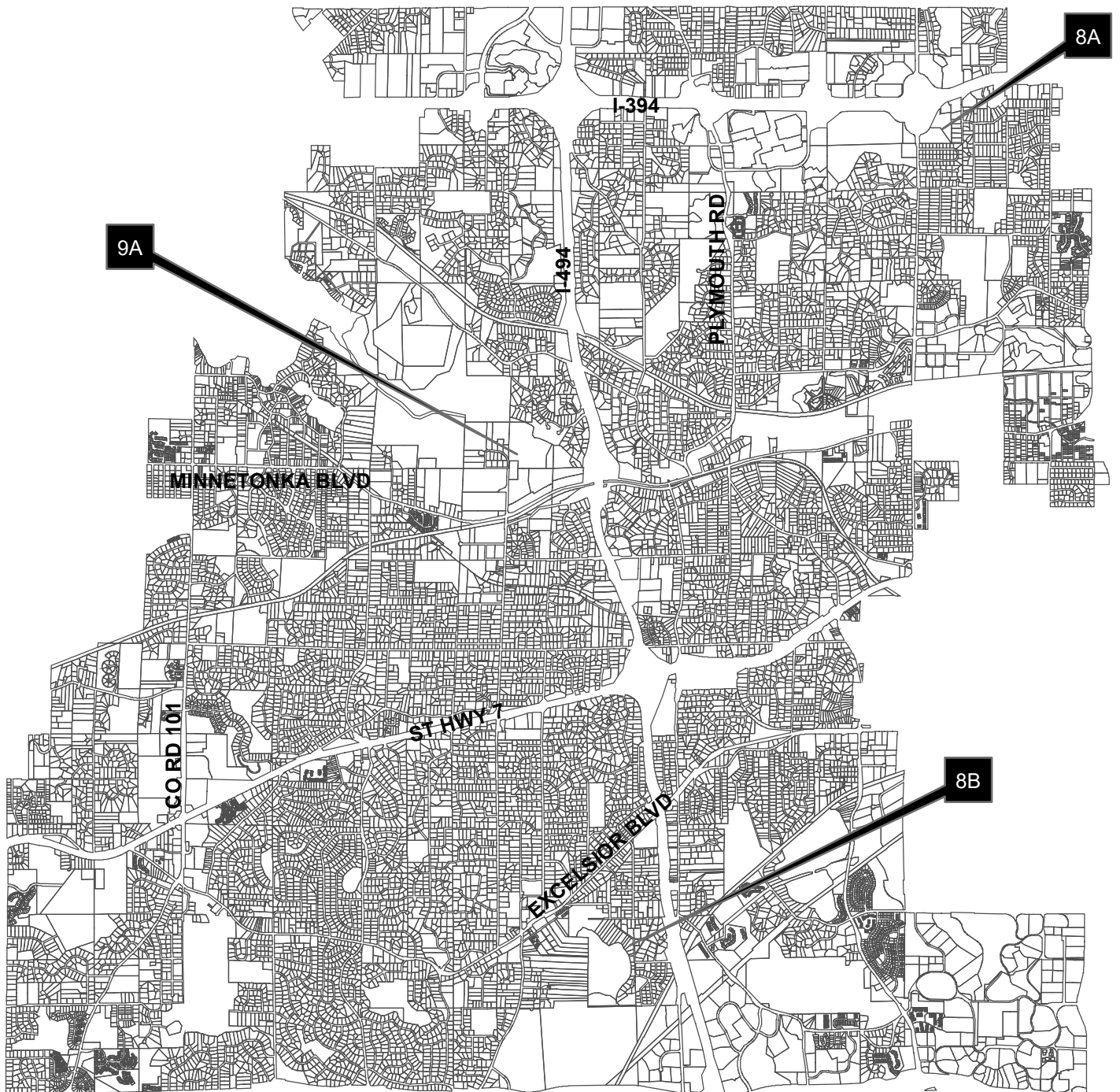




CITY OF  
**MINNETONKA**

**CITY OF MINNETONKA  
PLANNING COMMISSION  
AUGUST 2, 2018**

14600 Minnetonka Blvd. • Minnetonka, MN 55345  
(952) 939-8200 • Fax (952) 939-8244  
eminnetonka.com





**Planning Commission Agenda**

**August 2, 2018—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: July 19, 2018**

**5. Report from Staff**

**6. Report from Planning Commission Members**

**7. Public Hearings: Consent Agenda**

No items

**8. Public Hearings: Non-Consent Agenda Items**

A. Amendment to the Crest Ridge Corporate Center sign plan for Orchards of Minnetonka at 10955 Wayzata Boulevard.

Recommendation: Adopt the resolution approving the request (5 votes)

- Final Decision Subject to Appeal
- Project Planner: Ashley Cauley

B. Variance and expansion permit to construct a single-family home at 5500 Mayview Road.

Recommendation: Adopt the resolution approving the request (5 votes)

- Final Decision Subject to Appeal
- Project Planner: Drew Ingvalson

**9. Other Business**

- A. Concept plan review for City of Minnetonka Police and Fire Facility Project at 14500 and 14550 Minnetonka Blvd.

Recommendation: Discussion only. No formal action required.

- Recommendation to City Council (Tentative Date: August 27, 2018)
- Project Planner: Susan Thomas/Loren Gordon

**10. Adjournment**

## Planning Commission Agenda

August 2, 2018

Page 3

### 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 August 16, 2018 planning commission meeting:

Project Description: The applicant is proposing to redevelop the existing properties a 5517 and 5525 Eden Prairie Road. Existing structures would be removed and five new villa-style homes would be constructed. The proposal requires approval of: (1) rezoning; (2) site and building plans; and (3) preliminary and final plans.

Project No.: 17027.18a

Staff: Susan Thomas

Ward/Council Member: 1—Ellingson

Section: 33

Project Description: Metro Adult Care is proposing to open an adult day care facility within the existing tenant space at 11581 K-Tel Drive. The proposal requires approval of: (1) conditional use permit.

Project No.: 18025.18a

Staff: Ashley Cauley

Ward/Council Member: 1—Ellingson

Section: 26

Project Description: Ryan Companies is proposing to construct a 2-story parking ramp on the north side of the property at 12501 Whitewater Drive. The proposal requires: (1) an amendment to the existing master development plan; and (2) approval of final site and building plans.

Project No.: 18026.18a

Staff: Susan Thomas

Ward/Council Member: 1—Ellingson

Section: 34

Project Description: The property owner is proposing to construct a 24' x 24' detached garage on the property at 5509 Co Rd 101. The garage requires a variance to reduce the front yard setback for an accessory structure from 50-feet to 34-feet.

Project No.: 18028.18a

Staff: Ashley Cauley

Ward/Council Member: 4—Bergstedt

Section: 31

Project Description: The property owners are proposing to remove an existing, single-stall, detached garage and replace it with a new, two-stall, detached garage at 3500 Meadow Ln. The new garage would maintain the non-conforming setbacks of the existing garage. The proposal requires an expansion permit.

Project No.: 18027.18a

Staff: Susan Thomas

Ward/Council Member: 2—Open Seat

Section: 17

Project Description: Concept plan for a three-story, 60-unit market rate apartment building, at 14317 Excelsior Blvd.

Project No.: 96077.18a

Staff: Susan Thomas

Ward/Council Member: 1—Ellingson

Section: 27

### **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**

**July 19, 2018**

**1. Call to Order**

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

**2. Roll Call**

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

Staff members present: City Planner Loren Gordon, Assistant City Planner Susan Thomas, Planner Drew Ingvalson, and Natural Resource Manager Jo Colleran.

**3. Approval of Agenda:** The agenda was approved as submitted.

**4. Approval of Minutes:** June 28, 2018

***Knight moved, second by Sewall, to approve the June 28, 2018 meeting minutes as submitted.***

***Knight, Powers, Sewall, Hanson, and Schack voted yes. Kirk 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 July 9, 2018:

- Adopted a resolution approving a 12-month extension for Oakhaven Acres Addition.
- Adopted a resolution approving a conditional use permit for the Advantage Program for the Minnetonka School District.
- Adopted a resolution approving an ordinance and resolution approving items for a proposed parking ramp addition at 12700 Whitewater Drive.
- Adopted a resolution approving items to expand an existing medical clinic at 10653 Wayzata Blvd.
- Adopted a resolution denying a conditional use permit for a religious institution at 2333 and 2339 Hopkins Crossroad and 11170 Mill Run.
- Adopted a resolution approving items for Ridgedale Executive Apartment located at 12501 Ridgedale Drive.

**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.

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

- A. Resolution approving an expansion permit for the construction of an addition on the east side of the existing house at 3713 Elmwood Place.**

Adopt the resolution approving an expansion permit for construction of an addition at 3713 Elmwood Place.

- B. Expansion permit for an addition at the existing house at 206 Townes Lane.**

Adopt the resolution approving an expansion permit for an addition to the existing house at 206 Townes Lane.

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

**8. Public Hearings**

- A. Multiple variances to construct an attached garage addition at 5068 Belwood Lane.**

Acting Chair Schack 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.

Paul Swanson, 5068 Belwood Lane, applicant, stated that he agreed with staff's report. The chimney on the side of the house would be located inside the garage.

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

Hanson liked that the plan minimized increasing the size of the footprint.

Powers agreed. He noted that no complaint was received from neighbors.

***Powers moved, second by Hanson, to adopt the resolution approving the variances to construct an attached garage addition to the single-family home at 5068 Belwood Lane.***

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

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

**B. Conditional use permit for an accessory apartment at 2201 Hillside Circle.**

Acting Chair Schack 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 Acting Chair Schack's question, Thomas explained that the conditional use permit is tied to the property, not the owner. A non-relative would also be allowed to occupy the accessory apartment.

In response to Hanson's question, Thomas explained that the proposal's encroachment into the setback would be caused by the apartment instead of the proposed garage addition. The character of the neighborhood also plays a role in determining if a variance would meet setback variance standards.

Acting Chair Schack confirmed with Colleran that one silver maple tree would be removed.

John Anderson, architect representing the applicant, stated that the report was put together well. He was available for questions.

Powers asked if the shed would remain. Mr. Anderson believed that it would remain.

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

Powers visited the site and thought the proposal would fit well in the neighborhood. It would be visually appealing. He liked the photographic evidence provided. He supports the proposal.

Knight has visited the house a number of times. He spoke to the former owners who are very happy that the new owners want to build an addition to the house.

Acting Chair Schack felt similar proposals would become more common and would help improve the housing balance the city. She liked the design.

***Knight moved, second by Powers, to recommend that the city council adopt the resolution approving a conditional use permit for an accessory apartment at 2201 Hillside Circle.***

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



This item is tentatively scheduled to be reviewed at the city council meeting on August 6, 2018.

**9. Adjournment**

***Knight moved, second by Hanson, to adjourn the meeting at 7 p.m. Motion carried unanimously.***

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

**Minnetonka Planning Commission Meeting**

**August 2, 2018**

**Agenda Item 7**

**Public Hearing: Consent Agenda**

**No Items**

# **Minnetonka Planning Commission Meeting**

**August 2, 2018**

**Agenda Item 8**

**Public Hearing: Non-Consent Agenda**

**MINNETONKA PLANNING COMMISSION**  
**August 2, 2018**

**Brief Description**           Amendment to the Crest Ridge Corporate Center sign plan for Orchards of Minnetonka at 10955 Wayzata Boulevard

**Recommendation**         Adopt the resolution approving the request

---

**Background**

In January 2008, the city council approved a master development plan for what has become the properties at 11055 and 10955 Wayzata Boulevard. The approved Crest Ridge Corporate Center plan included the construction of two, three-story office buildings, associated parking structures, and surface parking lots. An office building and parking ramp were constructed on the 11055 Wayzata Boulevard (Syngenta) property shortly after the approval. Following the construction of the building, the city approved a sign plan for the two properties in 2009. The sign plan allows:

- three monument signs;
- four-foot maximum letter height for wall signs; and
- a maximum of 6-foot stacked letter height for wall signs.

Despite an approved major amendment to the master development plan in 2013 to allow a medical use, the 10955 Wayzata Boulevard (northern) property remained vacant. In January 2017, the city council approved a new master development plan for the 10955 Wayzata Boulevard (northern) site to allow for a four-story senior rental housing building on site.

**Proposal**

The Opus Group is proposing to mount two identification signs on the retaining wall. The size of the signs would be generally consistent with the existing sign plan. No changes are proposed to the signage on the Syngenta building at 11055 Wayzata Boulevard.

The following table is intended to summarize the current sign plan and the applicant's request:

		<b>2009 Sign Plan</b>	<b>Proposed Signs **</b>
Monument sign	Copy and Graphic area	50 sf	No monument proposed
	Monument size	100 sf	
Wall Signs	Maximum wall sign area	162.5 sf *	North sign: 161 sf South sign: 96 sf
	Maximum letter height	4 ft	North sign: 3 ft South sign: 2.5 ft
	Maximum stacked height	6 ft	North sign: 5.7 ft South sign: 6 ft

\* per wall sign

\*\* mounted on retaining wall

### **Staff Analysis**

Staff finds that the applicant's proposal is reasonable as:

- The current sign plan envisioned that the site would be improved with an office building. The signage needs of an office building are much different than that of a multi-family residential building.
- The amendment would not increase the amount of signage originally envisioned for the property. In fact, the amount of onsite signage would be less than originally approved.
- Given the topography of the site, the proposed signs on the retaining wall would allow for improved wayfinding and site identification.

### **Staff Recommendation**

Adopt the resolution which approves a sign plan amendment for Orchards of Minnetonka at 10995 Wayzata Boulevard.

Originator: Ashley Cauley, Senior Planner  
Through: Susan Thomas, AICP, Assistant City Planner

### Supporting Information

**Surrounding  
Land Uses**

Northerly: Wayzata Boulevard and multi-family residential building  
Easterly: Single-family homes  
Southerly: Syngenta office building and single-family homes  
Westerly: Hopkins Crossroad and MetroTransit Park and Ride

**Planning**

Guide Plan designation: High-density residential  
Existing Zoning: Planned I-394 District, PID

**Sign Plan Review**

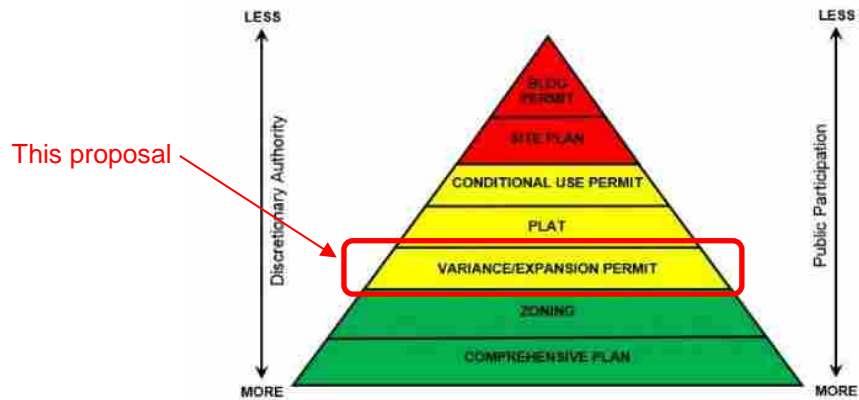
Within the PUD/PID zoning districts, a sign plan with differing requirements may be approved by the city. Factors which will be used in determining if an individual P.U.D./P.I.D. sign plan will be considered includes the following:

1. The development includes a high rise (greater than a three-story) structure;
2. The development includes multiple structures and/or substantial site area;
3. The development has mixed uses;
4. A sign plan is uniquely adapted to address the visibility needs of a development while remaining consistent with the intent of this section to direct high quality signage; and
5. The sign plan includes permanent sign covenants which can be enforced by the city.

**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)

### 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 approving the sign plan amendment.
2. Disagree with staff's recommendation. In this case, a motion should be made denying the sign plan amendment. This motion must include a statement as to why denial is being recommended.
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 Requirements

The planning commission action on the applicant's request is final, subject to appeal. Approval requires the affirmative vote of five commissioners.

### Appeals

Any person aggrieved by the planning commission's decision about the requested variances may appeal such decision to the city council. A written appeal must be submitted to the planning staff within ten days of the date of the decision.

### Neighborhood Comments

The city sent notices to 111 area property owners and received no comments.

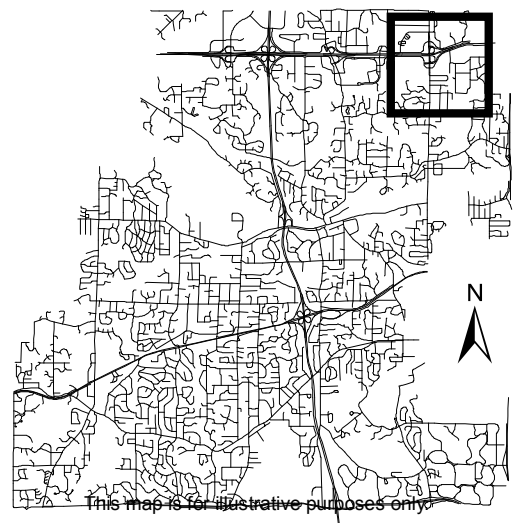
### Deadline for Decision

October 27, 2018



**Location Map**

Project: Orchards of Minnetonka  
 Address: 10955 Wayzata Blvd



This map is for illustrative purposes only.





## PROJECT NARRATIVE

### ORCHARDS OF MINNETONKA

[FORMERLY: Crest Ridge Senior Living]

Southeast quadrant of Hopkins Crossroad and I-394, Minnetonka, Minnesota

#### Project Team:

##### Owner/Developer

The Opus Group  
10350 Bren Road West  
Minnetonka, MN 55343  
Contact: Matt Rauenhorst  
Phone: 952-656-4444  
Email: [Mathew.Rauenhorst@opus-group.com](mailto:Mathew.Rauenhorst@opus-group.com)

##### Architect of Record

Opus AE Group  
10350 Bren Road West  
Minnetonka, MN 55343  
Contact: Ed Gschneidner, AIA, LEED AP  
Phone: 763-843-0464  
email: [Ed.Gschneidner@opus-group.com](mailto:Ed.Gschneidner@opus-group.com)

##### Design / Consulting Architect

Sperides Reiners Architects, Inc.  
4200 West Old Shakopee Road  
Bloomington, MN 55437  
Contact: Eric A. Reiners, AIA  
Phone: 952-996-9662  
email: [eric@sra-mn.com](mailto:eric@sra-mn.com)

##### Structural Engineer

Opus AE Group  
10350 Bren Road West  
Minnetonka, MN 55343  
Contact: Ed Gschneidner, AIA, LEED AP  
Phone: 763-843-0464  
email: [Ed.Gschneidner@opus-group.com](mailto:Ed.Gschneidner@opus-group.com)

##### Design Builder

The Opus Group  
10350 Bren Road West  
Minnetonka, MN 55343  
Contact: Tom Becker, P.E., LEED AP  
Phone: 952-656-4444  
Email: [Tom.Becker@opus-group.com](mailto:Tom.Becker@opus-group.com)

##### Facility Operator

Ebenezer  
2722 Park Ave. South  
Minneapolis, MN 55407  
Contact: Jill Nokelby Kaiser  
Phone: 612-874-3460  
Email: [jkaiser7@fairview.org](mailto:jkaiser7@fairview.org)



**PROJECT SITE DATA**

**Parcel Basics**

The site is the north half of the Crest Ridge Corporate Center totaling 306,783 sq. ft., or 7.04 acres, identified as Crest Ridge Corporate Center, Block 1, Lot 1 and is currently under construction pursuant to project approvals and permits procured in 2016 and 2017. The property is bounded by Wayzata Boulevard South Frontage Road to the west, multi-family housing to the north, single family housing to the east, and Crest Ridge Corporate Center Phase 1 and storm water pond to the south.

**Project Land Use Data**

When completed, the site will accommodate a 145-unit, senior housing structure whose primary focus will be to provide independent living [75 units], assisted living [50 units] and memory care [20 units] to senior citizens together with a full continuum of care allowing the residents to comfortably age in place, while supported by the full range of additional services provided by Ebenezer, the facility operator.

**PROJECT SIGN PLAN**

**Program**

The site is currently governed by a sign plan originally adopted when the site was going to be developed as a corporate office with parking structure. This plan, although adequate at the time, will not be directly applicable to the current senior housing development.

