## City Council Agenda Item #14\_ Meeting of Feb. 24, 2020

#### **Brief Description**

Items concerning Shady Oak Road Redevelopment:

- 1) Master Development Plan,
- 2) Site and Building Plan review,
- 3) Preliminary Plat,
- 4) Detachment/Annexation and associated actions with the parcel:
  - Comprehensive guide plan amendment, and
  - Rezoning
- 5) Detachment/Annexation of the parcel located at 11524 Excelsion Blvd.

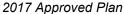
#### Recommendation

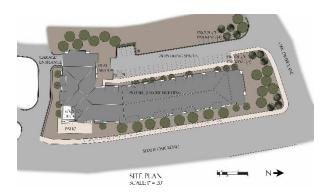
Adopt the ordinance and resolutions approving the request

#### **Proposal**

Ron Clark Construction, the applicant, is proposing to revise the previously approved 2017 plans. The new plans propose a three-story, 75-unit apartment building on the property located at 4312 Shady Oak Road and on a portion of the property to the south that is located in the city of Hopkins. The applicant has a purchase agreement for the property in Hopkins. The proposed apartment building would have underground parking with bike amenities, resident community room, exercise room, on-site manager's office, and an outdoor play area. Apartment units would be a mix of alcove, studio, 1- and 2-bedroom apartments ranging between 450 and 1,200 sq. ft. with an average size of 847 sq. ft. Rents are anticipated to be between \$1,000 and \$1,300 per month for the affordable units and between \$1,100 and \$2,400 per month for the market-rate units. Thirty percent (23 units) of the 75 units are proposed to be affordable to those earning 60 percent of the area median income.







2019 Revised Plan

## **Planning Commission Hearing**

The planning commission reviewed the request at the Jan. 16, 2020 regular meeting. The commission reviewed the project, held a public hearing and recommended the city council approve the project.

During the public hearing, 3 residents provided input on a wide range of items. Specific comments are included in the meeting minutes which are attached.

#### **Planning Commission Recommendation**

On a 5-1 vote, the commission recommended that the city council approve the request.

## Since the Planning Commission Meeting

City staff has met with the City of Hopkins to discuss options for the annexation of a small parcel along the access near the stoplight at Main Street and Shady Oak Road. Those discussions have recently focused on the Minnetonka commercial property at 11524 Excelsior Blvd. (the "Subway" property at the NE corner of Excelsior Blvd. and Shady Oak Rd.) possibly moving into the jurisdiction of Hopkins in exchange for the new land into Minnetonka. Minnetonka city



staff will continue the discussions with the property owner and the City of Hopkins. All drafted approvals indicate the annexation is a requirement for the actions to be valid. The attached resolution for the detachment is presented for approval. If there are additional agreements with the property owner that are required due to differing taxation between the two cities, a separate agreement would be presented to the city council.

#### **Staff Recommendation**

Recommend the city council adopt the following associated with Shady Oak Crossings located at 4312 Shady Oak Road:

- 1. Ordinance adopting a master development plan.
- 2. Resolution approving final site and building plans and the preliminary plat.
- 3. Resolution approving a concurrent detachment/annexation and associated actions with the parcel which consist of:
  - a. Comprehensive guide plan amendment to high-density residential.

- b. Rezoning to a planned unit development.
- 4. Resolution approving Detachment/Annexation of the parcel located at 11524 Excelsion Blvd.

Through: Geralyn Barone, City Manager

Julie Wischnack, AICP, Community Development Director

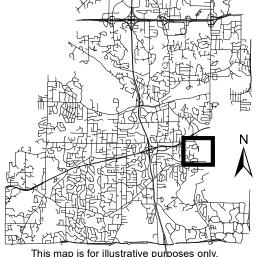
Originator: Loren Gordon, AICP, City Planner



# **LOCATION MAP**

Project: Shady Oak Redevelopment Address: 4312 Shady Oak Rd.





This map is for illustrative purposes only.

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## MINNETONKA PLANNING COMMISSION Jan. 16, 2020

#### **Brief Description**

Items concerning Shady Oak Road Redevelopment:

- 1) Master Development Plan,
- 2) Site and Building Plan review,
- 3) Preliminary Plat,
- 4) Detachment/Annexation and associated actions with the parcel:
  - Comprehensive guide plan amendment, and
  - Rezoning

#### Recommendation

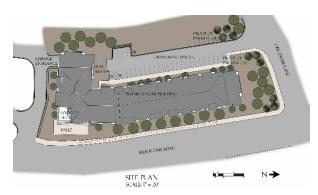
Recommend the planning commission recommend city council approval.

