

**Minnetonka Planning Commission  
Minutes**

**June 14, 2018**

**1. Call to Order**

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

**2. Roll Call**

Commissioners Sewall, Knight, Powers, Schack, and Kirk were present. Hanson was absent.

Staff members present: Community Development Director Julie Wischnack, City Planner Loren Gordon, Assistant City Planner Susan Thomas and Natural Resource Manager Jo Colleran.

**3. Approval of Agenda**

**Sewall moved, second by Schack, to approve the agenda as submitted with additional comments provided in the change memo dated June 14, 2018.**

***Sewall, Knight, Powers, Schack, and Kirk voted yes. Hanson was absent. Motion carried.***

**4. Approval of Minutes: May 24, 2018**

***Powers moved, second by Knight, to approve the May 24, 2018 meeting minutes as submitted.***

***Sewall, Knight, Powers, and Kirk voted yes. Hanson was absent. Schack abstained. Motion carried.***

**5. Report from Staff**

Gordon briefed the commission on land use applications considered by the city council at its meeting of June 4, 2018:

- Adopted a resolution approving an interim use permit for fireworks to be sold at Westwind Plaza.
- Adopted a resolution approving an accessory apartment at 2920 Ellsworth Lane.
- Adopted a resolution approving an accessory structure at 4024 County Road 101.
- Adopted a resolution approving a conditional use permit for Wellhaven Pet Clinic.
- Adopted an ordinance and resolutions approving items for Ridgedale Active Adult Apartments at 12421 Wayzata Boulevard.

The next planning commission meeting is scheduled to be held June 28, 2018.

The next comprehensive guide plan committee meeting is tentatively scheduled for July 18, 2018.

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

**7. Public Hearings: Consent Agenda**

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

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

**A. Approval of an expansion permit and variance to construct a new single-family home at 5718 Eden Prairie Road.**

Adopt the resolution approving the expansion permit and property line setback variance for a new house at 5718 Eden Prairie Road.

**B. Variance to construct a garage addition at 3707 Elmwood Place.**

Adopt the resolution approving the variance to construct a garage addition to the single-family home at 3707 Elmwood Place.

**C. Front yard setback variance for a porch addition at 11606 Minnetonka Mills Road.**

Adopt the resolution approving a front yard setback variance for a front porch addition at 11606 Minnetonka Mills Road.

**D. Resolution approving front yard setback variances for construction of a new home at 3105 Shores Boulevard.**

Adopt the resolution approving front yard setback variances for construction of a new home at 3105 Shores Blvd.

***Sewall, Knight, Powers, Schack, and Kirk voted yes. Hanson was absent. Motion carried and the items on the consent agenda were approved as submitted.***

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

**8. Public Hearings**

**A. Resolution approving property line, wetland setback, and wetland-buffer-width variances at 2071 Austrian Pine Lane.**

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

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

In response to Chair Kirk's question, Collieran explained that more wetland was created than what was required at the time mitigation took place.

Ryan Hanson, of Sustainable Nine Design and Build, representing the applicant, stated that the current wetland setbacks would make the lot unbuildable. The planners and Collieran helped create a good plan.

Schack asked what sustainable practices would be used. Mr. Hanson stated that his company is a green-focused builder. Trees would be protected as much as possible; energy efficiency would be gained by using high-end insulation techniques; low or no POC products would be used; the HVAC would use high-efficiency, central-air furnaces; the house would be made to be solar ready; and LED lighting would be used. It would be a great addition to the neighborhood.

Chair Kirk liked the design.

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

***Schack moved, second by Powers, to adopt the resolution approving property line, wetland setback, and wetland-buffer-width variances for construction of a new house at 2071 Austrian Pine Lane.***

***Sewall, Knight, Powers, Schack, and Kirk voted yes. Hanson 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. Site and building plan review for additions to the existing auto dealership building at 13400 Wayzata Blvd.**

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

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

Phillip Branson, director of operations for Morrie's Auto Group, applicant, stated that the proposal would make improvements to the building. He was available for questions.