Primary requested deviation from the adopted sign plan is summarized below:

**ADOPTED SIGN PLAN**

**Monument Signs**

- Sign A – Development Identification  
32 square feet copy & graphic area
- Sign B – North Building Identification  
50 square feet copy & graphic area
- Sign C – South Building Identification  
50 square feet copy & graphic area

**Wall Signs**

- North Building - Two wall signs permitted  
162.5 square feet maximum each
- South Building - Two wall signs permitted  
162.5 square feet maximum each

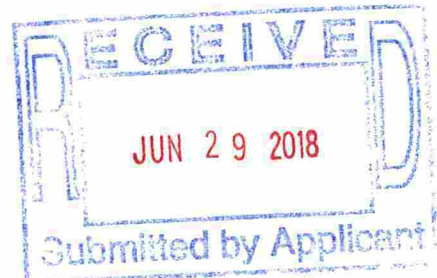
**PROPOSED SIGN INSTALLATION**

**Monument Signs**

- No Change Proposed
- No free-standing Monument sign Proposed
- Existing – No Change Proposed [Syngenta]

**Wall Signs**

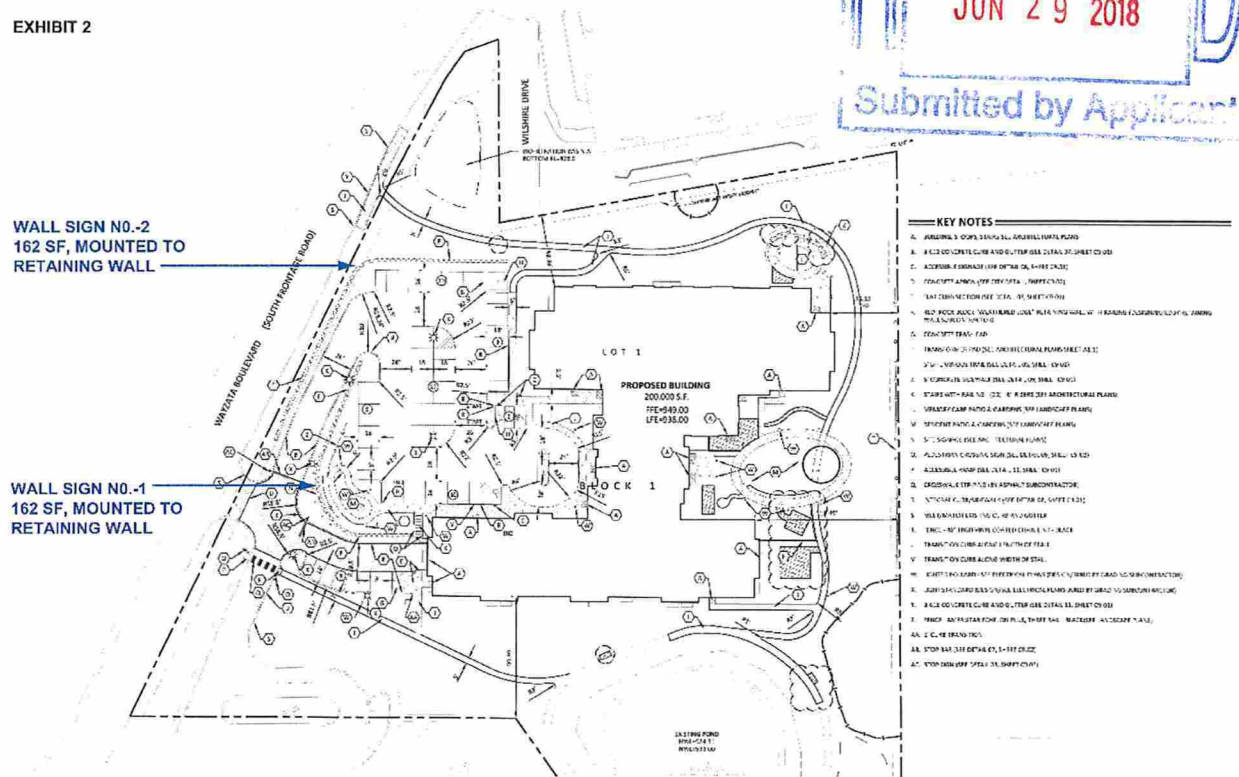
- No building-mounted walls signs proposed  
See Sign Plan Adaptation below
- Existing – No Change Proposed [Syngenta]



## Sign Plan Adaptation

Project team is proposing to apply the WALL SIGN quantity and size allowance directly to site retaining walls bounding the west side of the site.

EXHIBIT 2



Through this application of the wall sign allowance, in the form of illuminated wall signage directly to the site retaining walls, no additional monument sign dedicated to the north building (Monument Sign B from the adopted Sign Plan) would be installed. Additionally, given the type and use for the new development, no building-mounted wall signage is proposed either.

Typical on-site regulatory, directional and wayfinding signage will be provided, together with clearly identifiable building address numbers as required by the Minnetonka Fire Marshal and emergency responders.

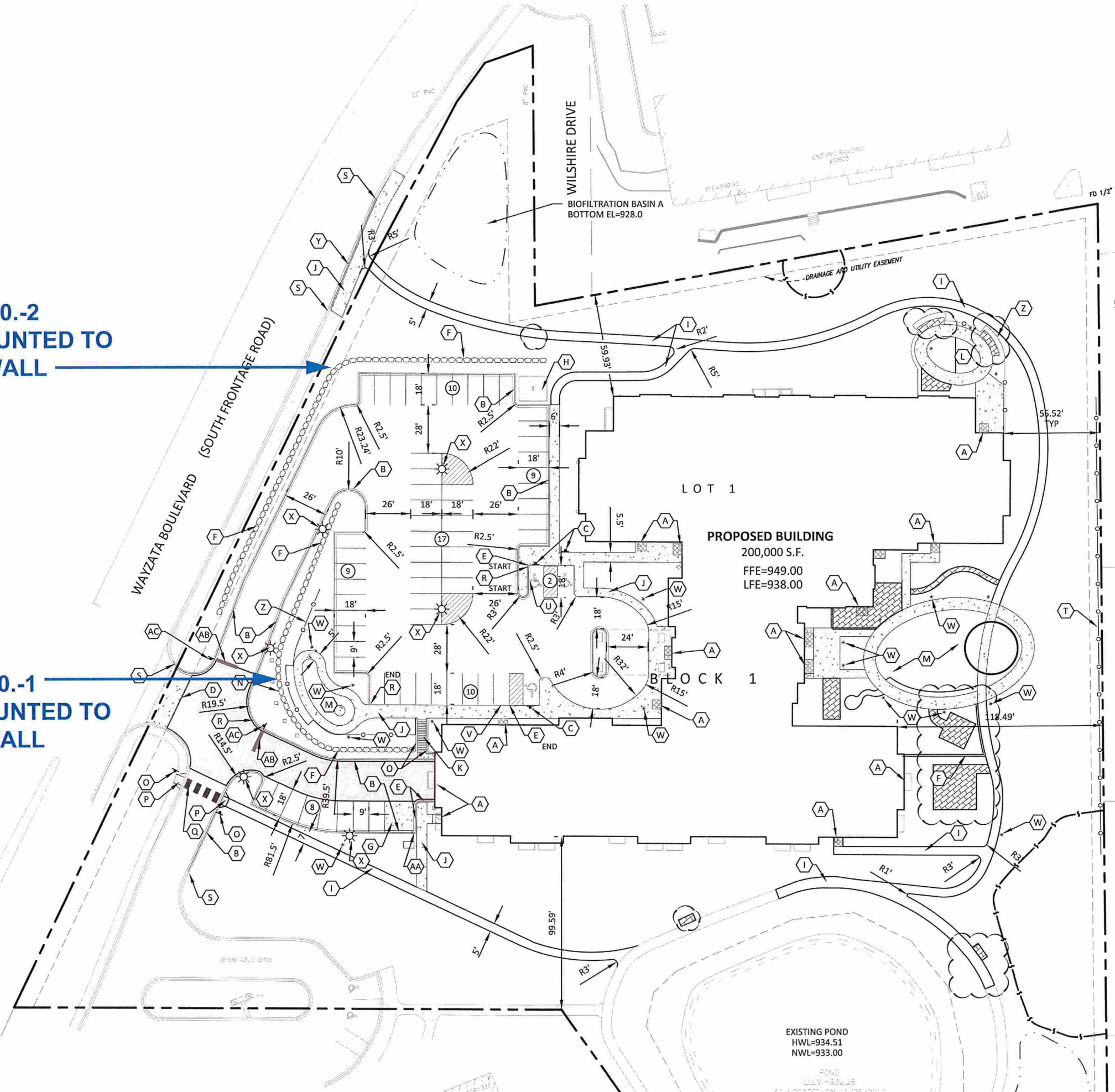
## SIGN PLAN EXHIBITS

1. Large sheets:
  - a. Property survey, Site Plan
2. Partial Development Site Plan illustrating proposed wall sign locations on retaining walls
3. Existing site image with proposed wall sign location notation [Wall Sign No.1]
4. Existing site image with proposed wall sign location notation [Wall Sign No.2]
5. Building rendering from entry drive

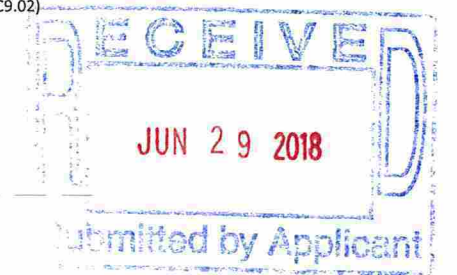
**EXHIBIT 2**

**WALL SIGN NO.-2  
162.5 SF, MOUNTED TO  
RETAINING WALL**

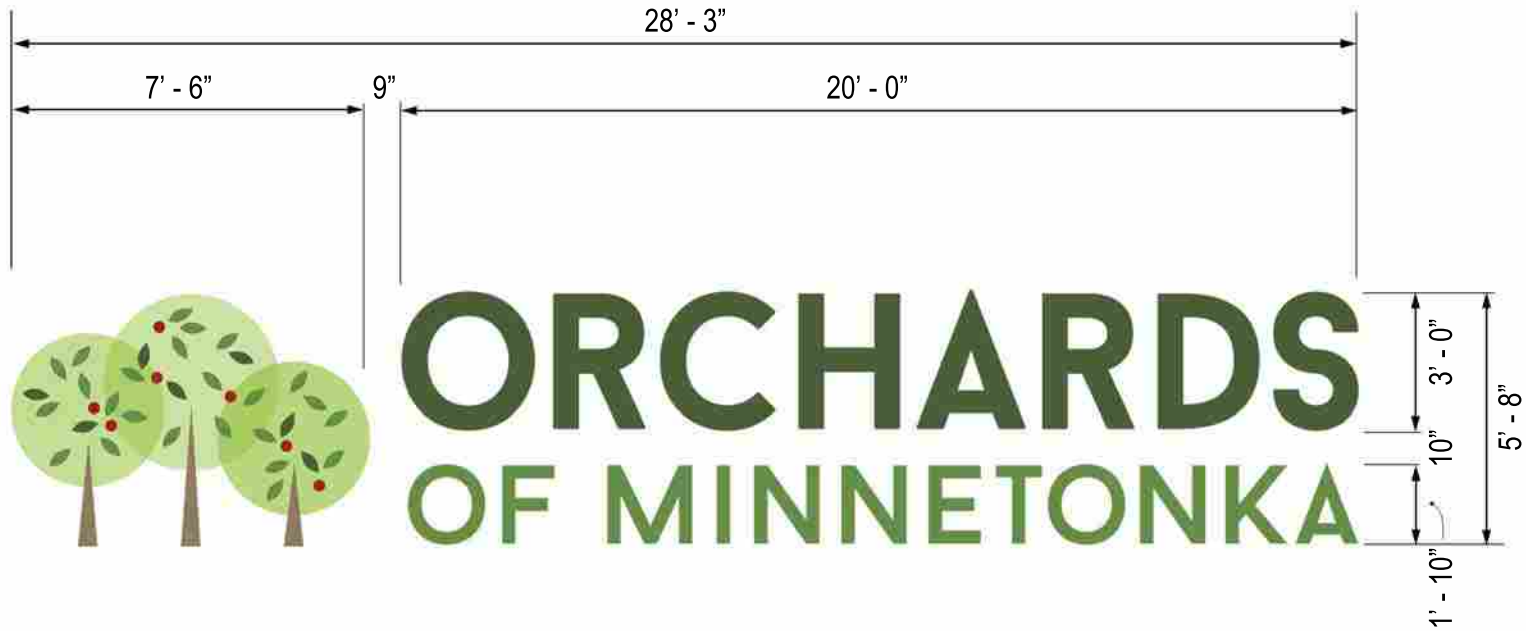
**WALL SIGN NO.-1  
162.5 SF, MOUNTED TO  
RETAINING WALL**



- KEY NOTES**
- A. BUILDING, STOOPS, STAIRS SEE ARCHITECTURAL PLANS
  - B. B-612 CONCRETE CURB AND GUTTER (SEE DETAIL 07, SHEET C9.01)
  - C. ACCESSIBLE SIGNAGE (SEE DETAIL 06, SHEET C9.01)
  - D. CONCRETE APRON (SEE CITY DETAIL, SHEET C9.02)
  - E. FLAT CURB SECTION (SEE DETAIL 07, SHEET C9.01)
  - F. REDI-ROCK BLOCK "WEATHERED EDGE" RETAINING WALL WITH RAILING (DESIGN/BUILD BY RETAINING WALL SUBCONTRACTOR)
  - G. CONCRETE TRASH PAD
  - H. TRANSFORMER PAD (SEE ARCHITECTURAL PLANS SHEET A1.1)
  - I. 5' BITUMINOUS TRAIL (SEE DETAIL 06, SHEET C9.02)
  - J. 6' CONCRETE SIDEWALK (SEE DETAIL 09, SHEET C9.01)
  - K. STAIRS WITH RAILING - (20) - 6" RISERS (SEE ARCHITECTURAL PLANS)
  - L. MEMORY CARE PATIO & GARDENS (SEE LANDSCAPE PLANS)
  - M. RESIDENT PATIO & GARDENS (SEE LANDSCAPE PLANS)
  - N. SITE SIGNAGE (SEE ARCHITECTURAL PLANS)
  - O. PEDESTRIAN CROSSING SIGN (SEE DETAIL 09, SHEET C9.02)
  - P. ACCESSIBLE RAMP (SEE DETAIL 11, SHEET C9.01)
  - Q. CROSSWALK STRIPING (BY ASPHALT SUBCONTRACTOR)
  - R. INTEGRAL CURB/SIDEWALK (SEE DETAIL 08, SHEET C9.01)
  - S. MEET/MATCH EXISTING CURB AND GUTTER
  - T. FENCE - 48" HIGH VINYL COATED CHAIN LINK - BLACK
  - U. TRANSITION CURB ALONG LENGTH OF STALL
  - V. TRANSITION CURB ALONG WIDTH OF STALL
  - W. LIGHTED BOLLARD - SEE ELECTRICAL PLANS (DESIGN/BUILD BY GRADING SUBCONTRACTOR)
  - X. LIGHT STANDARD (DESIGN/SEE ELECTRICAL PLANS BUILD BY GRADING SUBCONTRACTOR)
  - Y. B-618 CONCRETE CURB AND GUTTER (SEE DETAIL 11, SHEET C9.01)
  - Z. FENCE - AMERISTAR ECHELON PLUS, THREE RAIL - BLACK (SEE LANDSCAPE PLANS)
  - AA. 2' CURB TRANSITION
  - AB. STOP BAR (SEE DETAIL 07, SHEET C9.02)
  - AC. STOP SIGN (SEE DETAIL 08, SHEET C9.02)

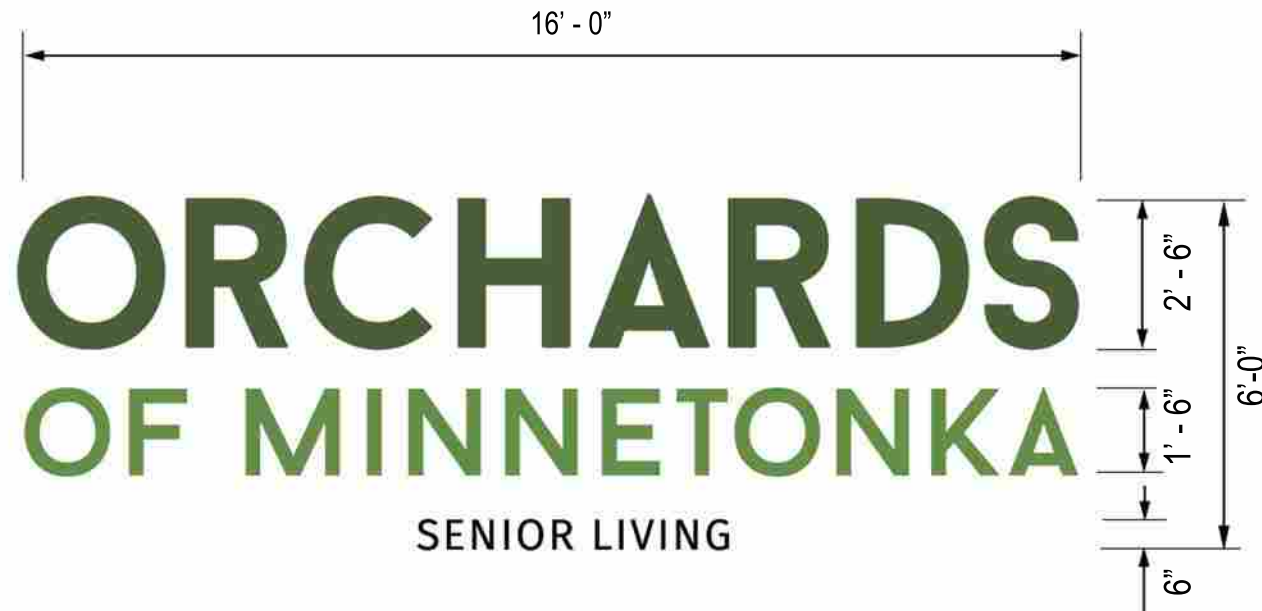


## NORTH RETAINING WALL SIGN CONFIGURATION



Total signage area, logo plus two lines of text = 160.2 SF  
GRAPHIC NOT TO SCALE

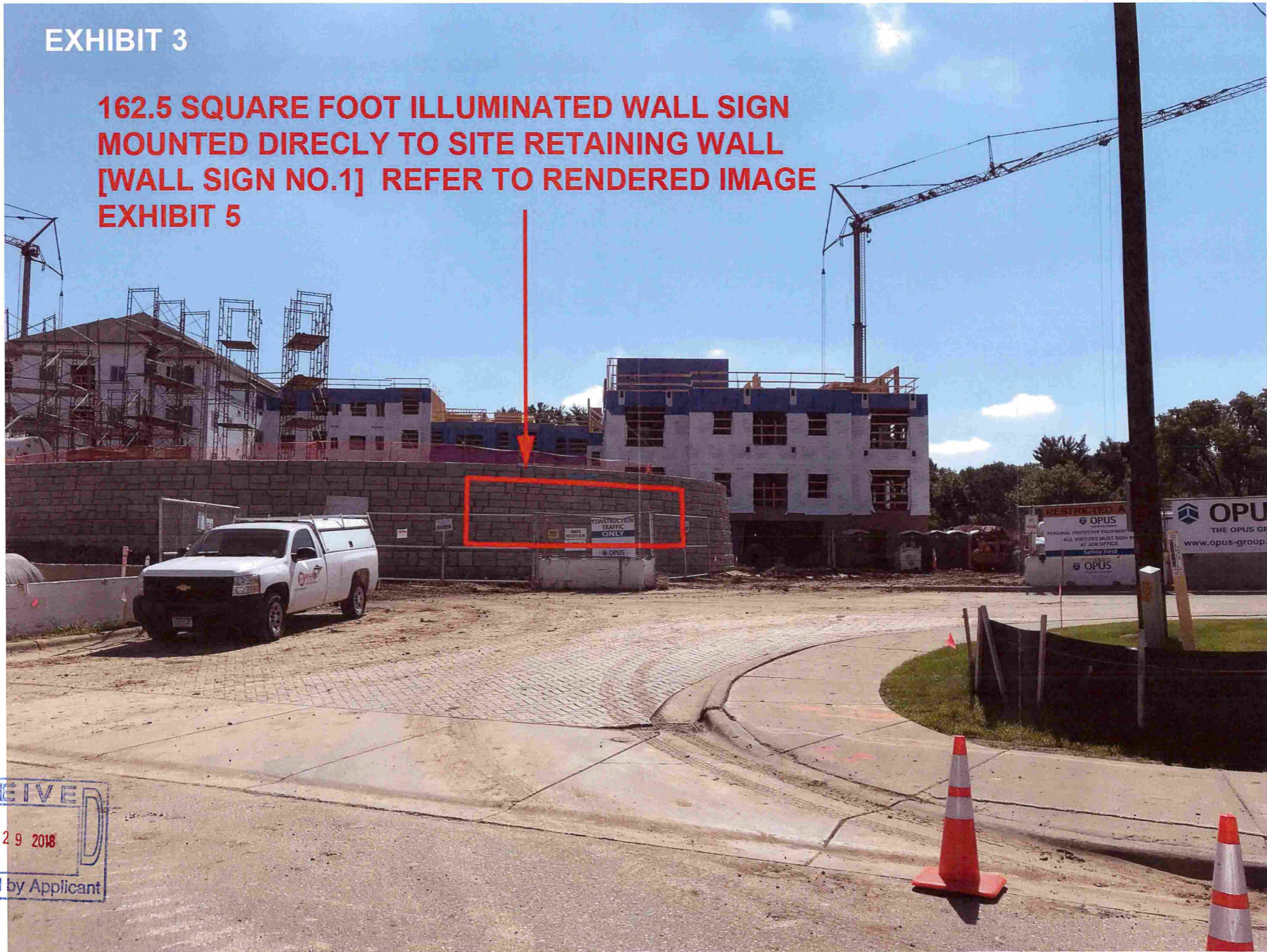
**SOUTH RETAINING WALL [ENTRY] SIGN CONFIGURATION**



Total signage area, three lines of text = 96 SF  
GRAPHIC NOT TO SCALE

**EXHIBIT 3**

**162.5 SQUARE FOOT ILLUMINATED WALL SIGN  
MOUNTED DIRECTLY TO SITE RETAINING WALL  
[WALL SIGN NO.1] REFER TO RENDERED IMAGE  
EXHIBIT 5**



**RECEIVED**  
JUN 29 2018  
Submitted by Applicant

EXHIBIT 4

162.5 SQUARE FOOT ILLUMINATED WALL SIGN  
MOUNTED DIRECTLY TO SITE RETAINING WALL  
[WALL SIGN NO.2]



RECEIVED  
JUN 29 2018  
Submitted by Applicant



EXHIBIT 5



RECEIVED  
JUN 29 2018  
Submitted by Applicant

**Planning Commission Resolution No. 2018-**

**Resolution amending the Crest Ridge Corporate Center sign plan  
as it pertains to Orchards at Minnetonka, a senior living facility,  
at 10955 Wayzata Boulevard**

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

Section 1. Background.