## **Proposal Summary**

Ron Clark Construction, the applicant, is proposing to revise the previously approved 2017 plans. The new plans propose a three-story, 75-unit apartment building on the property located at 4312 Shady Oak Road and on a portion of the property to the south that is located in the city of Hopkins. The applicant has a purchase agreement for the property in Hopkins. The proposed apartment building would have underground parking, resident community room, exercise room, on-site manager's office, and an outdoor play area. Apartment units would be a mix of alcove, studio, 1- and 2-bedroom apartments ranging between 450 and 1,200 sq. ft. with an average size of 847 sq. ft. Rents are anticipated to be between \$1,000 and \$1,300 per month for the affordable units and between \$1,100 and \$2,400 per month for the market-rate units. Thirty percent (23 units) of the 75 units are proposed to be affordable to those earning 60 percent of the area median income.



2017 Approved Plan



2019 Revised Plan

#### **Background**

The City of Minnetonka purchased the property at 4312 Shady Oak Rd. in March 2015. In Nov. 2016, after several neighborhood meetings and a developer interview process, the city council selected Ron Clark Construction to begin negotiations and had the developer propose a development concept.

On Sept. 25, 2017, after an extensive community outreach, the city council approved the Shady Oak Crossings redevelopment project. The project, as approved, is a two and three-story, 49-unit apartment building with underground parking, resident community room, exercise room, on-site manager's office, and an outdoor play area. The building would have a mix of 1, 2, and 3 bedroom apartments with rents expected to be between \$800 and \$1200 per month. (On Dec. 16, 2019, the city council extended the approval to Dec. 31, 2020. The extension is customary for approvals when construction has not commenced.)

After the 2017 approval, the developer worked towards 2018 tax credit financing for the project (through the state). In Nov. 2018, the developer was notified that they were not awarded tax credits.

In May 2019, Ron Clark Construction announced it was proposing to make revisions to the approved plan, which included the acquisition of adjoining property in Hopkins. This 67-unit project was reviewed as a concept plan by the planning commission and city council. Both bodies appreciated the revised plan, generally stating it was an improvement on the approved plan. The city council also introduced an ordinance for the revised project on July 8, 2019. Also during that time, Ron Clark Construction had submitted an application for tax credits. Unfortunately, the credits were oversubscribed, and the project again did not receive credits. Ron Clark Construction decided not to pursue further public reviews of that plan.

Complete information on the project's history is posted on the city's website here.

#### **Revised Proposal**

Ron Clark Construction has submitted revised plans and is now proposing a three-story, 75-unit apartment building on the property located at 4312 Shady Oak Road and on a portion of the property to the south that is currently in the City of Hopkins. The proposed apartment building would have underground parking, resident community room, exercise room, onsite manager's office, and an outdoor play area. Apartment units would be a mix of alcove, studio, 1- and 2-bedroom apartments ranging between 450 and 1,200 sq. ft. with an average size of 847 sq. ft. Rents are anticipated to be between \$1,000 and \$1,300 per month for the affordable units and between \$1,100 and \$2,400 per month for the market-rate units. To be clear, 30% (22 units) of the 75 units are proposed to be affordable.

The revised proposal requires the approval of:

- **Master Development Plan.** The proposal requires an amendment to the previously approved project for the increase in building size, housing units, and changes to the site plan.
- **2) Final Site and Building Plans**. By city code, site and building plan review is required for the construction of any new building of the proposed size.

- 3) Subdivision/Lot Line Adjustment. The applicant is proposing to subdivide a portion of the adjacent and also city-owned residential property and allowance for stormwater management to occur on that property with an easement. The subdivision would also incorporate adjacent land currently located in the city of Hopkins.
- **Annexation/Detachment.** The applicant has secured a purchase agreement with an adjacent property located in the City of Hopkins that would provide additional land to expand the project. A concurrent detachment/annexation process could be undertaken by both cities.
  - Comprehensive Guide Plan Amendment. With annexation, the Hopkins land parcel would need to be designated in the comprehensive plan as high-density residential, consistent with the guidance of the Minnetonka parcel. As both cities 2040 comprehensive plans are not yet in effect, any project approvals would be conditioned on the Metropolitan Council approving the plans.
  - **Rezoning.** With annexation, the Hopkins land parcel would need to be zoned consistent with the Minnetonka parcel and comprehensive plan. The applicant has requested Planned Unit Development.

#### **Proposal Summary**

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

# Existing Site Conditions

The subject property is 1.59 acres in size and is occupied by a vacant 25,680 sq. ft. retail building. The southerly parcel, 0.36 acres in size, is vacant and located in the city of Hopkins. The site generally slopes from east to west with a grade change at the lower level building walkout. Existing hard surface covers approximately 73 percent of the property.

## • Existing Zoning and Guide Plan Designation

The property is currently zoned PUD, planned unit development. It is designated as high-density residential in the comprehensive guide plan. The Hopkins parcel to be annexed is zoned and guided commercial.