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

Sewall thanked the applicant for not applying for a parking-lot expansion. The neighbors appreciate it.

***Powers moved, second by Knight, to adopt the resolution approving final site and building plans for additions to the existing auto dealership building at 13400 Wayzata Blvd.***

***Sewall, Knight, Powers, Schack, and Kirk voted yes. Hanson 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.

**C. Items concerning Ridgedale Executive Apartments located at 12501 Ridgedale Drive.**

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.

Powers noted that the site could hold an apartment building and a two-story office building in some way that would be acceptable. Gordon stated that the location of the office building would make the plan challenging.

Sewall asked if there are examples of office buildings located behind other office buildings. Gordon stated that there are a few office developments along Interstate 394 that have office buildings located along private driveways. Gordon was unable to find a site in Minnetonka similar to the proposal's uses and layout. The mix of uses is appropriate for the area. The proposal has organizational issues with the driveway and layout.

Sewall confirmed with Gordon that exterior parking spaces could be used by anyone. There would be no interior office building parking.

Tammy Diehm, of Winthrop and Weinstine, representing the applicant, stated that:

- The applicant has improved the plan since what was presented in November of 2017 in response to concerns from neighbors and staff.
- A traffic consultant confirmed that the internal operation would have

- appropriate circulation and be safe for all types of uses.
- The site would have a monument sign and be a destination.
- Much of the office building would be oriented toward the wooded area and pond.
- The drive aisle would be changed to be 26-feet in width.
- The parking stalls on the side of the building on Ridgedale Drive and those abutting the YMCA would be visitor parking stalls for the apartment building and the stalls added between the office and apartment buildings would be used by the office building tenants and visitors.
- She was available for questions.
- Based on the additional reduction in mass, the proposal meets the requirements of the ordinances and justifies the planning commission's recommendation to the city council that rezoning would be appropriate.
- The proposal would bring diversity of housing types and the redevelopment of the vacant building would be an asset to the community and increase the city's tax base.

Chair Kirk invited those present to comment.

Dr. Mark Stetsin, 2000 Norway Pine Circle, stated that he was speaking on behalf of his wife and a coalition of neighbors. He stated that:

- They are excited about the Ridgedale redevelopment project and support high-density housing, but all new high-density housing must be in compliance with the comprehensive guide plan, meet city code requirements including zoning, and not intrude on existing neighborhoods.
- They support the Trammel Crow project at Ridgedale Center.
- The developer has not incorporated much of what was recommended by the city council, planning commission, and staff.
- They strongly opposed the proposed project and support denial of the application.
- He referred to a letter written by their attorney that includes a written list illustrating how the proposal does not comply with the comprehensive guide plan or city code requirements.
- Councilmember Allendorf said that the footprint would be too large for the property. He agreed. The height has been decreased, but the footprint has not been reduced. The FAR has been increased.
- The building would be too big and massive. It would not provide an adequate transition or buffer from high-density to low-density housing. High-density housing should be located north of Ridgedale Drive.
- The site would lack organization and have a building behind a building.
- The office building would be required to have 57 parking spaces, but the proposal only has 32. It would be short 25 parking stalls.
- He requested the proposal be denied.

Sewall asked if parking would meet ordinance requirements. Gordon explained that there would be surface parking stalls adjacent to the building. It is presumed those would be used by the office building tenants and visitors. To meet ordinance requirements, additional spaces would be needed.

Chair Kirk noted that the applicant has gone to great lengths to respond to what the community, city council, and planning commission requested.

Powers agreed that the applicant has made changes. The city council and planning commission did not mention disharmony during the concept plan review. He did not agree with the neighbors. There would be adequate buffering. He respects staff's recommendation.

Chair Kirk likes the look of the apartment building. He struggled with the office building.

Gordon noted that the planning commission and city council focused on the size, mass, and width of the residential building during the concept review process.