1.01 The subject property is located at 10955 Wayzata Boulevard. The property is legally described as:

Lot 1, Block 1, Crest Ridge Corporate Center

1.02 Signs within Crest Ridge Corporate Center are governed by a sign plan that was approved by the city council in 2009.

1.03 Marty McCarthy, representing the Opus Group, is proposing to locate two signs mounted onto the retaining walls on the west side of the property along Wayzata Boulevard.

1.04 The proposed signs require an amendment to the existing sign plan. The following is intended to summarize the applicant's request:

		2009 Sign Plan	Proposed Signs **
Monument sign	Copy and Graphic area	50 sf	No monument proposed
	Monument size	100 sf	
Wall Signs	Maximum wall sign area	162.5 sf *	North sign: 161 sf South sign: 96 sf
	Maximum letter height	4 ft	North sign: 3 ft South sign: 2.5 ft
	Maximum stacked height	6 ft	North sign: 5.7 ft South sign: 6 ft

\* per wall sign

\*\* mounted on retaining wall

Section 2. FINDINGS.

2.01 The proposed signs and requested amendment are reasonable for three reasons:

1. The current sign plan envisioned that the site would be improved with an office building. The signage needs of an office building are much different than that of a multi-family residential building.
2. The amendment would not increase the amount of signage originally envisioned for the property. In fact, the amount of onsite signage would be less than originally approved.
3. Given the topography of the site, the proposed signs on the retaining wall would allow for improved wayfinding and site identification.

Section 3. Planning Commission Action.

3.01 The Crest Ridge Corporate Center sign plan as it pertains to 10995 Wayzata Boulevard is amended as described in section 1.03 and 1.04 of this resolution. The amendment is subject to the following conditions:

1. Sign permits are required.
2. Any changes to the sign plan may require an amendment to this approval.
3. The maximum stacked letter height is six feet.
4. The sign must be installed prior to Dec. 31, 2019, unless the planning commission grants a time extension.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on August 2, 2018.

---

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 August 2, 2018

\_\_\_\_\_  
Kathy Leervig, Deputy City Clerk

**MINNETONKA PLANNING COMMISSION**  
**August 2, 2018**

**Brief Description**            A variance and expansion permit to construct a single-family home at 5500 Mayview Road

**Recommendation**            Adopt the resolution approving the request

---

**Background**                    The property at 5500 Mayview Road is located within the Beautiful Avondale plat, which was platted in 1907. The subject property is 16,831 square feet in area.

The site has a high elevation on the front side of the property and generally slopes downward as you travel towards the rear. The majority of the subject property has slopes exceeding 20 percent. However, there are two different types of classifications for these slopes. (See the attached diagram.)

- The area highlighted brown on the attached diagram is considered bluff and bluff impact zone under the Shoreland Ordinance. It has slopes exceeding 20 percent and a 25-foot total elevation change. Work within this area requires special approvals from the planning commission or city council.
- The area on the northwest side of the property (highlighted green area within the attachment), has slopes exceeding 20 percent, but does not have over 25 feet of total elevation change. Due to the lack of height of this slope, it is not considered a bluff. Work within this area is permitted. However, all work is subject to the regulations of the steep slope ordinance.

The subject home was originally constructed in 1930. The home currently meets all setback requirements, with the exception of the front yard setback. In 1999, the planning commission approved a front yard setback for a garage addition. The home is entirely within the bluff and bluff impact.

**Proposal**                        Christian Dean of Christian Dean Architecture, on behalf of the property owner, is proposing to demolish the existing home and build a new single family home on the subject property.

This proposal requires:

- Variance: The applicant has proposed to construct a new home that does not meet the front yard setback requirement.

	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>
Front Yard Setback	35 ft.	9.5 ft.	9.5 ft.*

\* requires variance

- Expansion Permit: The applicant has proposed to construct a new home within the bluff impact zone. An expansion permit is required for this request, as the new home would expand beyond the footprint of the existing home.

**Staff Analysis**

Staff finds that the applicant's proposal would meet the variance and expansion permit standards as outlined in city code:

1. Reasonableness: The location and mass of the subject building is reasonable.
  - The proposed addition would enhance the existing property.
  - The majority of the proposed addition would be located within the same footprint as the existing house and additions outside of this area would be in relatively flat areas on the property.
  - The proposed structure keeps a low profile from both Mayview Road and Glen Lake.
  - The subject home currently encroaches into the front yard setback the same distance as the proposed home.
2. Circumstance Unique to the Property: The location of the existing home and steep grades on the property are unique circumstances.
  - The entire north side of the property is classified as a steep slope and the majority of this area is classified as a bluff impact zone.
  - To minimize impacts, the applicant has situated the majority of the proposed home within the existing home's footprint, which is currently within the bluff impact zone.
  - The proposed home would encroach into the front yard setback the same distance as the existing home. The applicant has proposed to maintain the same, non-compliant, front yard setback to reduce impacts within the rear bluff impact zone.
3. Neighborhood Character: If approved, the proposed project would not alter the essential character of the neighborhood.
  - The proposed home would be in roughly the same location as the existing home.

- There are multiple homes within the area that are similarly located within steep slopes or the bluff impact zone.
- The proposed home is appropriately massed in comparison to other homes within the area and based on city code.

**Staff Recommendation**

Adopt the resolution approving the variance and expansion permit to construct a new single-family home at 5500 Mayview Road.

Originator: Drew Ingvalson, Planner

Through: Susan Thomas, AICP, Assistant City Planner

### Supporting Information

<b>Project No.</b>	99062.18a
<b>Property</b>	5500 Mayview Road
<b>Applicant</b>	Christian Dean of Christian Dean Architects, on behalf of the property owner
<b>Surrounding</b>	<p>All of the properties to the northwest, northeast, and southeast are zoned R-1 and guided for low density residential.</p> <p>Glen Lake is located to southwest of the subject property.</p>
<b>Planning</b>	<p>Guide Plan designation: Low Density Residential Zoning: R-1 Single Family Residential</p>
<b>Existing Structures</b>	<p>The subject home was originally constructed in 1930. The subject property has a 1,036 square foot single-family home with an attached garage. The home currently meets all setback requirements, with the exception of the front yard setback. In 1999, the planning commission approved an 8-foot front yard setback for a garage addition.</p>
<b>Proposed Structure</b>	<p>The proposed structure has a city code defined area of 3,073 square feet. The proposed home would have an attached, two-stall garage, three bedrooms, and two bathrooms. It has a maximum height of 29 feet (toward the rear of the property) and a code-defined height of 15 feet, both of which are significantly less than the 35-foot maximum height for R-1 homes. (See attached).</p> <p>The total footprint of the home is 2,544 square feet. This is an increase from the footprint of the existing home, which was approximately 1,789 square feet. However, the increased area of the home would be over the existing driveway area and out the rear of the existing home area, which is a relatively flat area compared to the rest of the slope. (See attached).</p>
<b>McMansion Policy</b>	<p>The McMansion Policy is a tool the city can utilize to ensure new homes or additions requiring variances are consistent with the character of the existing homes within the neighborhood. By policy, the floor area ratio (FAR) of the subject property cannot be greater than the largest FAR of properties within 1,000 feet on the same street, and a distance of 400 feet from the subject property.</p> <p>As proposed, the property would comply with the McMansion Policy. The property's FAR would increase from 0.08 to 0.12. This is still well below the largest FAR within 400 feet, which is 0.23.</p>
<b>Expansion Permits and Variances</b>	<p>An expansion permit is required for an expansion of a non-conforming structure when that expansion maintains the same setbacks as the existing non-conformity. By definition, a non-</p>



conforming structure is one that is not in full compliance with the regulations of the ordinance and either: (1) was legally established before the effective date of the ordinance provision with which it does not comply; or (2) became non-conforming because of other governmental action, such as a court order or a taking by a governmental body under eminent domain or negotiated sale.

The proposed single-family home, if approved, would maintain the same front yard setback as the existing home. However, it cannot be considered for an expansion permit for the front yard setback because the existing garage was not legally established before the effective date of the ordinance provision with which it does not comply. In 1999, the planning commission approved a variance for the proposed structure. As such, any future additions or alterations that do not meet the property line setbacks would require planning commission approval, as the original home met setback requirements.

Alternatively, the subject home was built in 1930, within the bluff impact zone. As this subject home location clearly predated ordinance, staff has reviewed the location of the home within the bluff impact zone as an expansion permit because the location of the home within this area predates ordinance, unlike the garage addition.

**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)

**Expansion Permit**

By city code (City Code §300.29), an expansion permit for a nonconforming use may be granted, but is not mandate, when an applicant meets the burden of proving that:

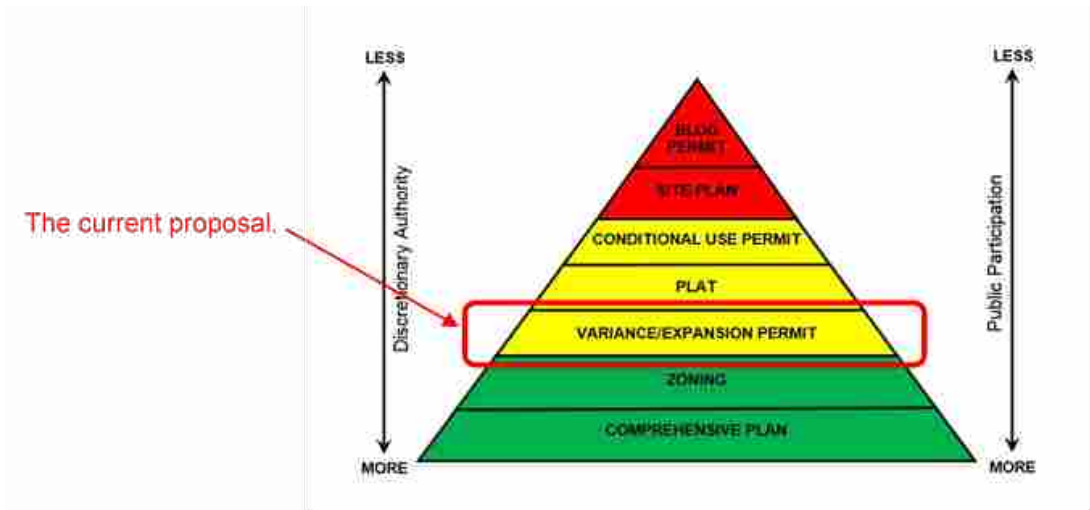
1. The proposed expansion is reasonable use of the property, considering such things as:
  - Functional and aesthetic justifications for the expansions;
  - Adequacy of off-street parking for the expansion;
  - Absence of adverse off-site impacts from such things as traffic, noise, dust odors, and parking;
  - Improvement to the appearance and stability of the property and neighborhood.
2. The circumstances justifying the expansion are unique to the property, are not caused by the landowner, are not solely for the landowner's convenience, and are not solely because of economic considerations; and

3. The expansion would not adversely affect or alter the essential character of the neighborhood.

**Neighborhood Comments**

The city sent notices to 33 area property owners and received one comment (see attached).

**Pyramid of Discretion**



**Motion Options**

The planning commission has three options:

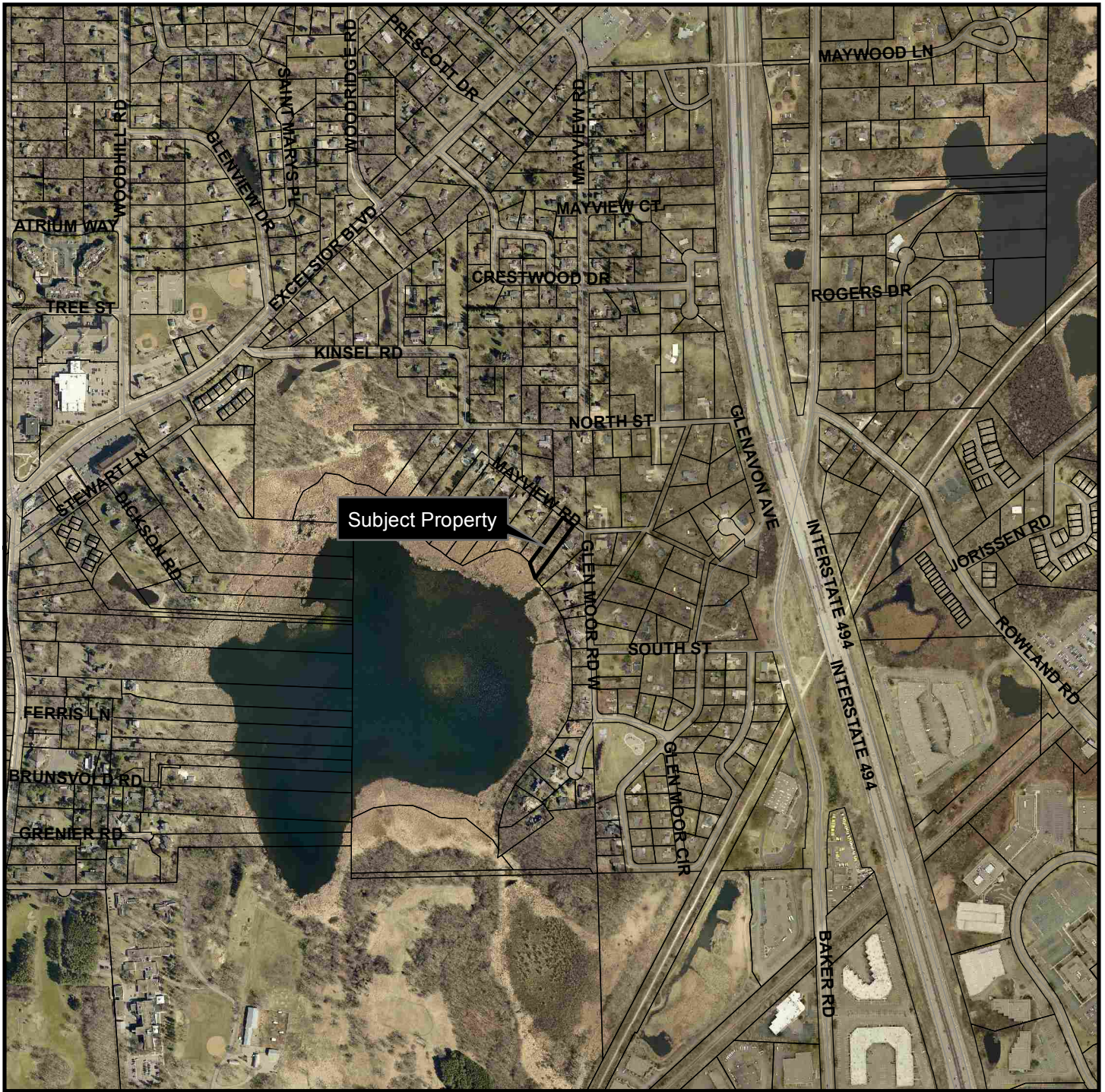
1. Concur with the staff recommendation. In this case, a motion should be made to adopt the resolution approving the request.
2. Disagree with staff's recommendation. In this case, a motion should be made directing staff to prepare a resolution for denying the proposal. This motion must include findings for denial.
3. Table the proposal. In this case, a motion should be made to table the item. The motion should include a statement as to why the proposal is being tabled with direction to staff, the applicant, or both.

**Voting Requirement and Appeals**

The planning commission action on the applicant's request is final subject to appeal. Approval requires the affirmative vote of five commissioners. Any person aggrieved by the planning commission's decision about the requested variance may appeal such decision to the city council. A written appeal must be submitted to the planning staff within ten days of the date of the decision.

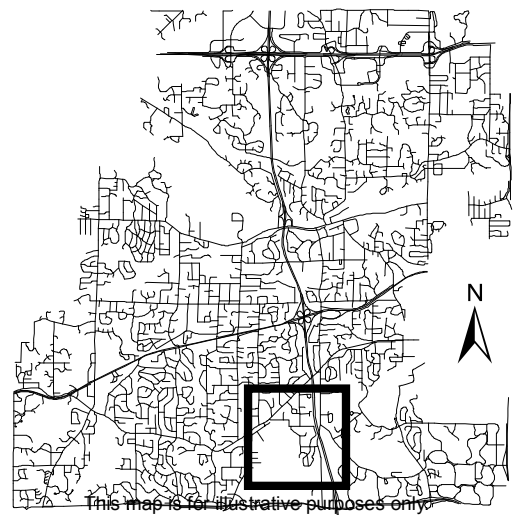
**Deadline for Decision**

October 22, 2018



**Location Map**

Project: Laughlin Residence  
 Address: 5500 Mayview Rd



This map is for illustrative purposes only.













# Existing Home and Property

**CHRISTIAN DEAN  
ARCHITECTURE**

2909 Bryant Ave #304  
Minneapolis, MN 55408  
612.886.2814  
www.deanarch.com

**5500 MAYVIEW ROAD**  
Project Number: 2018.01

**CLIENT  
OWNER**

**Contact**

**ARCHITECT  
CHRISTIAN DEAN  
ARCHITECTURE, LLC**

**Contact**  
Christian Dean  
cdean@deanarch.com  
612 886 2814

**Contact**

**Contact**

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.

