning up the property.
- She welcomed having the Chabad Center as a neighbor if substantial revisions would be made. She opposed how it is proposed now.

- Hopkins Crossroad is already dangerous and has too much traffic. The morning and evening prayers are at the same time as morning and evening rush hour.
- Mill Run is not an arterial or collector street.
- Someone at the fire department told her that the emergency turn around could be handled without the Mill Run access if the size of the structure would be reduced and that it seemed like a lot of stuff on a small site. She requested the existing curb cut on Mill Run be blocked off.
- The building would be too large, be too much of an institutional style, and be too tall.
- The Mill Run covenants restrict the height of a building to two stories in height.
- She likes the appearance of Sharei Chesed, the synagogue on Hopkins Crossroad. It looks more residential.
- There would not be enough parking and motorists would park on residential streets which is not allowed.
- She was concerned about drainage.
- She was concerned with maintenance of the site.
- The proposal would not fit in the area because of its size and appearance.

Carl Smith, 11201 Fetterly Road West, stated that:

- An overturned vehicle took out his mailbox years ago.
- Forty-seven residences drive on Fetterly Road West to access Hopkins Crossroad.
- He provided photos of the site. The hills are steep. The road is slippery in the winter.

David Larson, 11171 Mill Run, representing his wife Cheryl Larson and some neighbors on Mill Run, stated that:

- The site should have 60 parking spaces to handle 150 people. Even more parking would be needed if the congregation grows.
- A pedestrian crosswalk and light might be needed at some point and that would impede traffic.
- The use would be too intense for the area and disrupt the harmony.

Sam Black, 2265 Cape Cod Place, stated that:

- He was concerned with the traffic on Hopkins Crossroad. He supported making it more pedestrian and bicyclist friendly.
- The renderings are inadequate. A 3D visualization would be better.
- He was concerned the building and parking areas would expand by purchasing surrounding properties.



Michael Leardahl, 2390 Vernon Circle, stated that:

- He was concerned with light reaching surrounding properties.

Clayton Haapala, 2309 Archers Lane, stated that:

- He was concerned with the sight line to the top of the building and parking lot lights.

Kristin Soo, 2391 Vernon Circle, stated that:

- A traffic study by SRF conducted 15 years ago found the level of traffic on Hopkins Crossroad to be a “D,” “E” or “F” during peak times. There are traffic issues at the top and bottom of the hill. It would not make sense to sandwich a large community center in between them.
- The intersection of Hillside and Hopkins Crossroad was identified as an intersection with more than the normal number of crashes.

Thomas explained the rights and restrictions cities have to create and apply city ordinances. Hennepin County would have to approve an application that would include an access on a county road.

Chair Kirk confirmed with Thomas that the city does not enforce private homeowner association covenants. Thomas stated that nuisance ordinances are applied to every property in the city.

Powers felt that the mass of the use should be scaled back. He is familiar with the site. He agreed with the traffic concerns. The proposal would not be in harmony with the neighborhood.

Schack agreed that the scaling would be too large considering its proximity to several residences. The building and parking would be too large for the parcel. Disrupting the harmony is an issue. Tree removal would create buffering issues. She would like to see how the actual building would blend into the surroundings. An access point to Hopkins Crossroad would benefit everyone including those visiting the proposed site.

Knight has a son who lives on Vernon. Residents on Mill Run and Fetterly Road have no other options than to travel on Hopkins Crossroad. That hill is steep. He had issues with adding traffic. The building would be too big for the site.

Sewall agreed with the scaling and harmony issues. He thought the appearance could work. His biggest concern is the parking and where overflow parking would occur for large events. A traffic pattern for vehicles not finding a spot and having to turn around needs to be considered.

O'Connell agreed with the mass and parking concerns. He would look at the traffic study before commenting on traffic.

Chair Kirk appreciated the respectful comments. He would support less mass and a larger buffer. There needs to be more parking, probably 75 or 80 stalls. The snow and student drivers complicate driving in the area.

Chair Kirk noted that this concept plan is tentatively scheduled to be reviewed by the city council at its Feb. 26, 2018 meeting.

**B. Concept plan review for Solbekken Villas, a residential development at 5740 and 5750 Shady Oak Road.**

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

Thomas reported. Staff recommends the planning commission provide comments and feedback that 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.

Ed Briesemeister, applicant, stated that:

- The condominium building would be roughly the height of the barn. He described the architectural features and layout of the buildings. The design would be harmonious with the neighborhood.
- Everyone at the neighborhood meeting liked the concept plan.
- There would be a three-car garage and 2,000 square feet for each single-family house. The houses would provide everything a person needs on one level and have a basement. The market price would be \$625,000 - \$650,000.
- Solbekken means "sunny brook" in Norwegian.
- He described the floor plan of the condominium buildings.
- He described the proposed traffic pattern.
- The site would be engineered to deal with seven inches of rain in 30 hours.

In response to Powers' question, Mr. Briesemeister said that the condominiums would be similar in size and price to the houses, \$625,000 and 1,900 square feet.

Sewall asked if a lot of grading would be needed. Mr. Briesemeister said that the hill would not be cut into, but grading would occur up to the hill.

Mr. Briesemeister said that the bright green area, 15,000 square feet, would be dedicated as park land connected to Lone Lake Park.

Chair Kirk asked if the elevator would meet building code requirements. Mr. Briesemeister answered affirmatively. All building code requirements would be met.

Chair Kirk invited the audience to provide input. No one responded.

Knight asked the applicant if he was concerned building next to a steep bank. Thomas provided that engineering staff already reviewed a similar proposal and found it acceptable. Mr. Briesemeister said that the slope appears steeper than it is due to the trees. Thomas noted that the topography is drawn with one-foot contours rather than the typical two-foot contours.

Mr. Briesemeister explained how the stormwater would be directed to the stormwater system.

Sewall supports the land use. The density would be appropriate. It is a unique product and site. He suggested connecting walkability to the park. Mr. Briesemeister said that there is a path connecting the cemetery and park.

Powers supports the idea. It is an exciting project. He likes the name. It is well thought through. The density is reasonably low.

Schack liked the look of the proposal. The price point is equal to the market. It is a beautiful project and is appropriate for the space.

Knight supports the proposal.

Chair Kirk liked the scale. The type of housing proposed is lacking in the city. He supports the proposal.

Chair Kirk noted that this concept plan is tentatively scheduled to be reviewed by the city council at its Feb. 26, 2018 meeting.

## 10. Adjournment

***Sewall moved, second by Powers, to adjourn the meeting at 10:15 p.m. Motion carried unanimously.***

By: \_\_\_\_\_  
Lois T. Mason  
Planning Secretary