Schack reviewed the previous packets. She recalled discussion regarding site organization and problems with site organization during the concept plan review in November. She acknowledged that was not the primary concerns addressed by the planning commission, because mass was a greater issue at that time. The organization of the site is troubling. She supports residential and high-density housing in the Ridgedale area. She would like to know more about how the comprehensive guide plan and Ridgedale development plan would impact the zoning before commenting further on that piece. She could not get over the issues with the site's organization. Planning staff recognize the issues and she respects their recommendation. When driving to the proposed office building, she knows that she would drive by it before figuring out its location since it would not be visible from the road. She was not comfortable with the proposal. The mixed use makes sense at the proposed location. She would not oppose the high-density residential use, if the site would be better organized.

Sewall did not have a problem with the mass. He would be o.k. with removing the office building and making the apartment building larger. The apartment building could be attractive and respectful to the neighbors. He agreed that the site is messy. He was not sure what could be built that would work. He was torn.

Chair Kirk noted that the office building was not visible behind Redstone. Powers noted that he went to Redstone for years and never noticed the office building.

Knight struggled with the proposal. The applicant reduced the mass of the building. The office building is not a fast-food restaurant that would need to have a large sign. Most of the visitors to the office building would know where it is located. He voted for it last time and it has been improved since then. He questioned why there would be no windows on

the back of the office building that would face the wetland. Gordon clarified that there would be windows.

Chair Kirk supports staff's recommendation to deny the proposal.

Powers did not think the proposal would make the site less harmonious than it is currently.

***Schack moved, second by Sewall, to recommend that the city council adopt the attached resolution denying rezoning, master development plan, and site and building plans for the Ridgedale Executive Apartments.***

***Sewall, Schack, and Kirk voted yes. Knight and Powers voted no. Hanson was absent. Motion carried.***

This item is tentatively scheduled to be reviewed by the city council at its meeting on July 9, 2018.

## 9. Other Business

### A. Concept plan review for Hennepin County Medical Examiner's Office at 14300 County Road 62.

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

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

John Rode, senior facility planner with Hennepin County Facility Services Planning and Project Development, representing the applicant, stated that the site has 160 acres. He provided a history of the site.

Zach Essig, engineer with Leo A. Daly, stated that:

- He pointed out what wetland area and trees would be protected. The Tamarack bog would be protected and preserved up to the slope.
- There would be 24.5 acres of buildable space.
- He compared possible building locations considering access, impact to trees, wetlands, and slopes.
- The proposed building location would provide a nice approach through the south side of the wetland between the woodland preserve and wetland area using retaining walls to reach the road. The road would have a typical width with retaining walls that would not have any permanent impact on the wetland or woodland preserve.

- As many coniferous trees would be preserved as possible.

Mr. Rode stated that:

- The autopsy wing would be 3,500 square feet. There is a second level that would house mechanical equipment and building services. There would be 10 autopsy tables and two isolation autopsy tables.
- There would be 21 offices and 37 work stations.
- The site pad would be located on eight acres. Access uses another two acres. There would be 55 secure parking stalls for staff. There would be 29 visitor stalls and 13 additional overflow stalls to accommodate the conference center.

Melissa Lallak, department administrator for the medical examiner's office, stated that:

- The medical examiner's office investigates deaths that meet statutory requirements in a forensic manner.
- The facility would operate 24 hours a day, seven days a week.
- The facility is a collaboration of Hennepin, Dakota, and Scott Counties. There are a number of highly educated staff in the field of forensic science.
- They are an accredited site to train forensic scientists.

Sewall asked if there would be an environmental impact. Ms. Lallak said that the environmental impact would be minimal. There would be no crematorium. Specimens would be collected in containers that would be sent to outside testing labs. The ventilation in the building would be set up to be respectful to the outside.

Sewall asked how many vehicle trips the site would generate. Ms. Lallak stated that 16 employees would travel to and from the site. The investigative staff operate 24/7, but that would create a minimal number of trips. Funeral homes and the transport agency typically use white vans. The facility has two rigs that investigators drive to scenes that are silver and have the Hennepin County Medical Examiner's Office logo on the outside.