**PRINT NAME:**

**SIGNATURE:  
LICENSE NO.:**

**Issue Schedule**

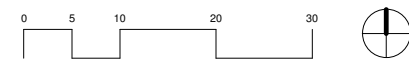
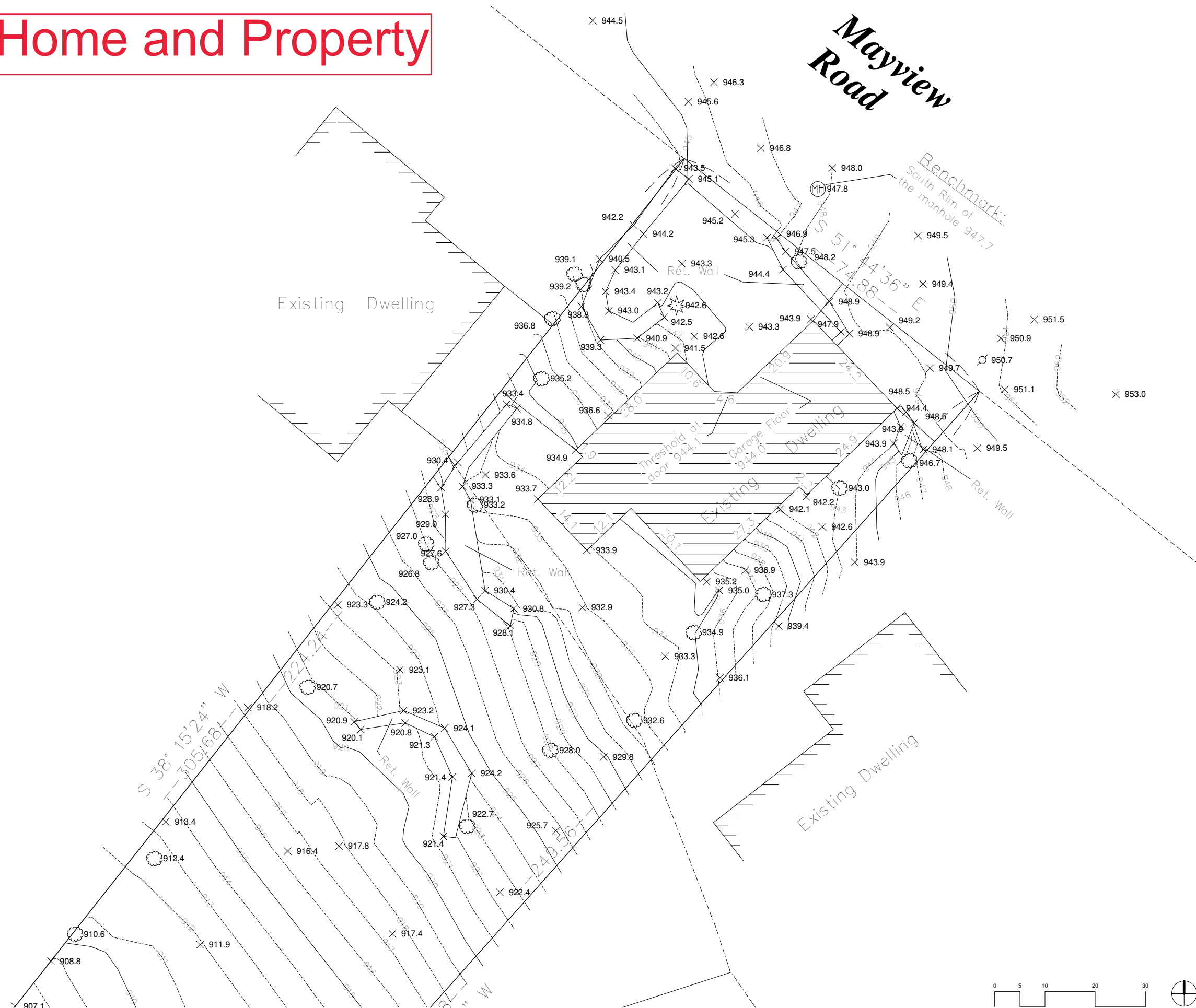
DESCRIPTION	DATE
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**Revision Schedule**

NO.	DESCRIPTION	DATE
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**EXISTING SURVEY**

# G104



# CHRISTIAN DEAN ARCHITECTURE

5500 MAYVIEW ROAD

DRAWING INDEX		
NO.	NAME	Revision
GENERAL		
G103	PROPOSED SITE PLAN	
G104	EXISTING SURVEY	
G105	PROPOSED SURVEY	
ARCHITECTURAL		
A201	BASEMENT FLOOR PLAN	
A202	SPLIT-LEVEL FLOOR PLAN	
A203	LOFT FLOOR PLAN	
A301	BUILDING ELEVATIONS	
A302	BUILDING ELEVATIONS	



NORTH ELEVATION



SOUTH ELEVATION

SYMBOLS LEGEND			
DRAWING REFERENCE SYMBOLS		PLAN/ELEVATION SYMBOLS	
	Ref MULTI - ELEVATION REFERENCE		REVISION
	Ref ELEVATION REFERENCE		GRID LINE
	Ref SECTION REFERENCE		ELEVATION MARKER
	Ref DETAIL REFERENCE		NORTH SYMBOL
TYPE TAGS		ROOM NAME ROOM FINISH ROOM NAME ROOM NUMBER	
	DOOR TYPE		
	WALL TYPE	DRAWING NUMBER DRAWING TITLE	
	FIRE RATING ACOUSTICAL RATED	View Name A101 1/8" = 1'-0"	
	WINDOW TYPE	SCALE SHEET	
	MATERIAL TYPE		

CLIENT  
OWNER

ARCHITECT  
CHRISTIAN DEAN  
ARCHITECTURE, LLC  
2909 Bryant Avenue South, Suite 304  
Minneapolis, MN 55408

Contact

Contact  
Christian Dean  
cdean@deanarch.com  
612 886 2814

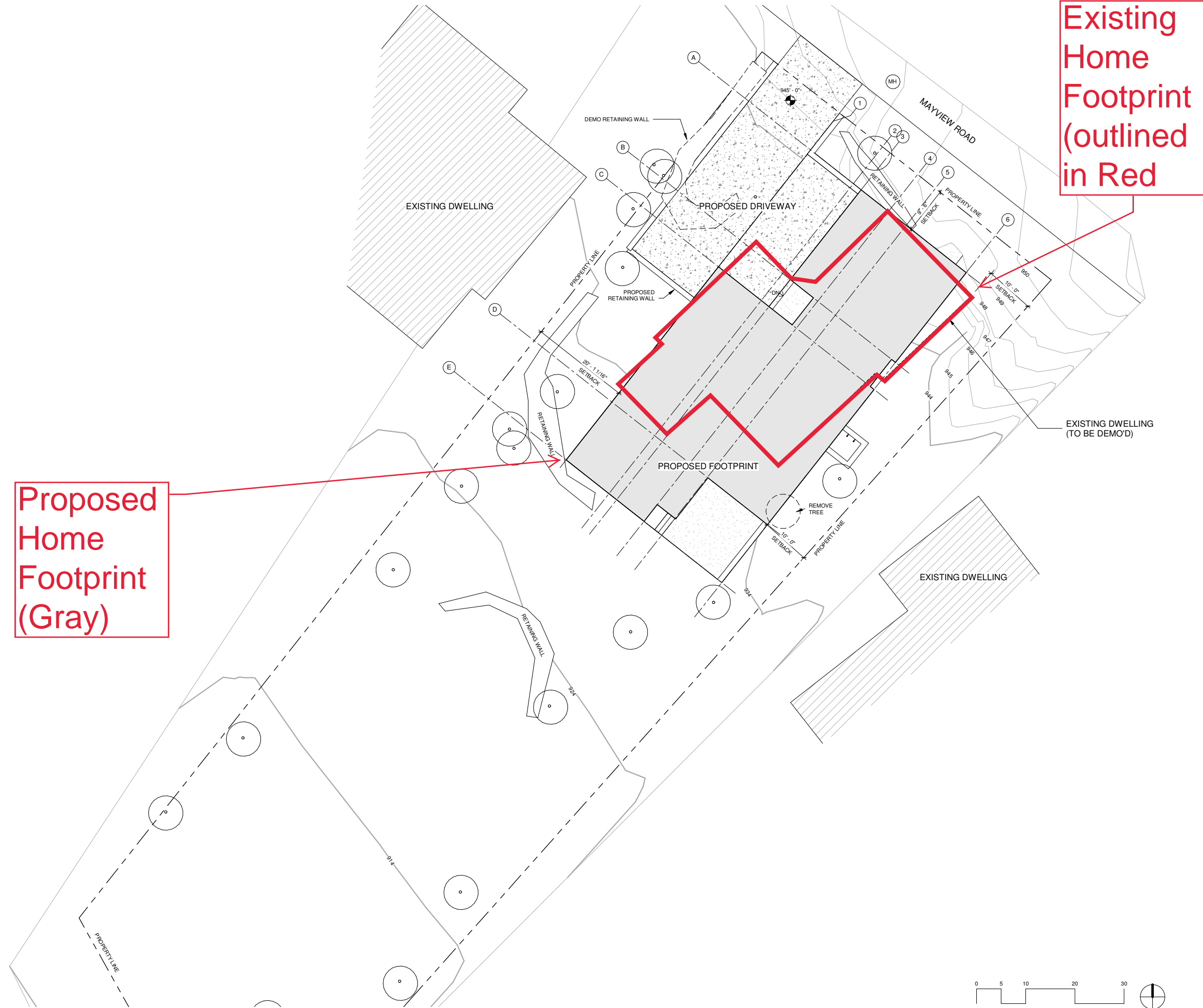
Contact

Contact

VARIANCE APPLICATION



6/19/2018 4:25:57 PM S:\Dropbox\CD Architecture\CDA-2018-01-5500 MAYVIEW ROAD RESIDENCE\REVIT\201801\_MAIN\_R17.rvt



**Existing Home Footprint (outlined in Red)**

**Proposed Home Footprint (Gray)**

**CHRISTIAN DEAN ARCHITECTURE**

2909 Bryant Ave #304  
 Minneapolis, MN 55408  
 612.886.2814 t  
 www.deanarch.com

**5500 MAYVIEW ROAD**  
 Project Number: 2018.01

**CLIENT OWNER**

**Contact**

**ARCHITECT**  
 CHRISTIAN DEAN ARCHITECTURE, LLC

**Contact**  
 Christian Dean  
 cdean@deanarch.com  
 612 886 2814

**Contact**

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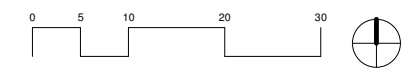
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**LICENSE NO.:**

**Issue Schedule**

DESCRIPTION	DATE
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**Revision Schedule**

NO.	DESCRIPTION	DATE
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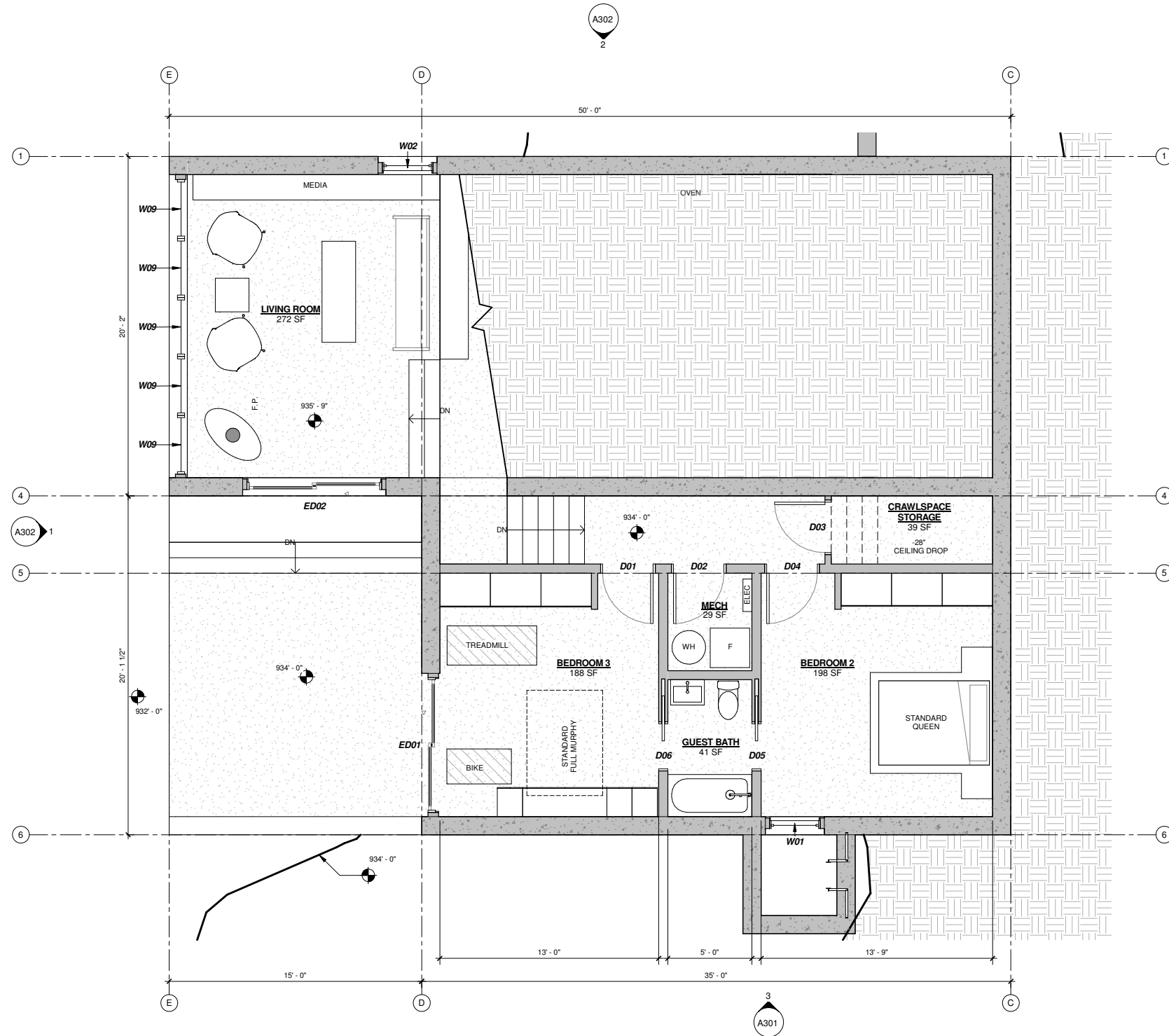
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**LICENSE NO.:**

**Issue Schedule**

DESCRIPTION	DATE
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**Revision Schedule**

NO.	DESCRIPTION	DATE
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**1 BASEMENT PLAN**  
A201 1/4" = 1'-0"

**BASEMENT FLOOR PLAN**

**A201**

**CLIENT**  
OWNER

**Contact**

**ARCHITECT**  
CHRISTIAN DEAN  
ARCHITECTURE, LLC

**Contact**  
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**Issue Schedule**

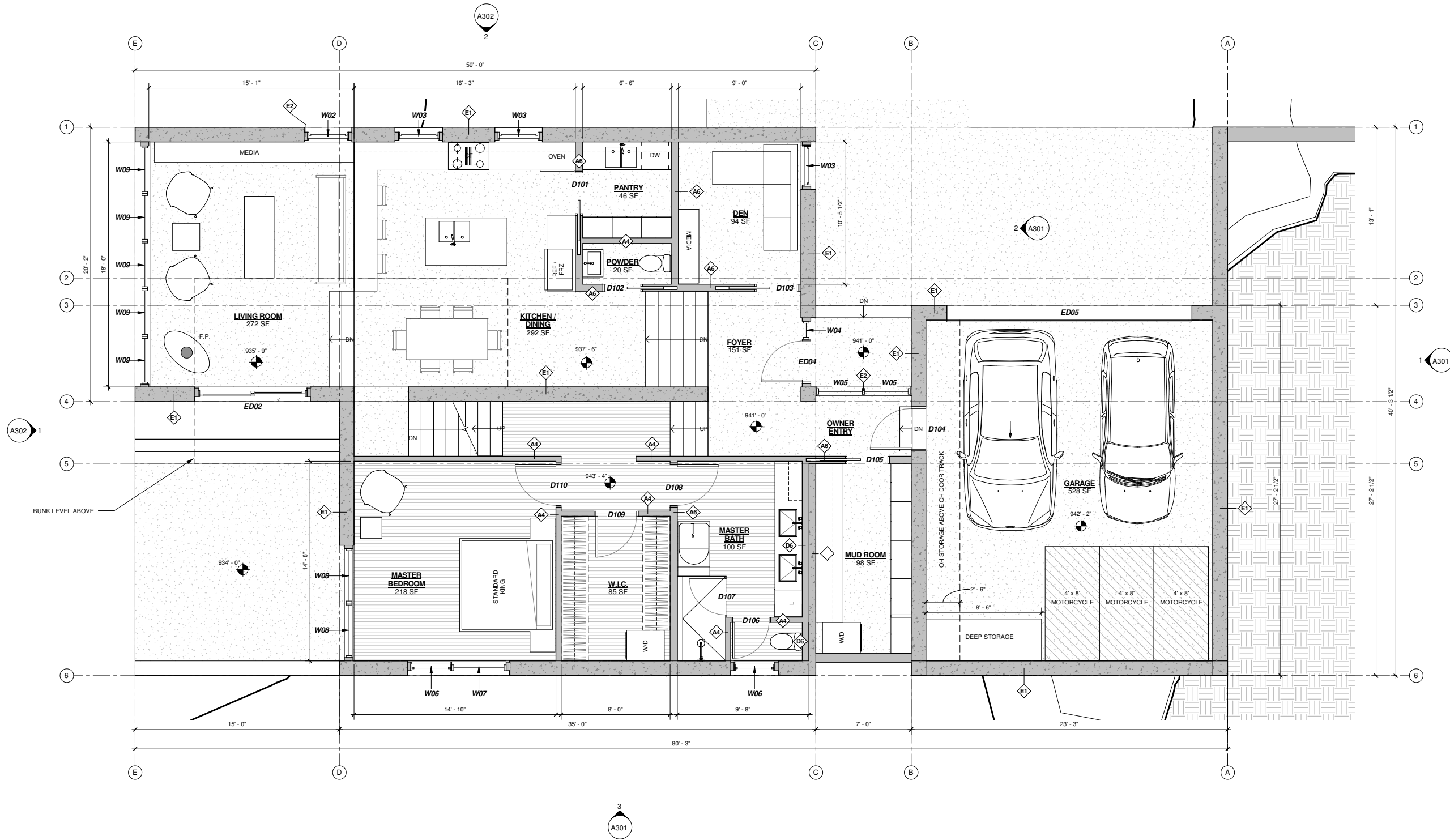
DESCRIPTION	DATE
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**Revision Schedule**

NO.	DESCRIPTION	DATE
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**SPLIT-LEVEL FLOOR PLAN**

**A202**



**1 SPLIT LEVEL PLAN**

A202 1/4" = 1'-0"

**CHRISTIAN DEAN  
ARCHITECTURE**

2909 Bryant Ave #304  
Minneapolis, MN 55408  
612.886.2814 t  
www.deanarch.com

**5500 MAYVIEW ROAD**  
Project Number: 2018.01

**CLIENT  
OWNER**

**Contact**

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**Issue Schedule**

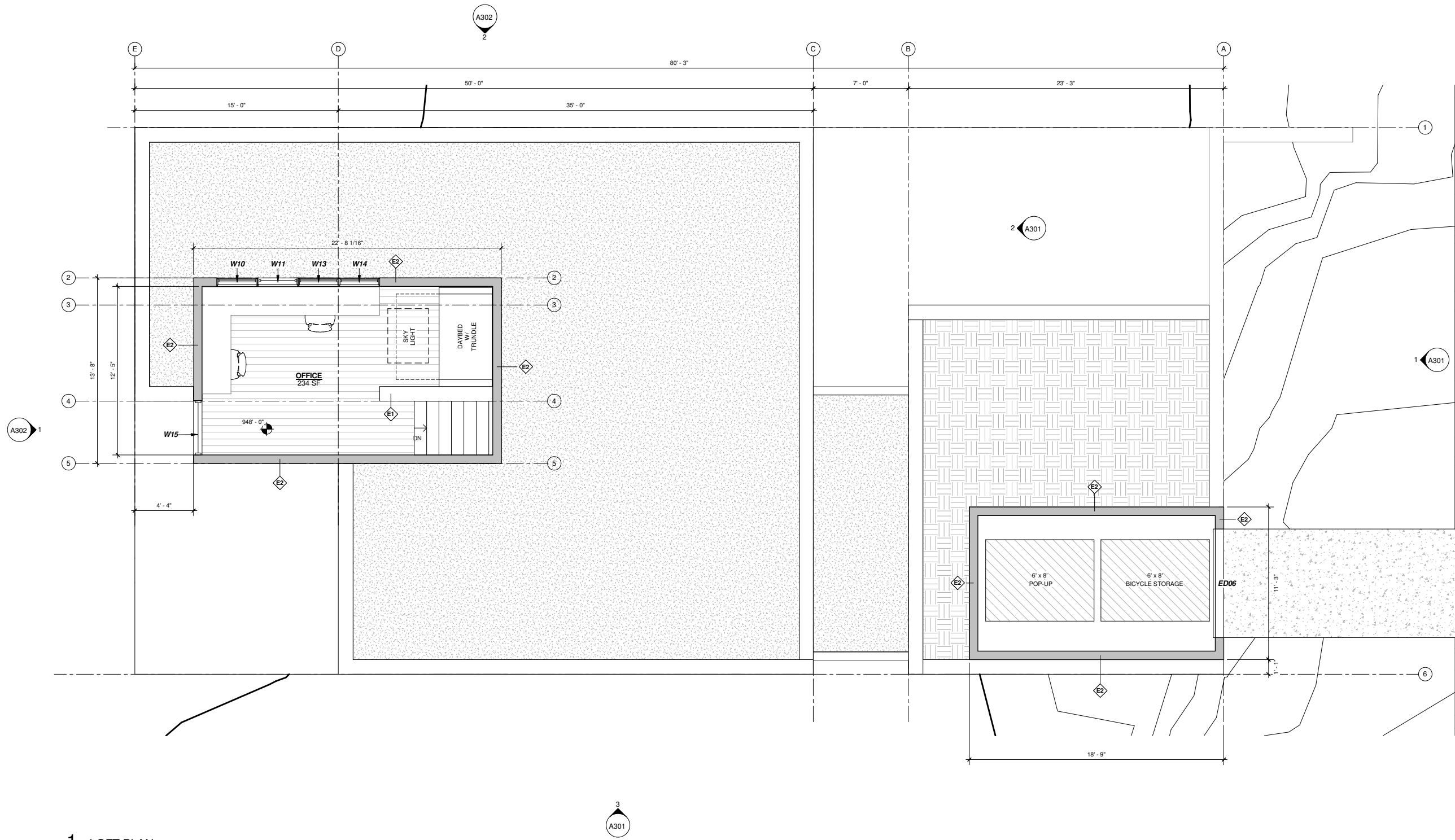
DESCRIPTION	DATE
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**Revision Schedule**