## Proposed Use

As proposed, the 3-story apartment building would include 75 units configured as follows:

Unit Type	Count
Alcove	9
Studio	14
1 BR	21
1 BR + Den	9
2 BR	22
Total	75

The three-story building is a flat roof design approximately 35 to 37 feet in height with shorter two-story areas at the north and south ends of the building, which are 26 feet in height. The building would be faced with brick and composite materials. Two building entry points are located along Shady Oak Road, a third on the south elevation and a forth on the west elevation from the surface parking lot.



The building would be served by 106 parking stalls, which include 77 under-building garage spaces and 29 surface parking stalls on the west side of the building. Additionally, the surface parking area identifies 7 proof of parking spaces.

	Shady Oak Crossings	
Footprint	27,926 sq.ft.	
Total Habitable Space	78,375 sq.ft.	
Floor Area Ratio	0.92	
Hardcover	61 percent	
Number of Units	75	
Stories	3 stories	
Density	38 units/acre	

#### • Surface Water Management

The existing site has no surface water management system. As proposed, a stormwater treatment basin would be constructed on the adjacent city-owned property to accommodate the development. The stormwater basin would be located in the rear yard of the existing home and north of the existing trees along the wetland edge. The stormwater pond is sited to minimize impacts to the existing trees. The stormwater pond would be required to meet surface water treatment minimums.

#### **Primary Questions and Analysis**

A land-use proposal is comprised of many details. In evaluating a proposal, staff first reviews these details and then aggregates them into a few primary questions or issues. The following outlines both the primary questions associated with the proposed Shady Oak Crossings project and staff's findings.

# Is the proposed project a reasonable use for the property?

Yes, the proposal is a reasonable use of the property as it is similar to the previously approved 2017 project and improves upon other aspects. The city approved a similar two and three-story, 49-unit apartment building. The proposal required changes to the comprehensive guide plan from commercial to high density residential and rezoning from B-2 commercial to planned unit development. The subject property is currently zoned B-2, commercial. In this case, staff's opinion is that the proposed 49-unit apartment building would have fewer negative impacts than the existing commercial building and tenants that may locate and operate within it would have on the surrounding neighborhood and commercial corridor. Those reduced impacts include the following:

- Surface water management and treatment,
- Garbage and refuse management,
- Increase in green space,
- Building and parking lot lighting spill and glare,
- Clean up of a contaminated property,
- Potential for a number of commercial businesses generating noise, odor, and other potential nuisance conditions.

#### Is the proposed project consistent with the vision for the area?

There is a market demand for increased density and affordable housing. Since 2005, the city has studied a number of redevelopment options for the Shady Oak Road corridor and specifically for this property, including commercial and residential development. Those options have ranged from commercial to a number of mid- and high-density residential alternatives. Again in 2016, the city conducted a specific engagement process for the property with the full intention of exploring redevelopment alternatives. Similar to the 2005 study, the alternatives generated by the neighborhood participants

were mid- and high-density residential housing. In 2016, the city received four high-density residential concepts through its Request for Information solicitation to the development community. Three of the four concepts were apartment concepts ranging between 69 and 72 units. The fourth concept was the three-story 56 unit Ron Clark apartment proposal. The city ultimately entered into negotiations with Ron Clark.



Redevelopment concept from the 2005 study

Locating higher density housing along more highly traveled roadway corridors, and close to commercial services is good land-use practice. The subject site is located along Shady Oak Road, which is an arterial street. The location affords residents the ability of convenient roadway and bus route access. Its location also provides the ability to walk or bike to commercial businesses and services along Shady Oak Road and downtown Hopkins. There are several high-density residential housing units immediately adjacent to single-family residential neighborhoods. This project would be as well. However, it's location on the Shady Oak Road provides screening, buffering and less impactful use characteristics to the residential neighborhood that otherwise would not be possible if the property remained as commercial use.

Planned unit development zoning is a commonly used zoning tool by the city to achieve specific objectives with a development project to further city goals. As defined in city code, "...PUD zoning may be considered by the city when it would result in one of the following public benefits:

- a) Greater preservation of existing natural resources, in number or quality, than would otherwise be provided under non-PUD development;
- b) Provision of affordable housing:
- c) Provision of a housing type or target housing price that is desirable to the city;
- d) A mix of land use types;
- e) Development that is compatible with existing, surrounding development type and intensity that is no longer allowed in other existing zoning districts; or

- f) Greater energy conservation through building and site design than would otherwise be achieved under non-PUD development;
- g) Other public benefits as recognized by the city."

The code further states that, "...a PUD may be approved when the following general standards are met:

- a) The PUD results in at least one of the public benefits as outlined in section 2 of this ordinance;
- b) The PUD is consistent with and advances the community-wide goals of the comprehensive plan; and
- c) The PUD is appropriately integrated into existing and proposed surrounding development. This does not mean the PUD reflects the specific standards of the surrounding area, such as lot size, density, setbacks, or design. While integration may be achieved through such standards, it may also be achieved through the continuation of existing land use types, architectural transitions, landscape buffering, or other means."