Powers asked if other sites are being considered. Mr. Rode stated that three other sites were considered in Bloomington, but they did not work out. The applicant will receive state bonding for the project and is looking for help from Dakota and Scott Counties for funding.

Chair Kirk thought it looked like the north part of the site is less wooded. Mr. Rode said that having the building further south minimizes the access road length.

Gordon noted that city requirements would allow for a larger buildable area on the site than the applicant's determination.



Chair Kirk asked about the type of planted trees on the site. Gordon answered that the trees are mostly red pines and some scotch pines.

Chair Kirk recommended requesting permission for commissioners to visit the site. Gordon agreed. Mr. Rode stated that a minimal background check would have to be done for each visitor, but that would be possible.

Powers asked for the size of the current operating site. Mr. Rode stated that the facility takes up half of a city block. The existing building is 62,000 square feet in size. It also has a functional crime lab. The medical examiner utilizes 40,000 square feet with the crime lab using 22,000 square feet. The proposed building would have approximately 68,500 square feet. That would provide the anticipated capacity requirements for the next 30 years. The proposed parking is projected to be adequate until 2047.

Chair Kirk asked if anyone in the audience wanted to provide comments.

Anne Hossfeld, 14616 Glendale Street, asked for the level of approval the city has over the site and questioned the number of attendees at the conferences.

Gordon explained that the city's land use ordinances apply to a publically-owned property the same as a privately-owned property. Schack provided the example of a restroom facility that was approved for the Hopkins High School site. An application submitted by a school district is treated the same as an application submitted by a private-property owner.

Ms. Lallak explained that Hennepin County currently sponsors a MN Coroners and Medical Examiners three-day conference which is held at a hotel in St. Louis Park. A two-day conference may be held at the proposed facility. Transportation and lodging options would need to be researched.

Schack thought the proposal would be a good use of county-owned property. She wished more trees could be saved. She understood there would be a trade-off to move the building further north. She is less concerned with the pines than if it was an oak forest. The county figures the buildable area as 24 acres, but the city's parameters would allow a lot more development on the site.

Sewall liked the idea of visiting the site as a group. He would like to see how far north the building could be moved and compare the increase in hard surface coverage to the number of trees that could be saved. He would like to see a rendering of the proposed building. The building would be relatively central. It is a very large site. It would be an appropriate land use.

Chair Kirk struggled with the land use. He understood that it may seem like an appropriate use to be adjacent to the county home school. The property is beautiful and has so much potential.

Powers thought something special could be built on the 161 acres. He was worried that it would be developed in pieces.

Schack appreciate the value of the property. She saw it evolving into a county campus. The public use is of value. It would be a loss to provide an opportunity for housing, but the site is not zoned residential.

Sewall stated that individual property owners have rights. He agreed this would be a great spot for housing and the county may decide to split up the property, but the use would be appropriate for the current situation.

Powers saw it as an educational facility.

Schack made a correlation to Carlson Companies proposing to add a building to its campus on McGinty Road West. There is a lot of land that would make great residential housing, but she did not think that would happen in her lifetime. She would be hard pressed to deny Carlson the ability to develop their land within the city's ordinance requirements.

Sewall asked commissioners to consider if the proposal would limit the ability of the property to be subdivided and used for housing in the future.

Wischnack said that commissioners could request a possible build-out scenario from the applicant.

Powers would not want a 10-acre development to define the entire 161-acre parcel.

Knight was concerned with locating the building in the middle of the property to site area to the north. The building could be moved further north without adding too much more driveway.

Chair Kirk likes how the parking areas meander through the site to break-up the parking instead of having one massive parking lot. The site would be respectful of the tree canopy.

The city council is tentatively scheduled to review this item at its meeting on July 9, 2018.

## 10. Adjournment

***Sewall moved, second by Powers, to adjourn the meeting at 9 p.m. Motion carried unanimously.***

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