NO.	DESCRIPTION	DATE
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**LOFT FLOOR PLAN**

**A203**



**1 LOFT PLAN**

A203 1/4" = 1'-0"

# CHRISTIAN DEAN ARCHITECTURE

2909 Bryant Ave #304  
 Minneapolis, MN 55408  
 612.886.2814 t  
 www.deanarch.com

**5500 MAYVIEW ROAD**  
 Project Number: 2018.01

**CLIENT**  
 OWNER

**Contact**

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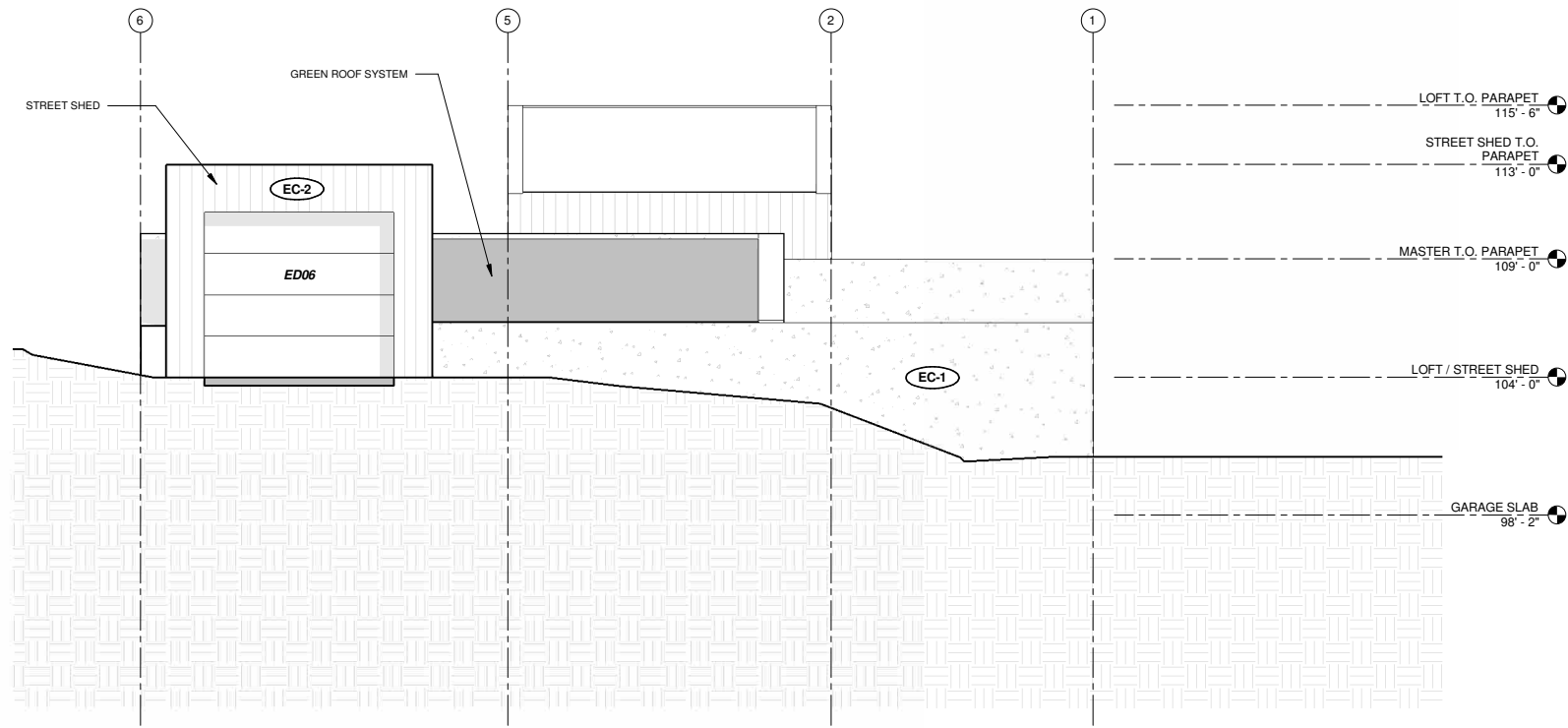
DESCRIPTION	DATE

**Revision Schedule**

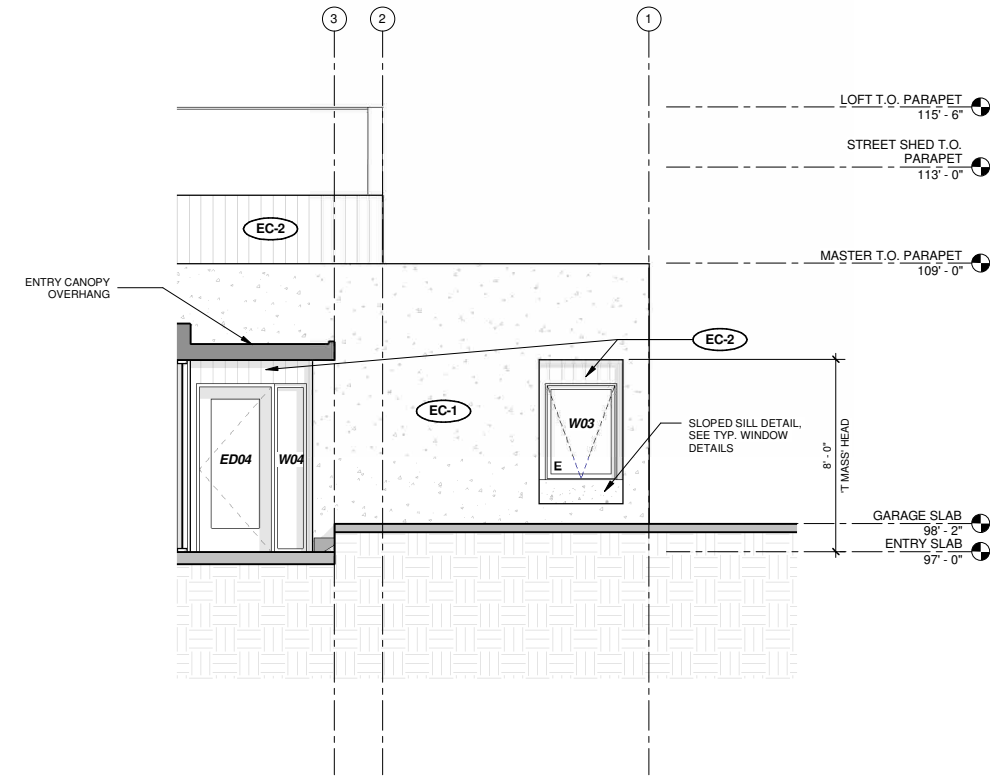
NO.	DESCRIPTION	DATE

**BUILDING ELEVATIONS**

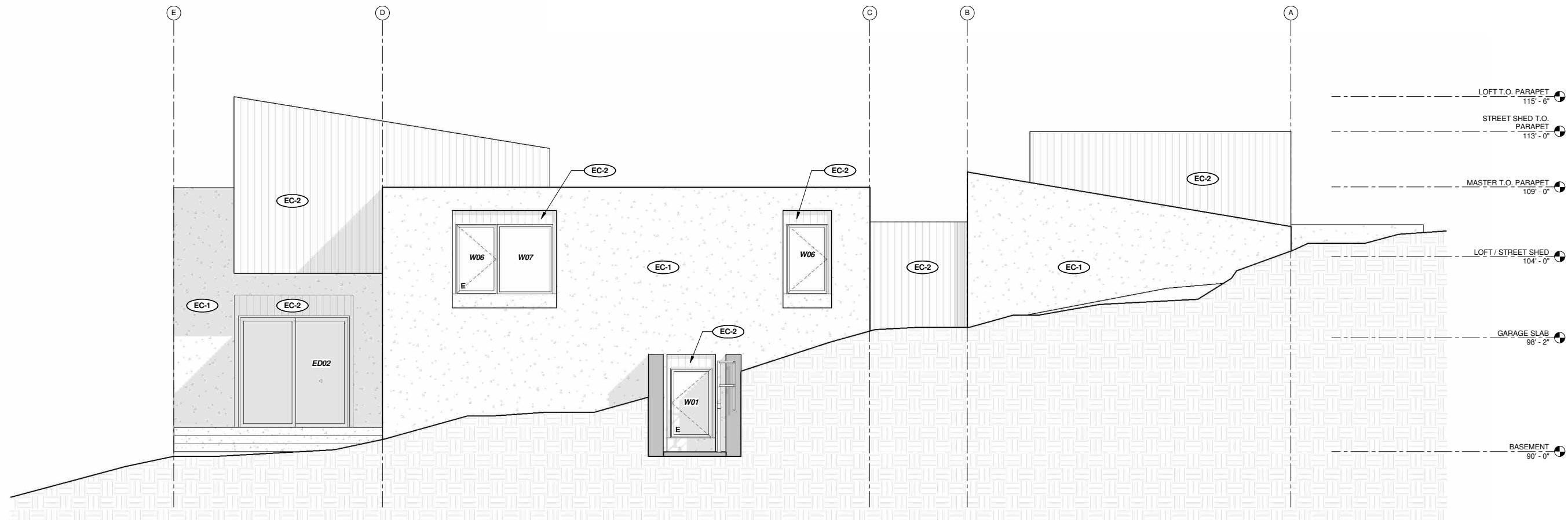
# A301



**1 North Elevation**  
 A301 1/4" = 1'-0"



**2 North Elevation - Partial**  
 A301 1/4" = 1'-0"



**3 East Elevation**  
 A301 1/4" = 1'-0"

MATERIAL KEY			
MARK	MATERIAL	MFG	DESCRIPTION
EC-1	CONCRETE		BOARD-FORM FINISH
EC-2	WOOD		VERTICAL WOOD SIDING



# CHRISTIAN DEAN ARCHITECTURE

2909 Bryant Ave #304  
 Minneapolis, MN 55408  
 612.886.2814  
 www.deanarch.com

**5500 MAYVIEW ROAD**  
 Project Number: 2018.01

**CLIENT OWNER**

**Contact**

**ARCHITECT**  
 CHRISTIAN DEAN ARCHITECTURE, LLC

**Contact**  
 Christian Dean  
 cdean@deanarch.com  
 612 886 2814

**Contact**

**Contact**

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**PRINT NAME:**

**SIGNATURE:**  
**LICENSE NO.:**

**Issue Schedule**

DESCRIPTION	DATE
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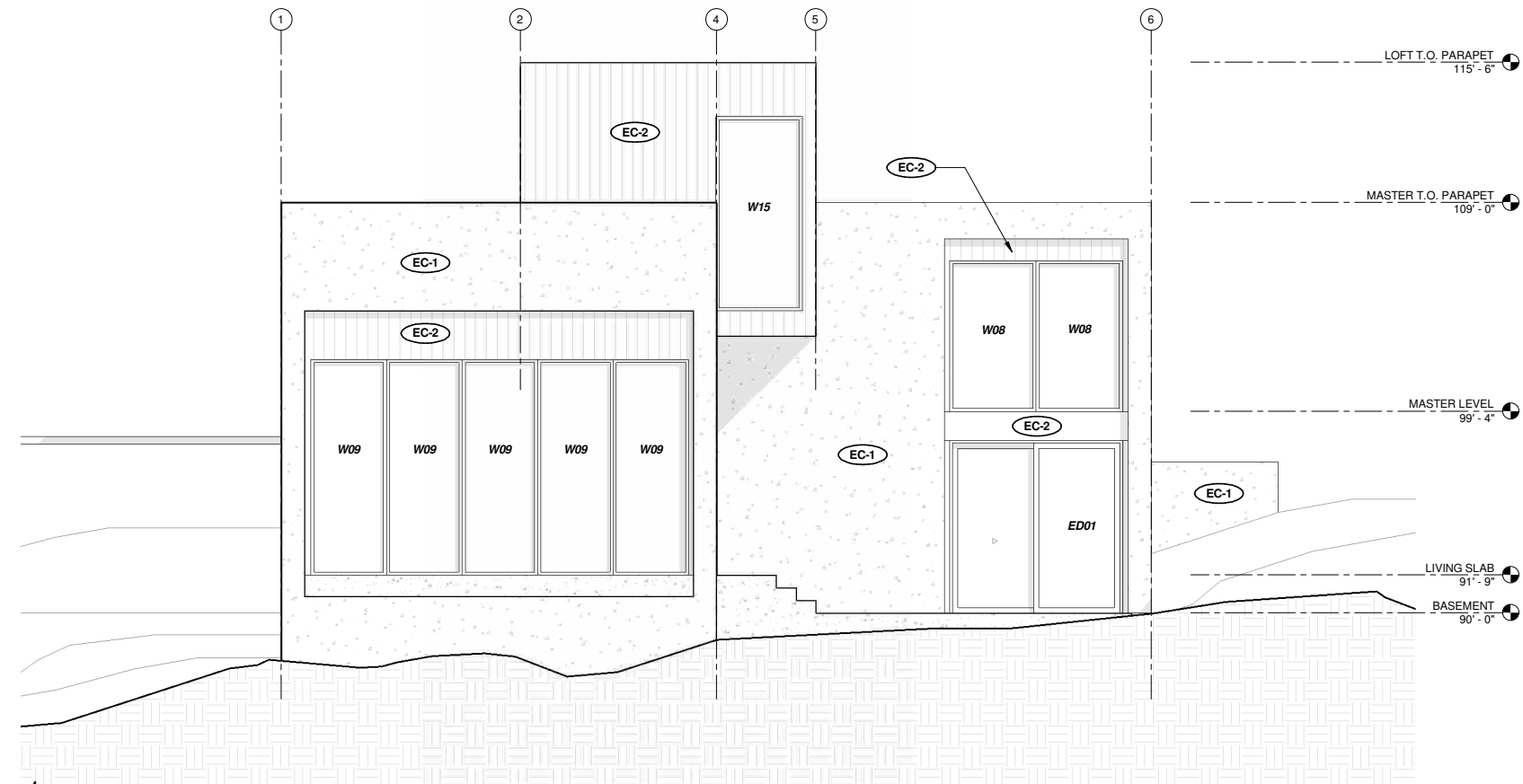
**Revision Schedule**

NO.	DESCRIPTION	DATE
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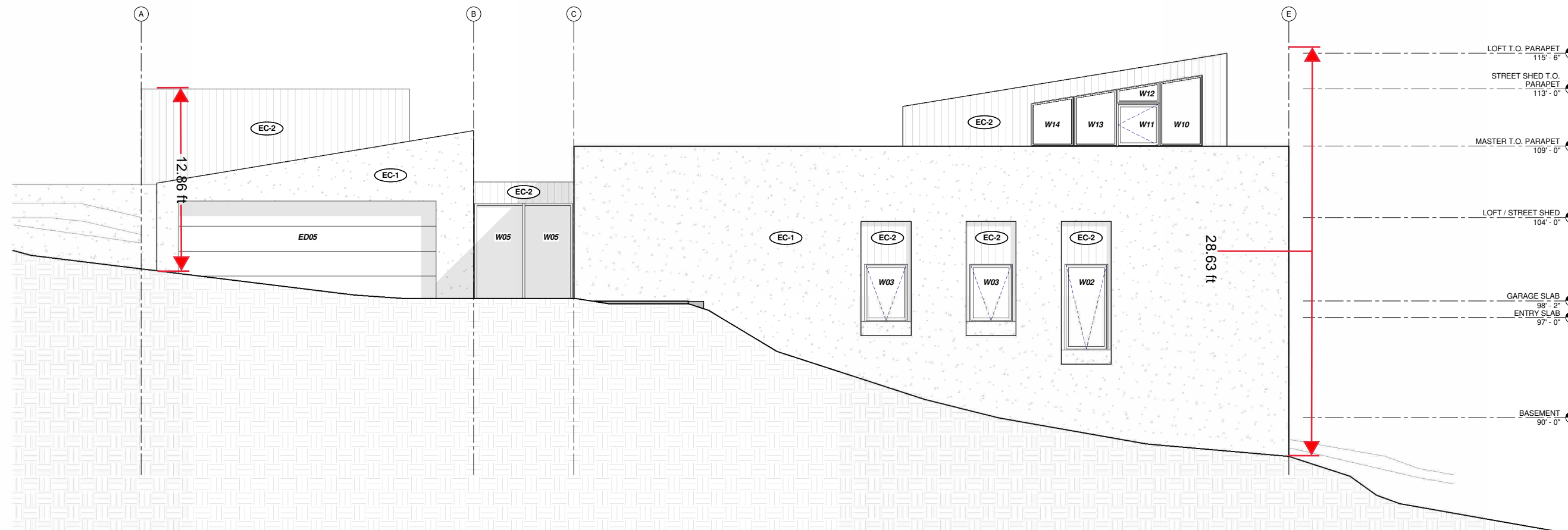
**BUILDING ELEVATIONS**

# A302

MATERIAL KEY			
MARK	MATERIAL	MFG	DESCRIPTION
EC-1	CONCRETE		BOARD-FORM FINISH
EC-2	WOOD		VERTICAL WOOD SIDING



**1 South Elevation**  
 A302 1/4" = 1'-0"



**2 West Elevation**  
 A302 1/4" = 1'-0"

## CITY OF MINNETONKA VARIANCE APPLICATION

5500 Mayview Road, Minnetonka

Variations sought for continuing non-conforming front yard setback and building within the 'bluff'.

### **1. Describe why the proposed use is reasonable.**

*The proposed single-family residence is a reasonable size of home in relation to the lot area. The gross floor area of the home is 2,873 sf not including 625 sf of garage. The lot area is 16,025 sf and the house footprint is 2,325 sf. The existing house gross floor area including the attached garage is approximately 3,038 sf and the proposed house and attached garage is 3,500 sf or roughly 15% larger. The proposed home is also design in such a way as to follow the topography of the bluff keeping a low profile from both the street and lake.*

### **2. Describe:**

- **Circumstances unique to the property;**
- **Why the need for variance was not caused by the property owner;**
- **Why the need is not solely based on economic considerations.**

*The property is considered a bluff with no buildable area as defined by the current zoning code. An existing house in disrepair is currently located in the bluff. As the bluff impact zone extends an additional 20 feet above the top of the bluff and homes are required to be located above the bluff impact zone, there does not appear to be any legal location to construct a home on the property. However, as the existing home is located within the bluff itself, and would be considered a legal non-conformity. The new homeowners would expect to maintain legal rights to build a home on this property.*

*The existing home was granted a prior variance to build an attached garage with a reduced front yard setback. The new home maintains this prior approved reduced front yard. Related to this position, is the desire to position the house as far up the bluff from the lake as possible.*

*The property owner is proposing a home maintaining the existing structures front yard and side yard setbacks. The lake side edge of the proposed house is staying within the current area graded flat to accommodate the existing structure and not occupying undisturbed bluff areas.*

*The homeowner is simply proposing to build a new energy efficient long term home similar in size and location to the existing home and not planning to resell for economic gain.*

### **3. Describe why the variance would not alter the essential character of the neighborhood.**

*The proposed new home is similar in size and location to the existing structure and follows the topography of the property to keep a low profile from the street and lake. The house is approximately aligned with the adjacent neighboring homes relative to lake side location.*

## Drew Ingvalson

---

**From:** Zimba Ken <[REDACTED]>  
**Sent:** Wednesday, July 25, 2018 10:38 AM  
**To:** Drew Ingvalson  
**Subject:** Re: Laughlin Residence, 5500 Mayview Road

Mr. Ingvalson,

Thank you for the information and plans provided concerning the property at 5500 Mayview Road.