## Is the proposed site and building design reasonable?

Yes. The applicant has proposed a three-story building, with underground parking that is an architecturally attractive and fits in the context of the Shady Oak Road commercial corridor. The building would be faced with brick and composite materials. The building would have a flat roof with two-story features at the north and south ends to soften the edges at Main Street and Oak Drive Lane intersections with Shady Oak Road. Apartment units would have glass sliding doors with a deck attached to the unit. The applicant has also proposed a landscaping plan that would over-story trees along the street frontages to soften the building's appearance. These features have improved the building aesthetics, impact, and site functionality since the initial concept plan submittal.

The proposed project would extend the sidewalk along Oak Drive Lane from Shady Oak Road to the driveway. The applicant has proposed internal walkways to connect the sidewalk to building access points. A tot lot play area is proposed for residents on the west side of the building.

## **City Council Introduction**

The city council introduced the ordinance at its Jan. 6, 2020, meeting. The council asked/made the following questions and statements:

- Disappointed that the project isn't 100 percent affordable but encouraged that 30 percent of the units are affordable to those earning 60 percent of the area median income. Why the change of percent affordable?
- Concern about the increase in monthly rent and 3 bedroom units.
- Provide an analysis of project density and affordability.
- How is stormwater management being addressed?
- What is the alignment of the surface parking driveway to other driveways on Oak Drive Lane?

- Is there enough parking provided?
- Ability to provide a different look and feel to the first floor instead of balconies.

# **Neighborhood Meeting**

The developer will be hosting a neighborhood meeting prior to the planning commission meeting. The meeting will be held in the Purgatory Room at the Community Center on Jan. 16, 2020, from 5 – 6 p.m. Staff will provide a summary of the input received at the planning commission meeting.

#### **Summary Comments**

Staff supports the proposal. The additional site area, access configurations, and housing units will improve the overall appearance and functionality of the site. The proposal also enhances the image of the Shady Oak Rd./Main St. intersection.

#### **Staff Recommendation**

Recommend the city council adopt the following:

- 1) Ordinance adopting a Master Development Plan,
- 2) Resolution approving final site and building plans and preliminary plat,
- 3) Resolution approving a concurrent Detachment/Annexation and associated actions with the parcel:
  - Comprehensive guide plan amendment to high-density residential, and
  - Rezoning to planned unit development (PUD)

Originator: Loren Gordon, AICP, City Planner

# **Supporting Information**

Surrounding Northerly: storm water ponding property; guided low density

residential

**Land Uses** Easterly: Single family residential in the city of Hopkins

Westerly: Single family residential; guided low density residential

Southerly: commercial retail in the city of Hopkins

**Planning** Guide Plan designation: High Density Residential

Existing Zoning: PUD, Planned Unit Development

Development Standards

The proposed development standards are included as the regulatory standards under the planned unit development ordinance.

	Proposed			
Building Setbacks				
North property line	50 ft			
South property line	45 ft			
East property line	17 ft			
West property line	18 ft			
Other Setbacks				
Floodplain	n/a			
Wetland	n/a			
Floor Area Ratio 0.92				
Impervious Surface 61%				
Density 38 units/acre				
Height 36 ft.				

Previous Reviews And Public Engagement

The city has been actively involved in promoting redevelopment of the site. The following is a summary of meetings and open houses for the Ron Clark project.

67-unit plan – City Council and Planning Commission Meetings

May 2, 2019 - Planning Commission Meeting

• Concept plan review

May 20, 2019 - City Council Meeting

· Concept plan review

## July 8, 2019 - City Council Meeting

• Introduction of master development plan ordinance

# Approved 49-unit plan - City Council, Economic Development Advisory Commission and Planning Commission Meetings

Aug. 14, 2017 - Joint EDAC/City Council Meeting

- Review of project financials
- Introduction of the rezoning ordinance

#### April 24, 2017 - City Council Meeting

• Concept plan review

## Feb. 27, 2017 - City Council Meeting

· Concept plan review

#### Feb. 16, 2017 - Planning Commission Meeting

Concept plan review

## Nov. 14, 2016 - City Council Special Meeting

• Shady Oak Road Redevelopment Developer Interviews

#### Open House and Neighborhood Meetings

Aug. 2, 2017 – 7:30-9 a.m., 11 a.m.-1 p.m., 5-7 p.m.

 Updated concept plan. Feedback collected via Minnetonka Matters. Additional feedback was collected via Minnetonka Matters. Please note, City of Minnetonka staff documented feedback from the April 6 meeting on the discussion forum using the "Minnetonka Matters" admin account.