The comments should read similar to this:

We are pleased to have a new house on 5500 Mayview Road and feel this will be a welcome addition to the neighborhood.

Our request is that the property/yard be maintained properly until the site is under construction.

Regards,

Kenneth & Catherine Zimba

**Planning Commission Resolution No. 2018-**

**Resolution approving a variance and expansion permit to construct a single-family home at 5500 Mayview Road**

---

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

Section 1. Background

1.01 The subject property is located at 5500 Mayview Road. It is legally described as:

Lot 15, Block 1, Beautiful Avondale, Hennepin County, Minnesota.

1.02 The applicant, Christian Dean of Christian Dean Architecture, on behalf of the property owner, is proposing to demolish the existing home and build a new single family home at 5500 Mayview Road.

1.03 The applicant has proposed to construct a new home that does not meet the front yard setback requirement. This request requires a variance.

	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>
Front Yard Setback	35 ft.	9.5 ft.	9.5 ft.*

\* requires variance

1.04 The applicant has also proposed to construct a new home within the bluff impact zone, as defined by the Shoreland Ordinance. An expansion permit is required for this request, as the new home would expand beyond the footprint of the existing home.

1.05 Minnesota Statute §462.357 Subd. 6, and City Code §300.07 authorizes the Planning Commission to grant variances.

1.06 Minnesota Statute §462.357 Subd. 1(e)(b) allows a municipality, by ordinance, to permit an expansion of nonconformities.

1.07 City Code §300.29 Subd. 3(g) allows expansion of a nonconformity only by variance or expansion permit.

1.08 On August 2, 2018, the planning commission held a hearing on the application. The applicant was provided the opportunity to present information to the planning

commission. The planning commission considered all of the comments and the staff report, which are incorporated by reference into this resolution.

## Section 2. Standards

2.01 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.

2.02 City Code §300.29 Subd. 7(c) states that an expansion permit may be granted, but is not mandated, when an applicant meets the burden of proving that:

1. The proposed expansion is a reasonable use of the property, considering such things as: functional and aesthetic justifications for the expansion; adequacy of off-site parking for the expansion; absence of adverse off-site impacts from such things as traffic, noise, dust, odors, and parking; and improvement to the appearance and stability of the property and neighborhood.
2. The circumstances justifying the expansion are unique to the property, are not caused by the landowner, are not solely for the landowners convenience, and are not solely because of economic considerations; and
3. The expansion would not adversely affect or alter the essential character of the neighborhood.

## Section 3. Findings

3.01 The proposal would meet the variance standards as outlined in City Code §300.07 Subd. 1:

1. **INTENT OF THE ORDINANCE.** The proposal is in harmony with the general purposes and intent of the zoning ordinance. The intent of the front yard setback requirement is to provide for consistent building lines within a neighborhood and to provide for adequate separation between homes and roadways. The existing structure currently does not meet the front yard setback requirement. In 1999, the planning commission approved a variance for its subject location. The proposed home would maintain this same setback distance, thus complying with the intent of the ordinance.

2. **CONSISTENT WITH COMPREHENSIVE PLAN.** The proposed variance 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 requested variance would preserve the residential character of the neighborhood and would provide an investment into a property to enhance its use.
3. **PRACTICAL DIFFICULTIES.** There are practical difficulties in complying with the ordinance:
  - a) **REASONABLENESS:** The location of the proposed home is reasonable. The existing home currently encroaches into the front yard setback due to a variance approved by the planning commission in 1999. The proposed home would maintain this setback distance.
  - b) **UNIQUE CIRCUMSTANCE:** The location of the existing home and steep grades on the property are unique circumstances. The majority of the existing property is classified as a bluff impact zone or steep slope. The significant grades on the property limit expansion options towards the rear of the property. The applicant has proposed to maintain the same, non-compliant, front yard setback to reduce impacts within the bluff impact zone.
  - c) **CHARACTER OF THE LOCALITY:** If approved, the proposed project would not alter the essential character of the neighborhood. The proposed home is modestly massed in comparison to other homes within the area and would maintain the same front yard setback as the existing home.

3.01 The proposal meets the expansion permit standards as outlined in City Code §300.29 Subd. 7(c):

1. **REASONABLENESS:** The location and mass of the subject building is reasonable.
  - a) The proposed addition would enhance the existing property.
  - b) The majority of the proposed home would be located within the same footprint as the existing house and additions outside of this area would be in relatively flat areas on the property.
  - c) The proposed structure keeps a low profile from both Mayview Road and Glen Lake.
2. **UNIQUE CIRCUMSTANCE:** The location of the existing home and steep grades on the property are unique circumstances.

- a) The entire north side of the property is classified as a steep slope and the majority of this area is classified as a bluff impact zone.
- b) To minimize impacts, the applicant has situated the majority of the proposed home within the existing home's footprint, which is currently within the bluff impact zone.
- c) NEIGHBORHOOD CHARACTER: If approved, the proposed project would not alter the essential character of the neighborhood.
  - a) The proposed home would be in roughly the same location as the existing home.
  - b) There are multiple homes within the area that are similarly located within steep slopes or the bluff impact zone.
  - c) The proposed home is modestly massed in comparison to other homes within the area and based on city code.

Section 4. Planning Commission Action

4.01 The above-described expansion permit is hereby approved. 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, except as modified by the conditions below:
  - Survey date stamped June 28, 2018
  - Building elevations date stamped June 28, 2018
  - Floor plans date stamped June 28, 2018
2. A building permit must be issued prior to any work being completed on the property.
3. Prior to issuance of the building permit:
  - a) This resolution must be recorded with the county prior to issuance of a building permit.
  - b) Submit a revised survey showing: (1) the existing sanitary sewer and manhole located in the rear of the property; and (2) sanitary sewer easement per Doc. No. 4128291, parcel 10.
  - c) The applicant must work with staff to explore potential stormwater practices and to locate approved locations for those practices.

- 1) The applicant must contact Nine Mile Creek Watershed District for their permit requirements.
- 2) Per the shoreland ordinance, if the storm water treatment is moved upslope into the bluff impact zone a conditional use permit may be required for this private ponding/drainage facility.
- 3) The grading of the stormwater facility should be adjusted to avoid impacting the 13-inch cherry tree.
- d) Submit cash escrow in an amount to be determined by city staff. This escrow must be accompanied by a document prepared by the city attorney and signed by the builder and property owner. Through this document, the builder and property owner will acknowledge:
  - The property will be brought into compliance within 48 hours of notification of a violation of the construction management plan, other conditions of approval, or city code standards; and
  - If compliance is not achieved, the city will use any or all of the escrow dollars to correct any erosion and/or grading problems.
- e) The applicant must install erosion control fencing as required by staff for inspection and approval. These items must be maintained throughout the course of construction.
- f) Any delinquent utility bills must be paid.
4. The retaining wall, as proposed, is over four feet in height. Engineering is required for the construction of the retaining wall; the applicant must submit signed plans from a licensed structural engineer for its construction.
5. Due to downward slope on driveway, fencing/wall must be provided to provide protection from sliding off the driveway over the wall.
6. Any land disturbing activity on a slope greater than 12% must demonstrate that soil erosion will not occur, existing vegetation is preserved to the extent practical and structures and vehicles are screened as viewed from the lake in summer leaf on conditions.
7. This variance approval will end on December 31, 2019, unless the city has issued a building permit for the project covered by this approval or the city has approved a time extension.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on August 2, 2018.



---

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 August 2, 2018.

---

Kathy Leervig, Deputy City Clerk

# **Minnetonka Planning Commission Meeting**

**August 2, 2018**

**Agenda Item 9**

**Other Business**

**MINNETONKA PLANNING COMMISSION**  
**August 2, 2018**

<b>Brief Description</b>	Concept plan review for City of Minnetonka Police and Fire Facility Project at 14500 and 14550 Minnetonka Blvd.
<b>Action Requested</b>	Discuss concept plan with the applicant. No formal action required.

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**Background**

The City of Minnetonka is proposing to construct a new fire station on the city campus and to repurpose the existing police and fire facility into a remodeled police station. As proposed the new construction and remodeled space would be roughly 95,000 square feet in size. The combined facility would be sited generally north and east of the current police and fire facilities on the civic center campus. Public access would remain in the same general location from the north campus parking lot. The existing emergency vehicle access drive to Minnetonka Blvd. would continue as the main operational access. A second access to accommodate fire apparatus returning to the station would be constructed on the north side of the fire station.

The immediate area has a mix of land uses. In addition to the civic center campus are single family neighborhoods located to the northwest (Timberhill neighborhood) and north of Minnehaha Creek. East of the site is city-owned park and open space. South of Minnetonka Blvd. is the Lake Minnetonka LRT Regional Trail, the Williston Fitness Center and a mixture of single and multi-family homes.

The entire civic center campus is zoned Single-Family Residential District where city facilities are regulated as conditionally permitted uses. The 2030 comprehensive plan guides the property as Institutional.

**Key Issues**

City staff has identified the following considerations for any development of the subject properties:

- **Site Plan:** The proposed building location north of the existing facility would require construction of a number of driveway, parking, utility and building pad area improvements. These improvements will likely result in tree removals, large amounts of grading and large retaining walls.
- **Impact to Site Character:** The area north and east of the existing facility where the proposed facility would be located contains valued oak woodland-brushland upland natural resources.
- **Stormwater Management:** As with all development in the city, details about specific stormwater management plans will be reviewed.

## Review Process

Staff has outlined the following review process for the proposal. At this time, a formal application has not been submitted.

- **Neighborhood Meeting.** The city held a neighborhood and community meeting on July 16, 2018. Three people attended the neighborhood meeting and approximately 10 attended the community meeting. The following questions/comments were voiced:
  - Would the city consider building additional interior parking for other types of city vehicles?
  - What are your provisions for project cost overruns?
  - Does the facility plan meet the projected needs for the next 30 years?
  - If the project is proposed practically to the community as this has been, it is exactly what tax dollars should be spent on.
  - Is the location correct to anticipate the growth in the community?
- **Planning Commission Concept Plan Review.** The planning commission Concept Plan Review is intended as a follow-up to the neighborhood meeting. The objective of this meeting is to identify major issues and challenges in order to inform the subsequent review and discussion. The meeting will include a presentation by the city of conceptual sketches and ideas, but not detailed engineering or architectural drawings. No staff recommendations are provided, the public is invited to offer comments, and planning commissioners are afforded the opportunity to ask questions and provide feedback without any formal motions or votes.
- **City Council Concept Plan Review.** The city council Concept Plan Review is intended as a follow-up to the planning commission meeting and would follow the same format as the planning commission Concept Plan Review. No staff recommendations are provided, the public is invited to offer comments, and council members are afforded the opportunity to ask questions and provide feedback without any formal motions or votes.

## Staff Recommendation

Staff recommends the planning commission provide comment 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.

Originator: Loren Gordon, AICP, City Planner

## ADDITIONAL INFORMATION

### Next Steps

- **Formal Application.** If the developer chooses to file a formal application, notification of the application would be mailed to area property owners. Property owners are encouraged to view plans and provide feedback via the city's website. Through recent website updates: (1) staff can provide residents with ongoing project updates, (2) residents can "follow" projects they are particularly interested in by signing up for automatic notification of project updates; (3) residents may provide project feedback on project; and (4) and staff can review resident comments.
- **Neighborhood Meeting.** Prior to the planning commission meeting and official public hearing, an additional public meeting would be held with neighbors to discuss specific engineering, architectural and other details of the project, and to solicit feedback. This extends the timing that has historically been provided in advance of the planning commission review to allow more public consideration of the project specifics.
- **Council Introduction.** The proposal would be introduced at a city council meeting. At that time, the council would be provided another opportunity to review the issues identified during the initial concept plan review meeting, and to provide direction about any refinements or additional issues they wish to be researched, and for which staff recommendations should be prepared.
- **Planning Commission Review.** The planning commission would hold an official public hearing for the development review and would subsequently recommend action to the city council.
- **City Council Action.** Based on input from the planning commission, professional staff and general public, the city council would take final action.

### Roles and Responsibilities

- **Applicants.** Applicants are responsible for providing clear, complete and timely information throughout the review process. They are expected to be accessible to both the city and to the public, and to respect the integrity of the public process.
- **Public.** Neighbors and the general public will be encouraged and enabled to participate in the review process to the extent they are interested. However, effective public participation involves shared responsibilities. While the city has an obligation to provide information and feedback opportunities, interested residents are expected to accept the responsibility to educate themselves about the project and review process, to provide constructive, timely and germane feedback, and to stay informed and involved throughout the entire process.
- **Planning Commission.** The planning commission hosts the primary forum for public input and provides clear and definitive recommendations to the city council. To serve in that role, the commission identifies and attempts to resolve development issues and

concerns prior to the council's consideration by carefully balancing the interests of applicants, neighbors, and the general public.

- **City Council.** As the ultimate decision maker, the city council must be in a position to equitably and consistently weigh all input from their staff, the general public, planning commissioners, applicants and other advisors. Accordingly, council members traditionally keep an open mind until all the facts are received. The council ensures that residents have an opportunity to effectively participate in the process.
- **City Staff.** City staff is neither an advocate for the public nor the applicant. Rather, staff provides professional advice and recommendations to all interested parties, including the city council, planning commission, applicant and residents. Staff advocates for its professional position, not a project. Staff recommendations consider neighborhood concerns, but necessarily reflect professional standards, legal requirements and broader community interests.

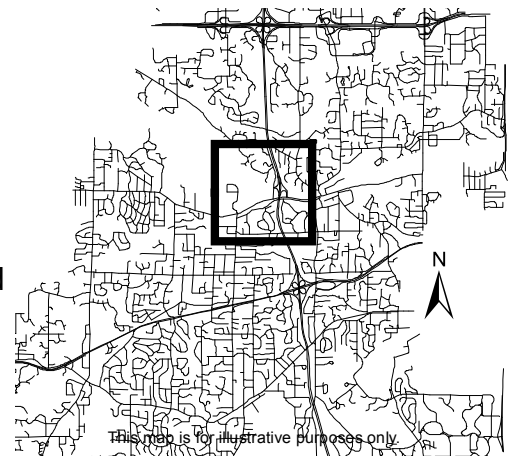


Subject Property



### Location Map

Project: Police & Fire Facility Project  
 Address: 14550 & 14600 Minnetonka Blvd



This map is for illustrative purposes only.



**STEEP SLOPE (RED) /  
 WETLAND BOUNDARY**



**ORIGINAL WPA PER THE MINNESOTA  
 LAND COVER CLASSIFICATION SYSTEM**



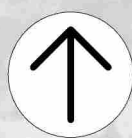
**WPA PER MAY 30, 2018  
 SURVEY FROM WSB**



**SURVEYED TREES IN AREA  
 OF PROPOSED PROJECT**



**1 EXISTING SITE PLAN**  
 1" = 160'-0"  
 0 120' 240'







**STEEP SLOPE (RED) /  
 WETLAND BOUNDARY**



**ORIGINAL WPA PER THE MINNESOTA  
 LAND COVER CLASSIFICATION SYSTEM**  
*\*Approx. 14% of WPA affected*

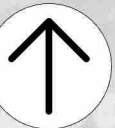
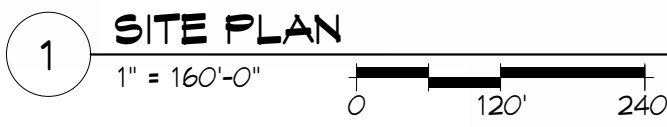
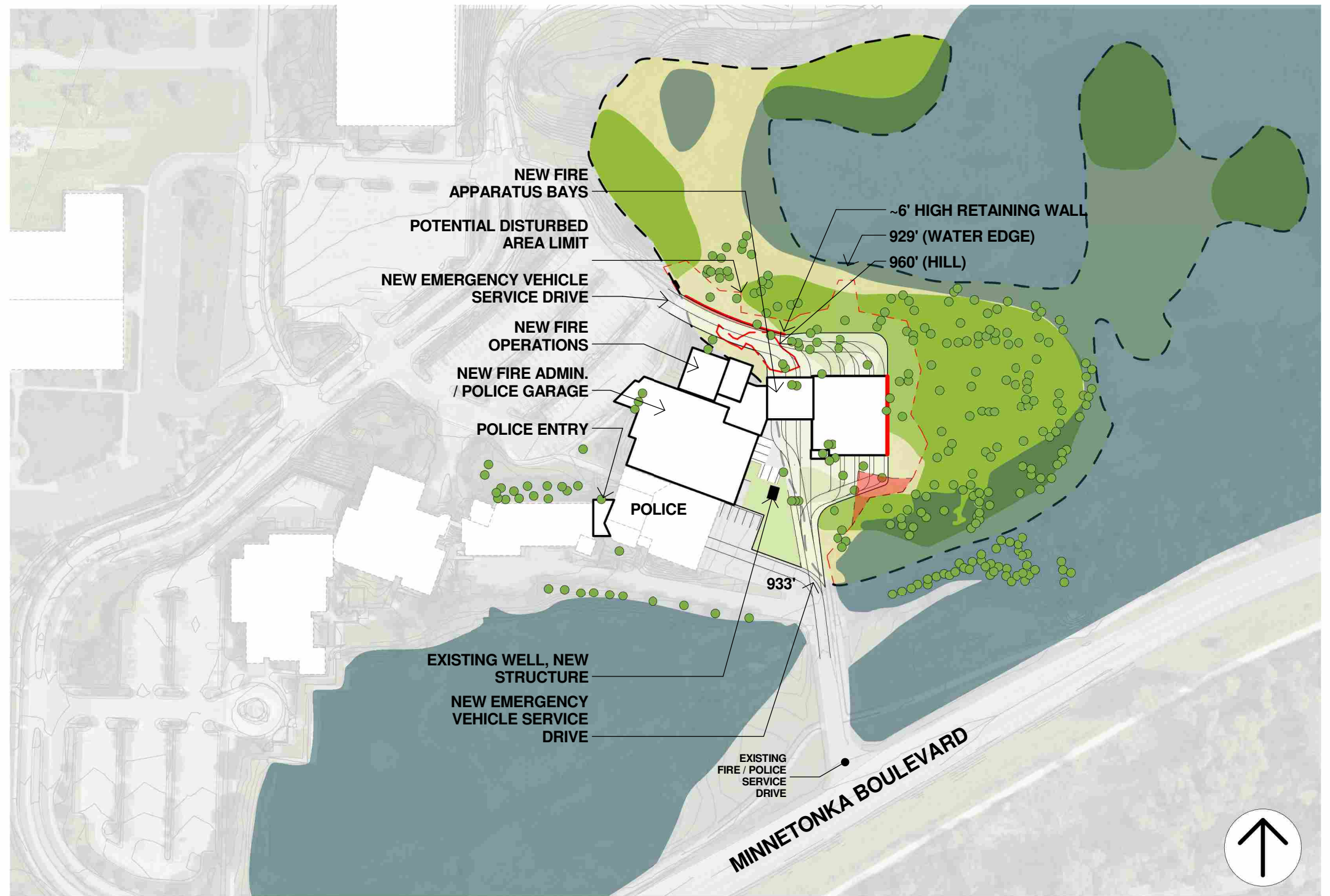


**WPA PER MAY 30, 2018  
 SURVEY FROM WSB**

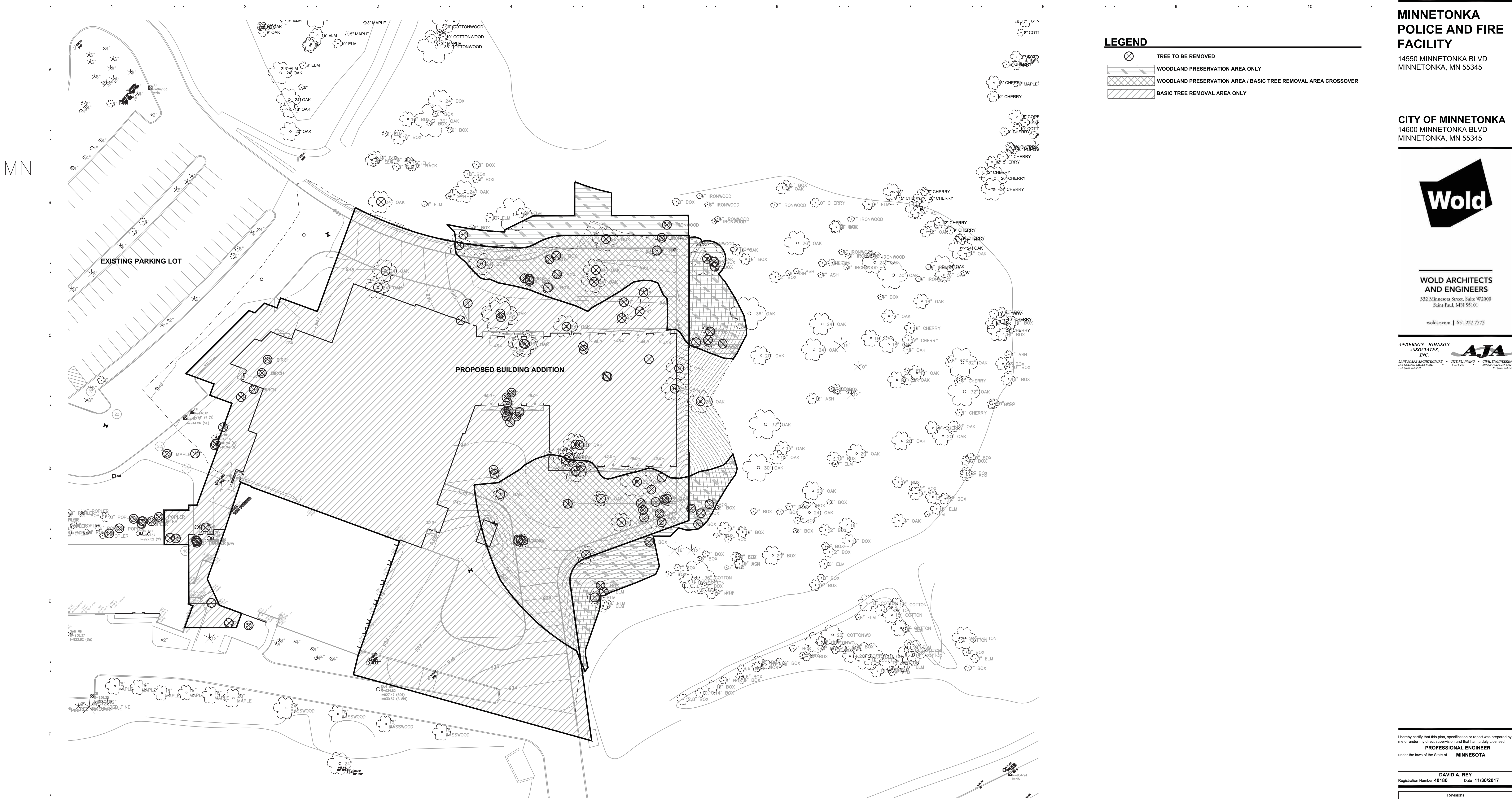


**SURVEYED TREES IN AREA  
 OF PROPOSED PROJECT**

*\*Basic Tree Removal Area Trees to be Removed (H/S) = 30*  
*\*WPA Trees to be Removed = 17*





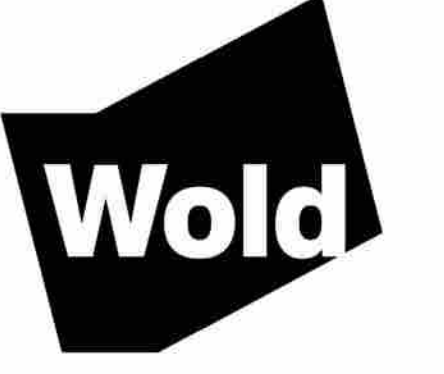


**LEGEND**

- TREE TO BE REMOVED
- WOODLAND PRESERVATION AREA ONLY
- WOODLAND PRESERVATION AREA / BASIC TREE REMOVAL AREA CROSSOVER
- BASIC TREE REMOVAL AREA ONLY

**MINNETONKA  
POLICE AND FIRE  
FACILITY**  
14550 MINNETONKA BLVD  
MINNETONKA, MN 55345

**CITY OF MINNETONKA**  
14600 MINNETONKA BLVD  
MINNETONKA, MN 55345



**WOLD ARCHITECTS  
AND ENGINEERS**  
332 Minnesota Street, Suite W2000  
Saint Paul, MN 55101  
woldae.com | 651.227.7773

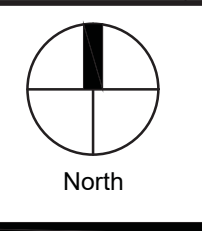
**ANDERSON - JOHNSON  
ASSOCIATES,  
INC.** **AJA**  
LANDSCAPE ARCHITECTURE • SITE PLANNING • CIVIL ENGINEERING  
225 WILSON AVENUE, SUITE 200 • ST. PAUL, MN 55105  
PA: 612.291.2001 • FAX: 612.291.7575

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**

**DAVID A. REY**  
Registration Number **40180** Date **11/30/2017**

Description	Revisions	
	Date	Num

Comm: 172061  
Date: 11/30/2017  
Drawn: MLE  
Check: DAR



**TREE REMOVAL  
EXHIBIT**

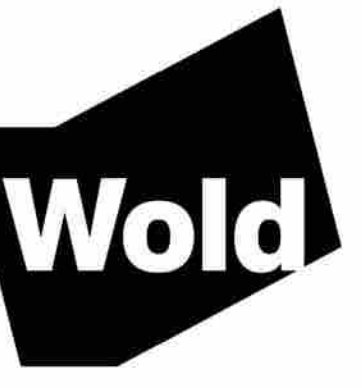
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**C1.01**

**MINNETONKA  
POLICE AND FIRE  
FACILITY**

14550 MINNETONKA BLVD  
MINNETONKA, MN 55345

**CITY OF MINNETONKA**  
14600 MINNETONKA BLVD  
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ASSOCIATES,  
INC.**



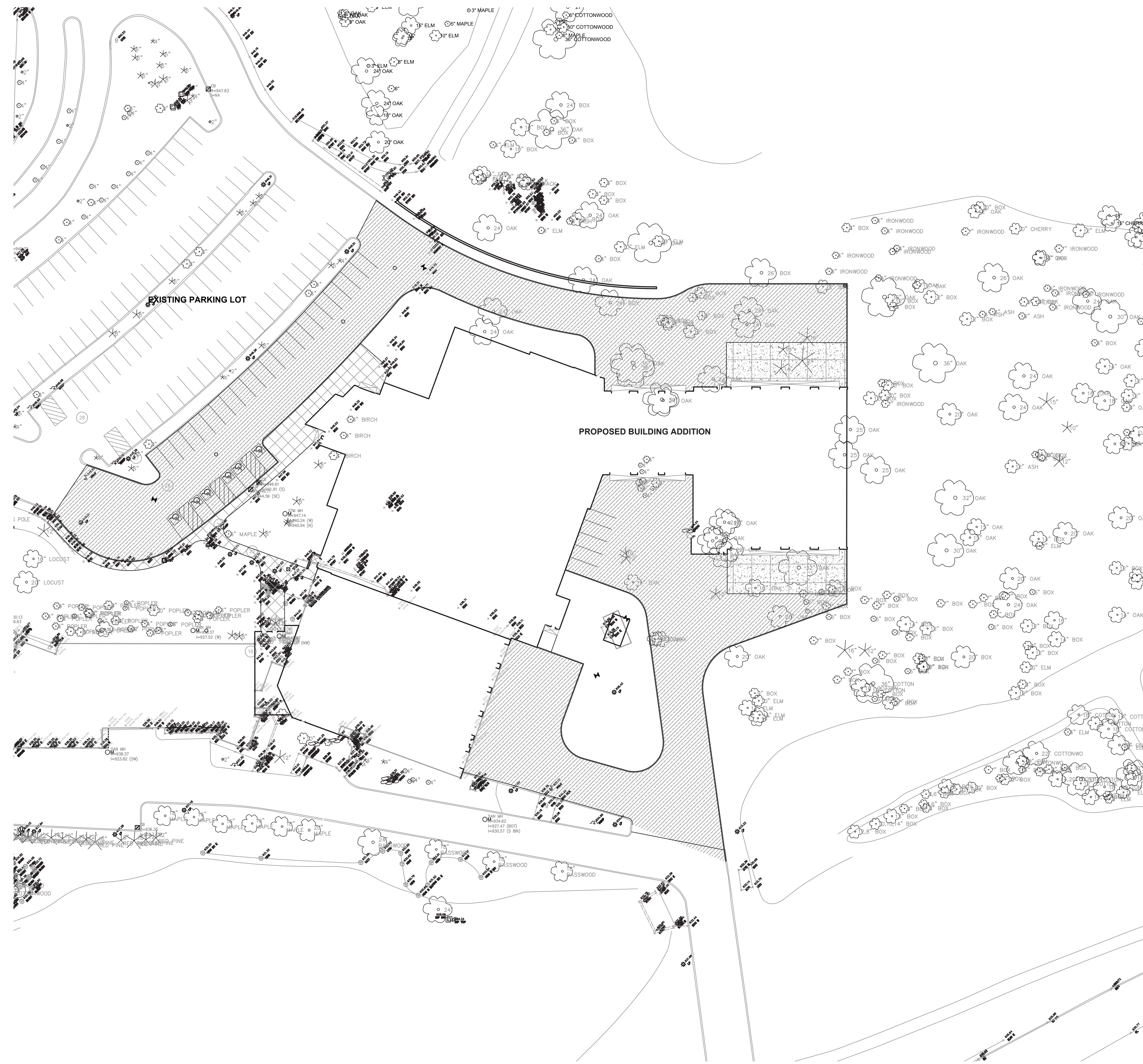
LANDSCAPE ARCHITECTURE • SITE PLANNING • CIVIL ENGINEERING  
725 GRAND AVENUE NORTH SUITE 200 MINNETONKA, MN 55345  
PH: 763.427.2000

**NOTES:**

1. REFER TO SHEET C1.41, GRADING AND DRAINAGE PLAN, FOR GENERAL NOTES.
2. CHECK ALL PLAN AND DETAIL DIMENSIONS AND VERIFY SAME BEFORE FIELD LAYOUT.
3. SIGNAGE SHALL GENERALLY BE INSTALLED 18" BEHIND THE BACK OF CURB.
4. ALL DISTURBED AREAS OUTSIDE THE BUILDING PAD WHICH ARE NOT DESIGNATED TO BE PAVED SHALL RECEIVE AT LEAST 6" OF TOPSOIL AND SHALL BE SODDED.
5. WHERE NEW SOD MEETS EXISTING TURF, EXISTING TURF EDGE SHALL BE CUT TO ALLOW FOR A CONSISTENT, UNIFORM STRAIGHT EDGE. JAGGED OR UNEVEN EDGES WILL NOT BE ACCEPTABLE. REMOVE TOPSOIL AT JOINT BETWEEN EXISTING AND NEW AS REQUIRED TO ALLOW NEW SOD SURFACE TO BE FLUSH WITH EXISTING.
6. FAILURE OF TURF DEVELOPMENT: IN THE EVENT THE CONTRACTOR FAILS TO PROVIDE AN ACCEPTABLE TURF, THE CONTRACTOR SHALL RE-SOD ALL APPLICABLE AREAS, AT NO ADDITIONAL COST TO THE OWNER, TO THE SATISFACTION OF THE ENGINEER.

**LEGEND**

- PROPOSED CONCRETE WALK
- PROPOSED CONCRETE SLAB
- PROPOSED HEAVY DUTY BITUMINOUS PAVEMENT
- PAINTED ACCESSIBLE SYMBOL
- PROPOSED MANHOLE (MH)
- PROPOSED CATCH BASIN (CB)
- PROPOSED HYDRANT (HYD)
- PROPOSED GATE VALVE (GV)
- PROPERTY LINE

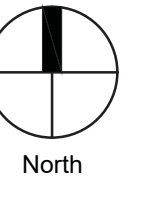


I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed PROFESSIONAL ENGINEER under the laws of the State of MINNESOTA

**DAVID A. REY**  
Registration Number 40180 Date 11/30/2017

Description	Revisions	
	Date	Num

Comm: 172061  
Date: 11/30/2017  
Drawn: MLE  
Check: DAR



**FINISHING  
PLAN**

Scale: 1" = 30'

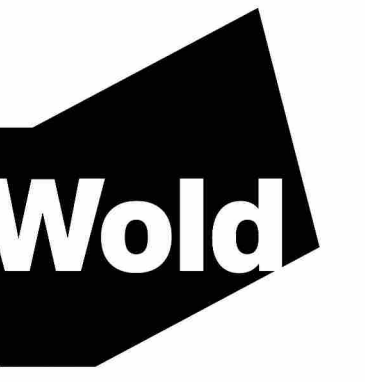
**C1.31**



Enter address here

Owner Project Number (Clear to hide.)

**CITY OF MINNETONKA**  
Client Address



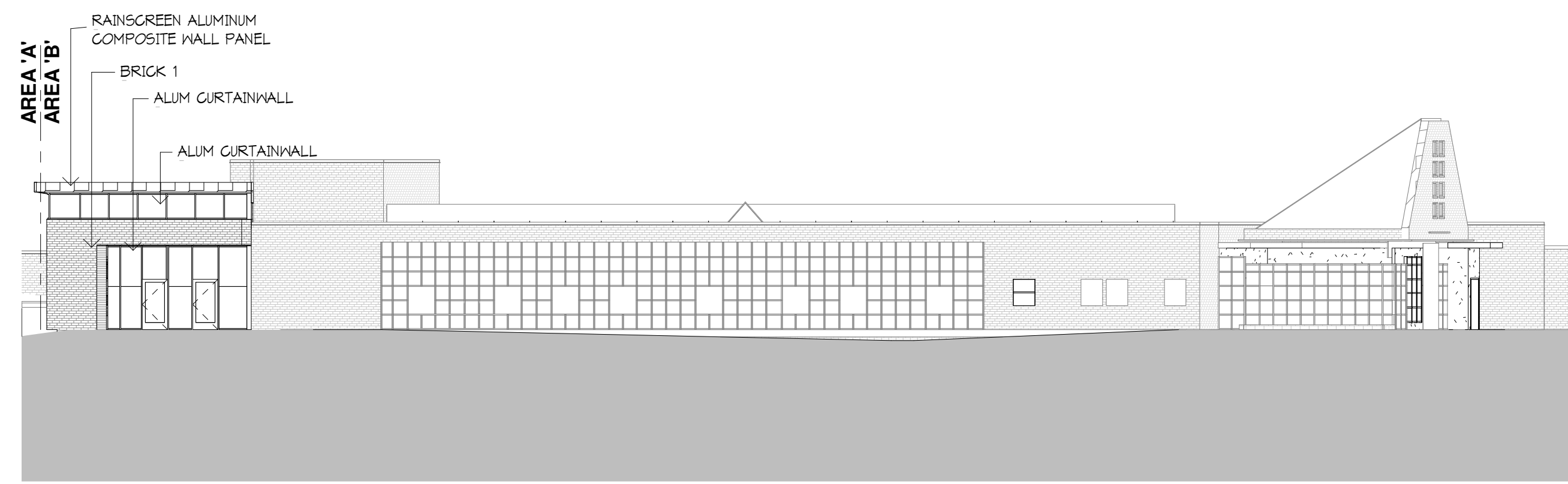
**WOLD ARCHITECTS AND ENGINEERS**  
332 Minnesota Street, Suite W2000  
Saint Paul, MN 55101

woldae.com | 651.227.7773

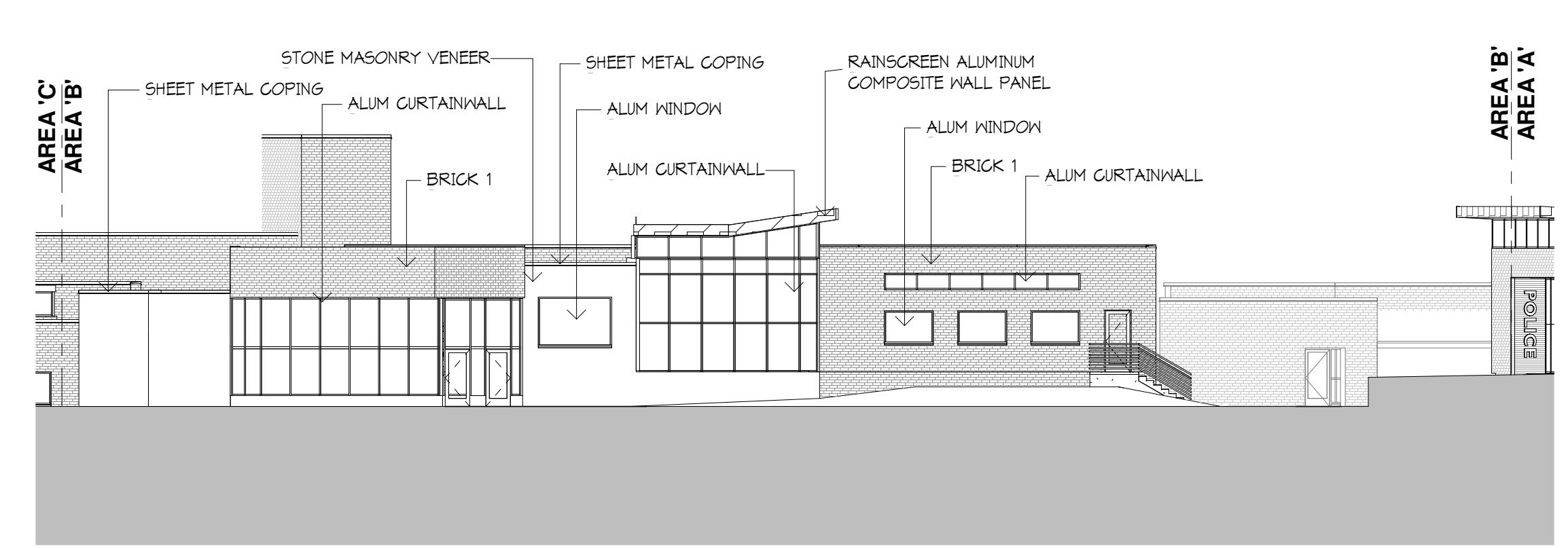
MN



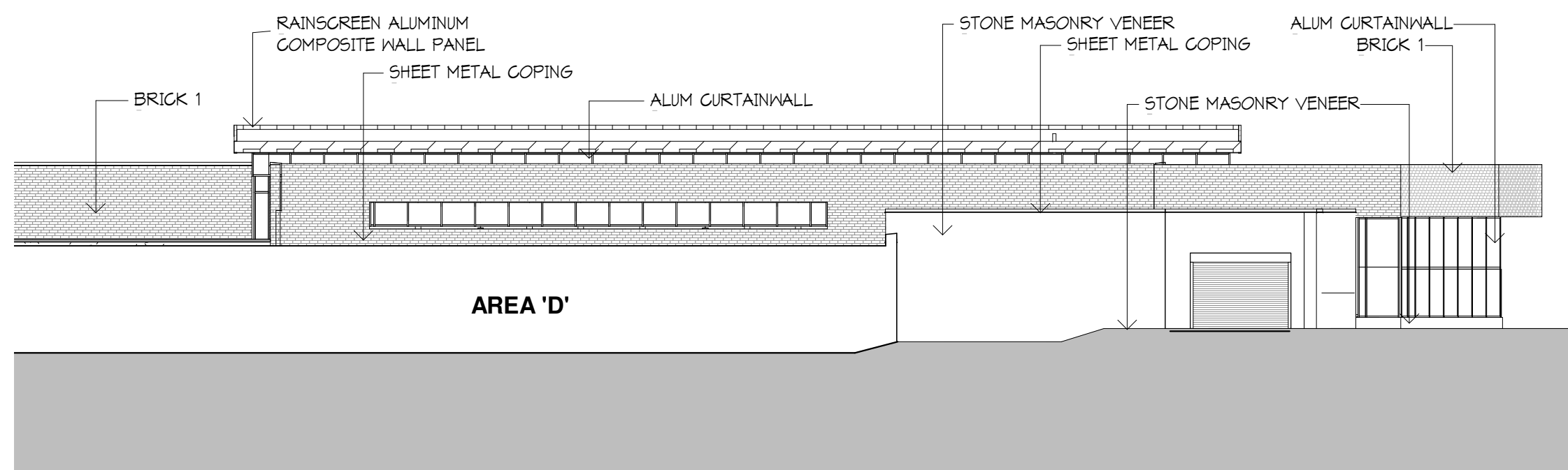
**B1 EAST ELEVATION - AREA 'A'**  
1/16" = 1'-0"