#### Feb. 15, 2017

Presentation of concept plan

#### Shady Oak Road Redevelopment Study

## April 7, 2016

 The third meeting discussed feedback we have received and more development option information.

#### Feb. 11, 2016

 The second meeting discussed, in more detail, the possible redevelopment of the property.

Jan. 13, 2016

 Discuss the future of the property including a general outline of a process that will take place over several months and potential changes to the property.

# Preliminary and Final Plat

The preliminary and final plat reorients the existing property line between the two city-owned parcels. The property line readjustment provides room for the apartment parking lot and additional frontage for the single-family home. (See attached). Staff has reviewed the request and determined that the proposal meets the city ordinance.

#### Stormwater

As proposed, drainage from the site would be managed located in an open pond to the west of the building. As a condition of approval, a final stormwater management plan and specifications must be submitted prior to the issuance of a grading permit. The plans must meet the standards of the city's Water Resources Management Plan, incorporating rate control, volume control, and water quality treatment.

#### Solar Energy

Solar energy opportunities are not proposed but are always an option for the property.

#### Utilities

Public water, sanitary, and storm sewer facilities are available to the site from Oak Drive Lane. A 50-foot sanitary sewer easement extends along the west property line. The easement provides clearance for a 54-inch sanitary sewer pipe that services a large portion of the city.

#### **Sidewalks**

A sidewalk exists on Shady Oak Road, which was newly constructed along with the roadway improvements. An additional sidewalk is proposed along the north side of the site.

# Traffic and Parking Study

The city commissioned a traffic study to:

- 1. Understand the existing traffic and parking conditions of the site:
- 2. Evaluate potential impacts of the proposed redevelopment; and
- 3. Address improvement options for any issues, if necessary.

In evaluating each of these items, the city's traffic engineering consultants drew on general engineering principles, as well as specific observations of the existing site.

The study generally concluded the project would have no negative impacts on the surrounding roadway system. A few of the study's key findings include:

 The proposed site will generate 36 trip ends in the am peak hour, and 46 trip ends in the pm peak hour with an estimated 90% of the traffic using the Main Street, and Shady Oak Road intersection through a new driveway that forms the west leg of this intersection. The remaining 10% of the traffic is estimated to use Oak Drive Lane.

- With the development of the site, the level of service for traffic at Main Street and Shady Oak Road intersection is LOS "A" in the am peak hour and LOS "B" in the pm peak hour. The intersection operates at a very good level of service in both peaks and has ample spare capacity for future traffic growth.
- It is recommended the new west approach to Main Street and Shady Oak Road intersection have a separate left-turn lane with at least 75 feet of storage. The through and right-turn movements can be shared on one lane. It is also recommended that the westbound approach be restriped to allow a separate left-turn lane and a through right-lane. The through and right-turn movements can be shared on one lane on the westbound approach as well.
- With the removal of the existing businesses from the project site, and due to the primary access to the apartment being from the Main Street and Shady Oak Road intersection, the traffic levels at the intersection of Oak Drive Lane and Shady Oak Road are expected to be lower than current levels, and the intersection is anticipated to operate at an acceptable level.

**Parking** 

The city code requires 2 parking spaces per unit for multi-family developments, with one of those spaces located in an enclosed structure. As proposed, the Shady Oak Crossings project would provide 106 of the required 150 parking spaces or a ratio of 1.41 parking spaces per unit and 1.29 spaces per bedroom. Although the project has an additional 7 proof of parking spaces providing the opportunity for 113 parking spaces, it is short of the traditional code standard. The city has seen that 2 spaces per unit is more than is needed. A better approach for parking a building is by the number of spaces per bedroom. The approach provides a more realistic pairing of potential or would-be drivers and bedrooms. The more recently constructed buildings tend to have fewer bedrooms per unit. Shady Oak Crossings provides 1.29 parking spaces per bedroom, which is higher than other similar and more recently constructed apartment buildings.

Shady Oak Crossings					
	Number of Spaces Required	Number of Spaces Provided			
Underground	75	77			
Surface	75	29			
TOTAL	150	106			

	Stalls per Bedroom	Stalls per Unit
Traditional Code Standard	n/a	2
ITE	n/a	1.10-1.37
Shady Oak Crossings Proposed	1.29	1.41
Tonka on the Creek	1.15	1.49
Carlson Island	1.03	1.55
The Ridge	.93	2

#### **Transit**

The site at 4312 Shady Oak Road, is served by bus routes 12 and 670. The nearest bus stop is located directly across the street from the site at Main Street and 20th Avenue North in Hopkins. Bus route 12 connects Minnetonka riders to Hopkins, St. Louis Park, and Minneapolis with service every 12-30 minutes during the weekday between 6 - 7 p.m. Express route 670 provides riders weekday express access to downtown in the morning and evenings. In addition, the proposed Southwest LRT Shady Oak Road station is approximately a half-mile from the proposed project. When completed in 2021, riders will have service to downtown Minneapolis and St. Paul.