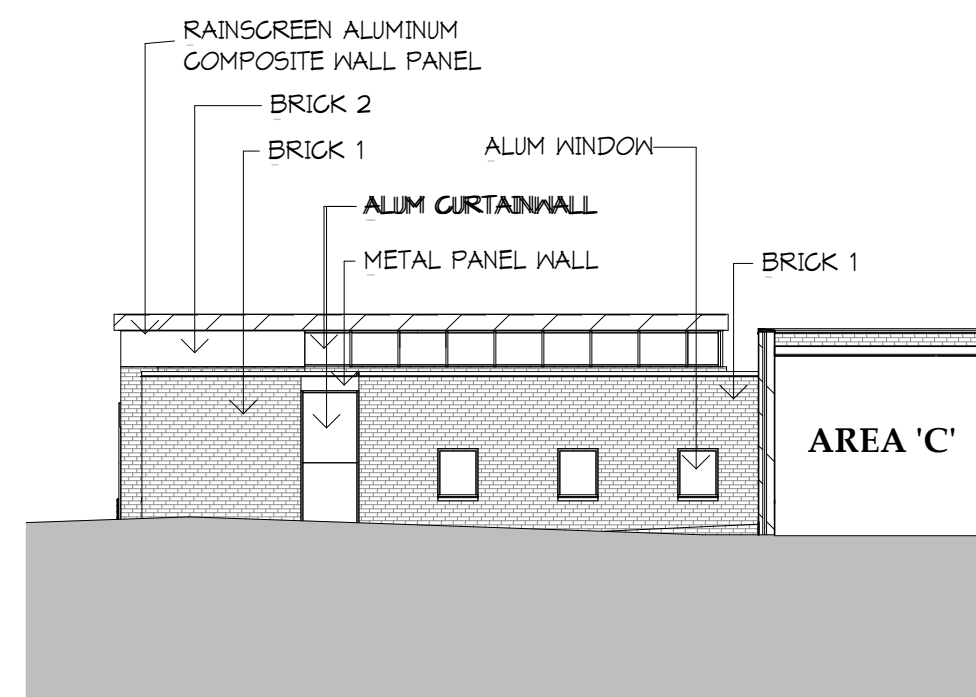
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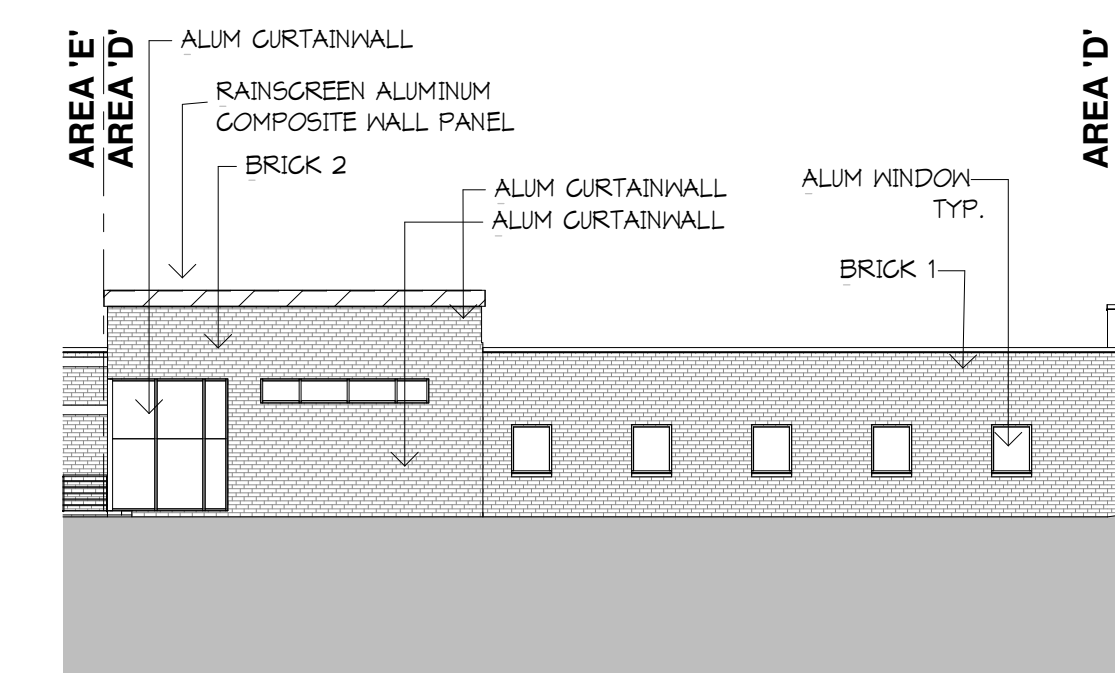
**B6 NORTHWEST ELEVATION - AREA 'B'**  
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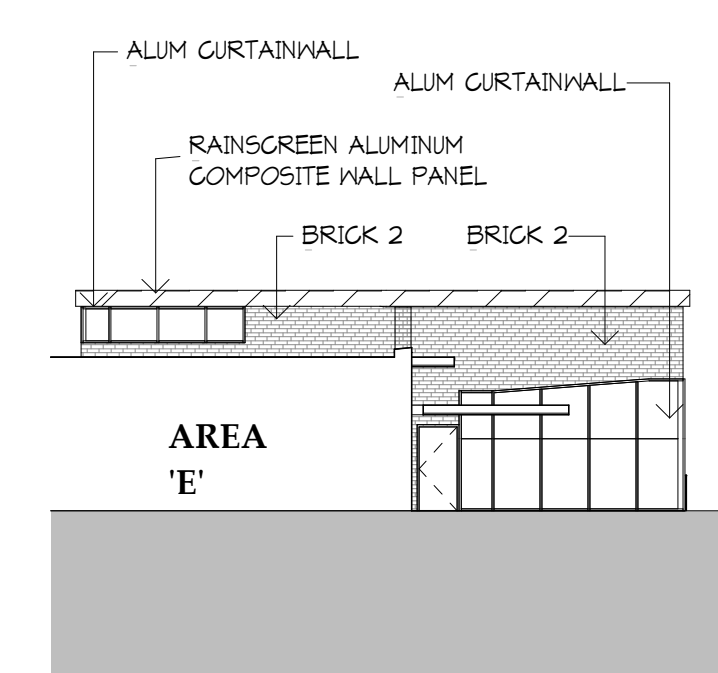
**C1 NORTHEAST ELEVATION - AREA 'B'**  
1/16" = 1'-0"



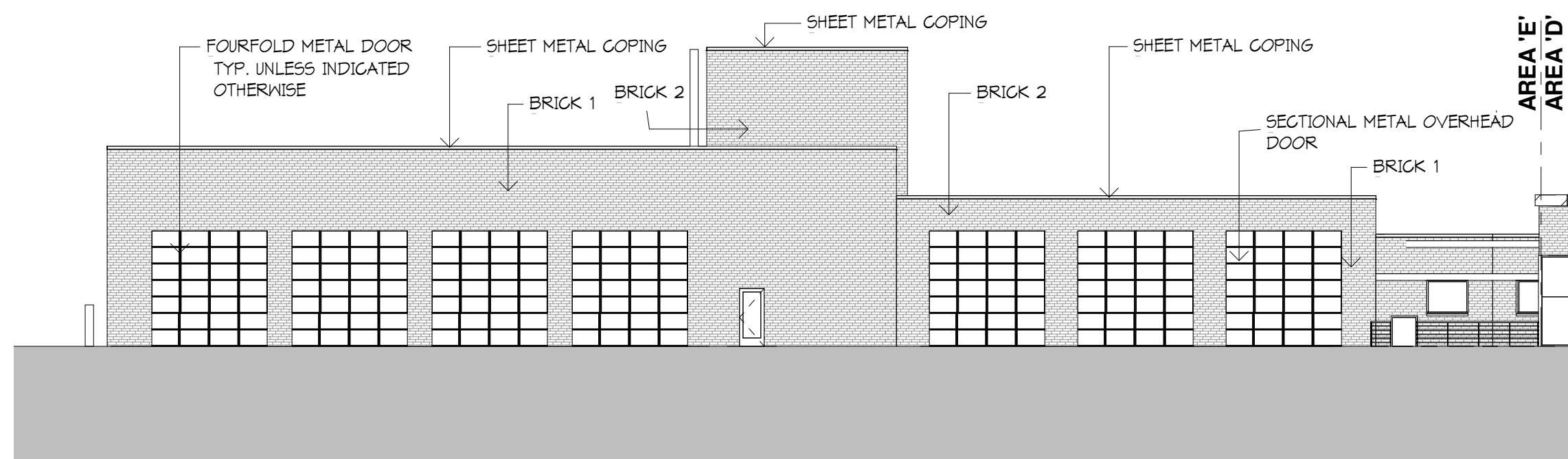
**C4 NORTHWEST ELEVATION - AREA 'D'**  
1/16" = 1'-0"



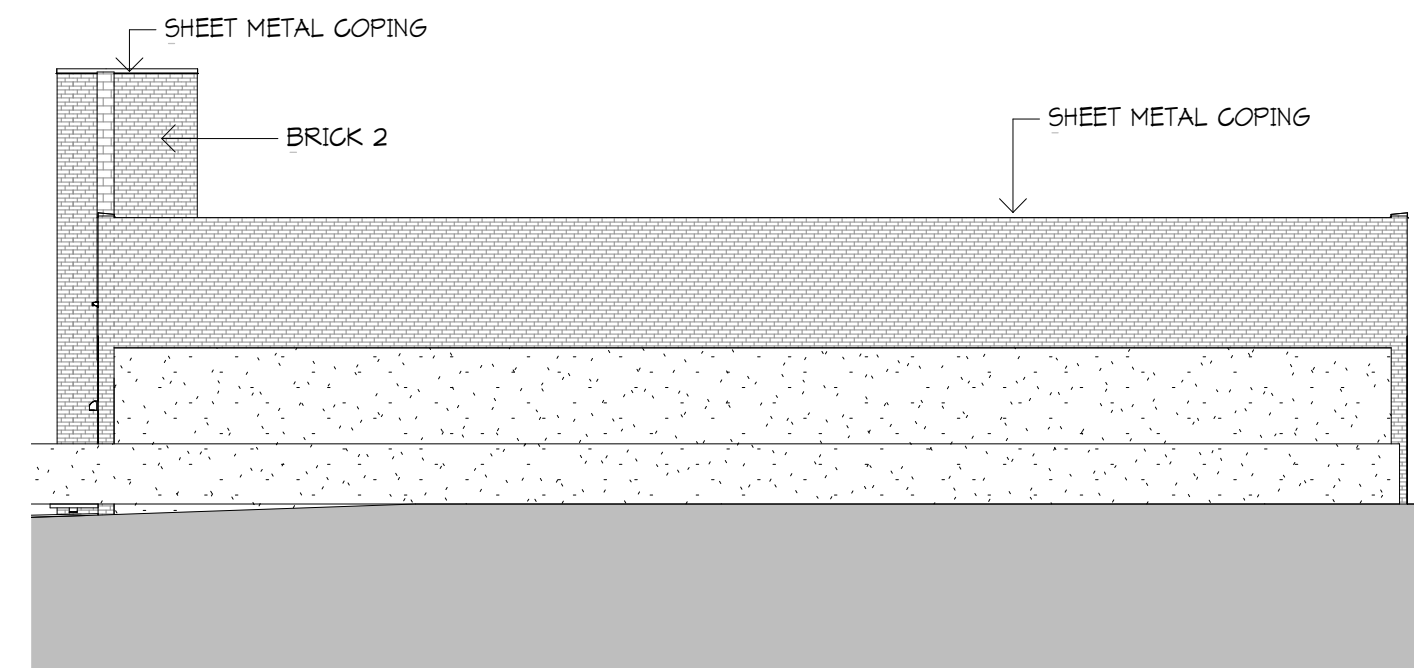
**C6 NORTHEAST ELEVATION - AREA 'D'**  
1/16" = 1'-0"



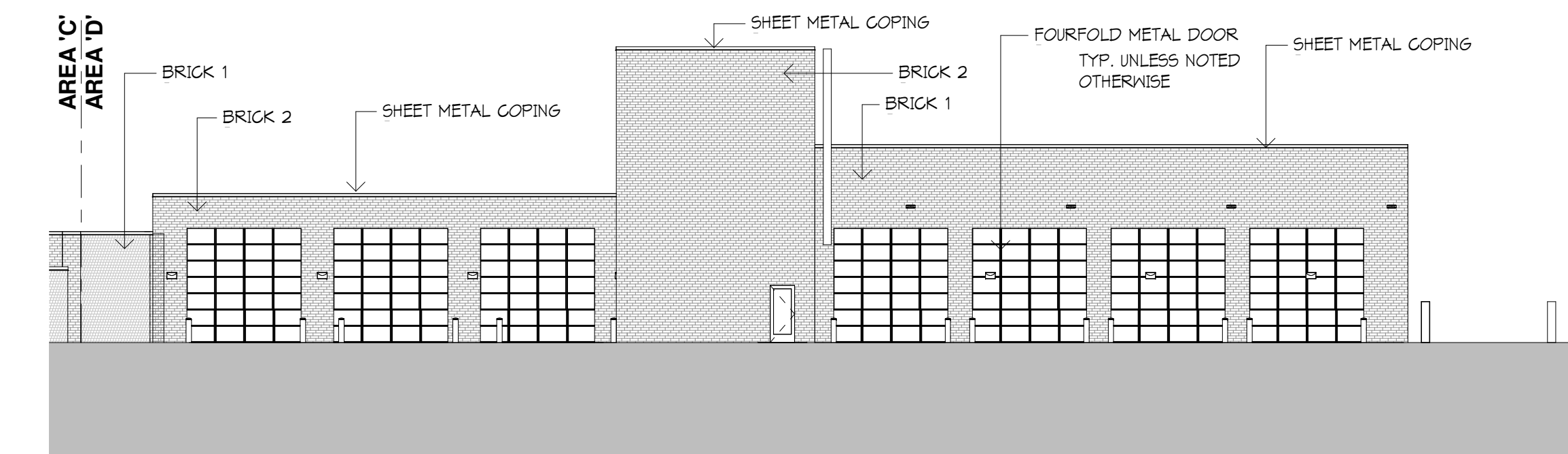
**C7 SOUTHEAST ELEVATION - AREA 'D'**  
1/16" = 1'-0"



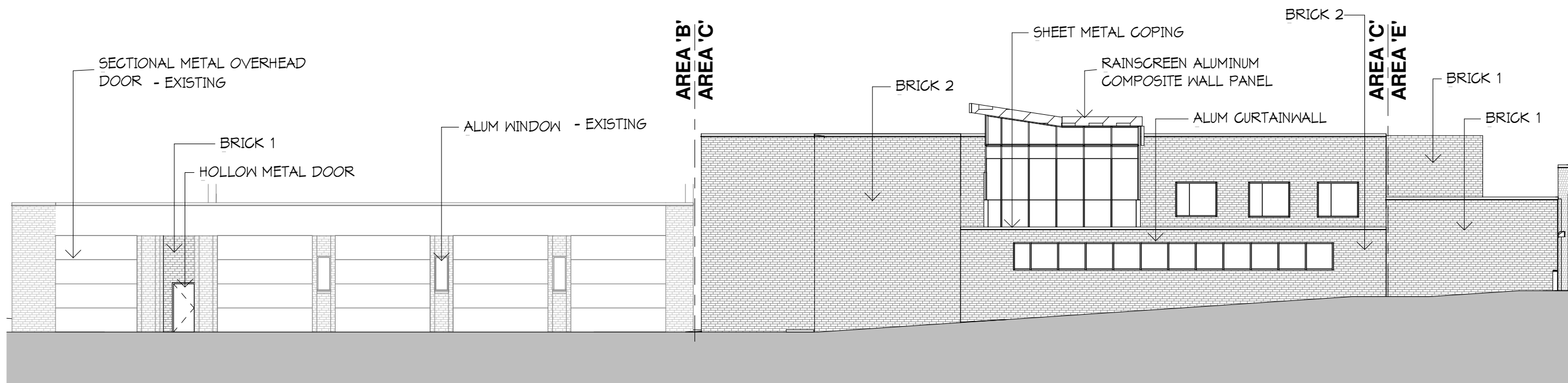
**E1 NORTH ELEVATION - AREA 'E'**  
1/16" = 1'-0"



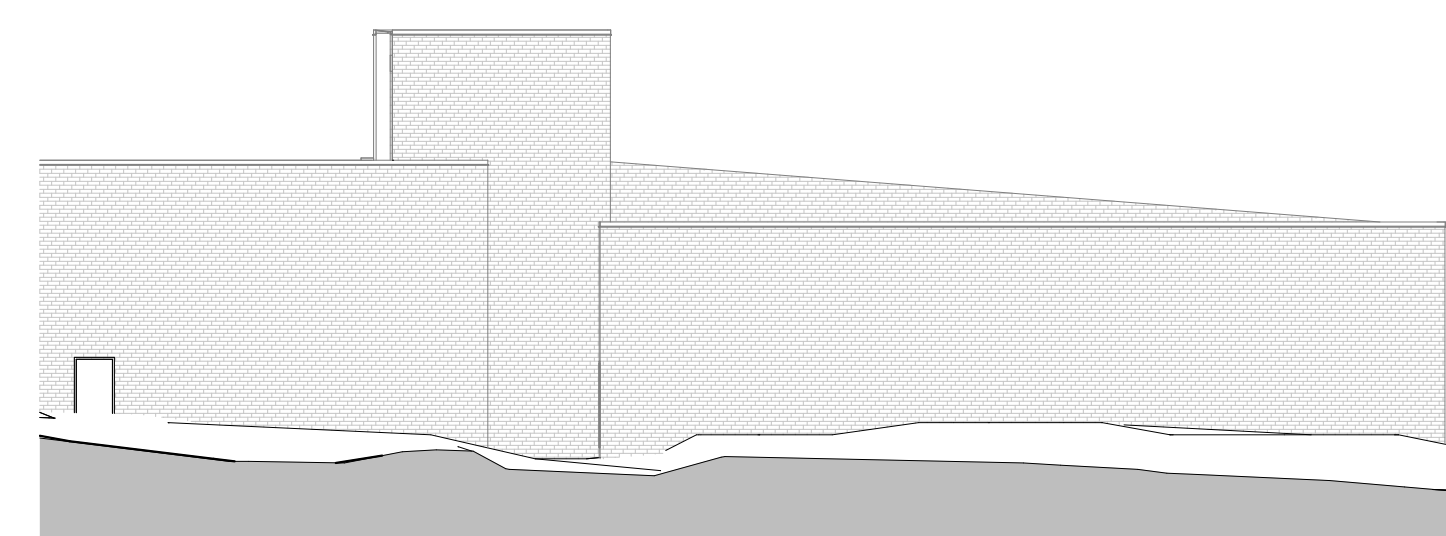
**E4 EAST ELEVATION - AREA 'E'**  
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**E6 SOUTH ELEVATION - AREA 'E'**  
1/16" = 1'-0"



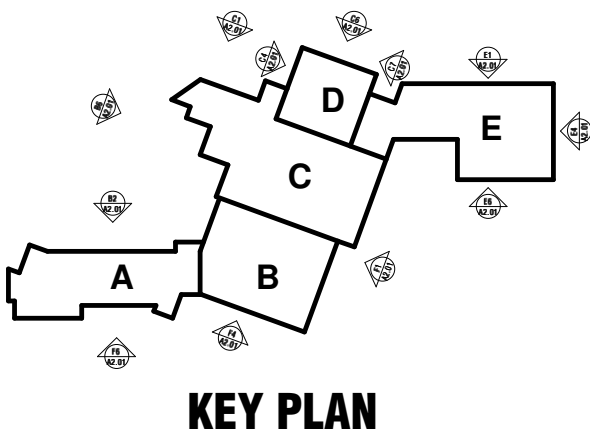
**F1 NORTHWEST ELEVATION - AREAS 'B', 'C' & 'E'**  
1/16" = 1'-0"



**F4 SOUTHEAST ELEVATION - AREAS 'A' & 'B'**  
1/16" = 1'-0"



**F6 SOUTH ELEVATION - AREA 'A'**  
1/16" = 1'-0"



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

Architect Name: \_\_\_\_\_  
Registration Number: \_\_\_\_\_ Architect: \_\_\_\_\_ Date: \_\_\_\_\_ Registration: \_\_\_\_\_

Description	Revisions	
	Date	Num

Comm: 172061  
Date: Issue Date  
Drawn: DS  
Check: Checker

**EXTERIOR ELEVATIONS**

**Project Status**  
**Project Status 2**

**A2.001**

Scale: 1/16" = 1'-0"