#### **Building Design**

The proposed building would have a three-story appearance but have two-story features to soften the north and south building ends. (See attached). The proposed building would have a code-defined height of 36 feet, as shown.

Building materials would include brick and composite materials. As a condition of approval, final materials and color palate board must be submitted for staff review and approval.

#### **Natural Resources**

#### Trees

There are 38 significant trees on the site. As proposed, the project would remove 1 high priority tree and 15 significant trees. The subject proposal would meet the tree protection ordinance.

There are a couple of opportunities to increase tree preservation by reconfiguring the stormwater basin to save high priority tree 4822 and tree 4828.

If tree 4822 cannot be saved through grading changes, mitigation will be required for it and two significant trees (4804 and 4805) for a total mitigation of 48-inches or 24, two-inch trees. The landscape plan indicates that they will plant 40 deciduous trees, so this will satisfy the mitigation requirement.

#### Landscape Plan

Generally, the landscape plan meets ordinance requirements, and staff approves it with the following comments:

- Trees cannot be planted within the utility or sanitary easement line. These could be relocated to the adjoining city property.
- A final landscape plan be provided for review and approval by staff.
- Provide a final project and landscape value.
- Plantings surrounding the pond be of a native seed mix.
- Thirteen maples are specified to consider substituting 5 with a different genus for added diversity.

#### Wetland Items

 A 16.5-foot buffer with conservation easement around the wetland is required.

## **Erosion Control**

 Meet city standard erosion control requirements, including compliance escrow and the installation and maintenance of erosion control devices during construction.

#### **Affordable Housing**

The project proposes 23 units would be affordable to persons earning 60 percent of the area median income. Rents would also be required to meet certain affordability requirements. With 30 percent of the 75 units affordable, the proposal would exceed the required 20 percent city's affordable housing policy. The economic development advisory commission reviewed a request from Ron Clark Construction for city financial assistance to secure the affordability of those 23 units. The commission recommended the city provide assistance. The city council/economic development authority will consider the request from Ron Clark Construction and recommendation from the economic development advisory commission on Feb. 24, 2020, along with the project land use approvals.

#### **Motion Options**

Typically, the planning commission has four options, as noted below. For this project at this time, and as noted previously in the report, the only option staff recommending is to table the item.

1. Concur with the staff recommendation. In this case, a motion should be made recommending the city council adopt the rezoning ordinance, preliminary and final plat resolution, and site and building plan resolution, with variances.

- 2. Disagree with staff's recommendation. In this case, a motion should be made recommending the city council deny the requested rezoning, preliminary and final plat, and final site and building plans, with variances. This motion must include a statement as to why denial is recommended.
- 3. Concur with some of staff's recommendations and disagree with the others. In this case, a motion should be made recommending approval of the some and denial of the others. This motion must include a statement as to why denial is recommended.
- 4. Table the requests. In this case, a motion should be made to table the item. The motion should include a statement as to why the request is being tabled with direction to staff, the applicant, or both.

## Neighborhood Comments

At the time of publication of this report, the city had received no written comments. Notices were sent to 365 property owners in Minnetonka and Hopkins.

**Deadline for Action** 

April 1, 2020

### PLANNING COMMISSION JAN. 16, 2020 MEETING MINUTES

# B. Items concerning Shady Oak Crossing at 4312 Shady Oak Road.

Chair Sewall 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.

In response to Hanson's question, Wischnack explained that the affordable housing units would be able to be rented by tenants who earn no more than 60 percent of the annual median income (AMI). Hanson heard that there is a lack of units designated for affordable housing with three bedrooms.

Sewall asked how far the building would be setback from Oak Drive Lane in this plan compared to the previous plans. Gordon answered that the building would be setback approximately 50 feet which is over twice the distance as the last plan.

Luke asked how eight units were added to a shorter building. Gordon answered that the units decreased in size.

Mike Waldo, Ron Clark Construction, applicant, stated that:

- The three-bedroom units were removed since the subsidy level would have been so extreme that the economics of the project would not have worked and the price point was so high that single-family residents could be purchased with a lower monthly mortgage. Of the affordable units, one third would be one-bedroom units, one third would be alcoves, and one third would be two-bedroom units.
- The proposal would provide more of a buffer with a nice section of trees.
- With the purchase of additional property, the access is now located on the south side.
- This type of housing, with the mix of units, is in high demand.
- The proposal does everything possible to balance the needs of the neighbors to the north and moves the access and traffic onto Shady Oak Road.
- He met a neighbor who lives across from the site. He would work with him on choosing screening.
- He was available for questions.

In response to Henry's questions, Mr. Waldo explained that:

- Some of the units do not have the layout figured out yet. There would be 75 units, 97 bedrooms, and 106 parking stalls which equals 1.14 parking stalls per unit. There would be an additional 7 proof-of-parking stalls.
- There would be a lot of bike storage including hangers inside the garage.
- There would be two walkways to provide pedestrian access from the building to Shady Oak Road.
- There would be a fenced-in dog run area on the north side of the building.

- All of the units would have a walk-out patio or balcony.
- The site currently provides no treatment of stormwater. The proposal would create an infiltration pond to treat the stormwater before it travels into the wetland.

Wischnack added that the site currently has contaminated groundwater which would be cleaned up as part of the proposal.

Henry asked if energy saving tools would be utilized. Mr. Waldo stated that the applicant would work with Xcel to do approximately \$40,000 worth of energy upgrades such as using LED light bulbs. There would be zone heating and air conditioning.

The public hearing was opened.

Chris Aanestad, 4255 Oak Drive Lane, stated that:

- The city owns a house next door where the infiltration pond would be located. He asked if the infiltration pond would need to be bigger since the building got bigger. The area is "not very safe."
- He would like less surface parking. The parking lot is too big. Stacking might be a huge issue.
- He appreciated the applicant purchasing the additional property.
- The play area seems fine.
- Stormwater management features would be added.

Christopher Bernard, 4295 Oak Drive Lane, stated that:

- No one in the room would want 75 apartment units to be constructed across the street from one's residence, but he knew about the possibility when he purchased his house one year ago. He was thankful for the current plan which is much better than the plan two years ago. The addition of the property located in Hopkins is huge as it would allow the access to be located on Shady Oak Road. He understood that would not be an easy negotiation. That provided a great benefit to his neighborhood.
- Moving the play area from the north end to the main area is a huge win.
- He questioned the need for 29 guest parking spaces. The parking lot would remove most of the existing buffer. He requested high-priority trees be planted to provide a buffer.
- The concept looks a lot better. Ron Clark has a good record of constructing high-end buildings. The building would look tastefully done and look more residential.
- He was excited to see the introduction of 70 percent AMI. The variety of rents would be a great mix for the area.
- He thanked city staff and Ron Clark staff for their work on the project. He looked forward to meeting with Mr. Waldo to discuss buffering.
- He enjoys living in the tight-knit community.
- He requested that the surface parking area be reconsidered and the entrance to the guest parking lot moved one way or the other. It would be too close to the mouth of his driveway.

Jeri Massengill, 4272 Oak Drive Lane, stated that:

- The initial plan proposed 56 units. The next plan reduced the number of units to 49. Now the proposal includes 75 units. She was not thrilled with the huge apartment building which would be larger than any other structure in the area.
- She did not think 29 surface-parking stalls would be needed. She favored green space.
- She wanted more vegetation buffering to decrease the noise from Shady Oak Road. Hundreds of trees were removed for the Shady Oak Road improvement project and none were replaced.
- Moving the underground parking access off of her street was a huge improvement.
- She still thought the building would be located too close to Shady Oak Road for the apartment residents to open a window.

No additional testimony was submitted and the hearing was closed.

Gordon stated that the infiltration pond would meet stormwater management requirements. It would be possible to change two paved-surface-parking stalls into two proof-of-parking stalls. The code would require a six-foot trees to serve as a buffer because it would establish itself faster, have better survival rates, and grow faster than trees taller than six feet.

Mr. Waldo explained that the location of the access to the parking area was selected to allow more room for stacking. The parking lot entrance slopes down all the way to Oak Drive Lane which would prevent some headlight bleed. A buffer of low vegetation would block the headlights. There needs to be enough visitor parking to handle events like holidays. The proposal has a nice balance.

Knight asked if any motorist could park in one of the nine parking spaces located on a nearby cul-de-sac. Wischnack explained that overnight parking would not be allowed in Minnetonka, but that the stalls are located in Hopkins.

In response to Knight's question, Mr. Waldo stated that the proposed building would be dramatically smaller than the second building. Adding 26 units increased the footprint by 4,000 square feet and would result in the building being 20 percent larger than the original, 49-unit building. Almost all of the addition was added to the south.

Knight discussed the traffic pattern with Mr. Waldo. Mr. Waldo explained how large trucks would navigate the site. The strip mall parking lot is never very full.

Knight asked who would be responsible for the environmental cleanup. Wischnack explained that the city would apply for a grant through Hennepin County for the cleanup funds, but if the grant would not be awarded, then the contract directs the developer and city to renegotiate the costs. The asbestos in the building and underground contamination need to be removed. Mr. Waldo noted that the city owns the property today. The applicant's purchase agreement is contingent on the city applying for and providing grant funds to clean up the site.

Powers prefers the proposal to have 72 units and two elevators. He supports the developer working with the neighbor to provide a buffer. He favors planting larger trees. He supports staff's recommendation. He would rather error by the project having too much surface parking than the project not having enough.

Hanson appreciated the applicant working with the neighbors. That went above and beyond what most applicants have done. He thought the proposal is much better than before which led him to believe that it could still be a little better. He supports where the proposal is headed. He would support a reduction in the mass of the building.

Luke would like an additional elevator or one more centrally located. This is the best version of the project. She supports staff's recommendation.

Henry appreciates the neighbors attending the meeting and providing input and the developer making changes to the proposal in response to neighbors' concerns. Moving the access was a huge improvement. He supports staff's recommendation.

Knight agreed that the applicant has made great strides by improving the appearance of the building, pushing the building south on the north end, purchasing the property adjacent on the south, and removing the access from Oak Drive Lane. He was not sure if another elevator would be necessary. He likes the proposal. He supports the project.

Henry agreed that one elevator would be sufficient.

Chair Sewall stated that:

- He agrees with Knight. He appreciated the applicant continuing to work with the neighbors on the buffering.
- Affordable housing is desperately needed in Minnetonka. He is comfortable with the proposed mix of affordable and market-rate units to provide long-term health and diversity on all spectrums. He would like to have more affordable units, but there would be more than normal, so that is a positive.
- He understood why neighbors would want a smaller surface parking lot, but the consequences could cause a much bigger issue such as vehicles parking on the street.
- He liked that the building would be pulled back further from Oak Drive Lane. The tradeoff would be the building being located closer to Shady Oak Road, but he preferred that the building encroach on Shady Oak Road to allow more of a buffer for the neighbors on the west and north sides.
- He supports staff's recommendation.

Knight moved, second by Luke, to recommend that the city council adopt the following with modifications provided in the change memo dated Jan. 16, 2020:

- 1. Ordinance adopting a master development plan.
- 2. Resolution approving final site and building plans and preliminary plat.

- 3. Resolution approving a concurrent detachment/annexation and associated actions with the parcel which consist of:
  - a. Comprehensive guide plan amendment to high-density residential.
  - b. Rezoning to a planned unit development.

Henry, Knight, Luke, Powers, and Sewell voted yes. Hanson voted no. Motion carried.

February 6, 2020

Dear Minnetonka City Council,

I am writing in regards to the Shady Oak Road apartment proposal. The area neighborhoods and many in the community have expressed issues with the proposed massive building on a small "buildable" land area. There are many issues.

The concerns have been the same since day one. A massive building cannot be undone. The most recent proposal has 40 some parking spots in a parking lot connected to Oak Drive Lane. This is unacceptable. Oak Drive Lane is a narrow residential road, without turn lanes. It would only make sense to have all parking related to this proposal use the traffic light on Shady Oak Road and Main Street. This developer has found ways to add more apartments(75!); they can and should be made to find a way to connect all traffic to the controlled traffic light for the safety of everyone. The proposed parking lot if left the way it is will cause congestion and safety concerns for Oak Drive Lane residents as well as back-ups on Shady Oak Road. This is a major safety concern. We cannot undo a massive building and large parking lot. Let's make it better.

Sincerely, Ann Aanestad Oak Drive Lane Minnetonka,MN



> (952) 947-3000 fax (952) 947-3030

Monday, December 02, 2019

Loren Gordon City of Minnetonka 14600 Minnetonka Blvd Minnetonka, MN 55345

RE: Shady Oak Crossing Project Narrative

**Ron Clark Construction** is proposing a three-story, 75-unit apartment building on the property located at 4312 Shady Oak Road and on a portion of the property to the south that is currently in the city of Hopkins.

The proposed apartment building would have underground parking, resident community room, exercise room, onsite manager's office and an outdoor play area.

It is proposed to have a mix of Alcoves, Studios, 1- and 2-bedroom apartments and they currently expect the unit rents to be between \$1,000 and \$1,300 per month for the affordable units and between \$1,100 and \$2,400 per month for the Market Rate units. (See attachments).

Zoning for the property is currently B-2, limited business district. The city's comprehensive plan guides the property for commercial use.

Change from Tax Credit to a Mixed Income Apartment. We have submitted for tax credits the last 2 years and have been unsuccessful, as such we have worked with staff and decided to propose a mixed income project. We are disappointed that we were not able to obtain the tax credits, but the process has become more and more competitive over the last few years and without being within ½ mile of the Light Rail platform, we just don't get enough points to beat other projects. We have revised the project with more of a Market Rate unit mix and we have also adjusted the sizes of the units to be consistent with comparable projects, which allows for a smaller overall building. We will have 9 Alcove, 14 Studios, 21 One Bedroom, 9 One Bedroom + Dens and 22 Two Bedroom units.



> (952) 947-3000 fax (952) 947-3030

**Rezoning and Comprehensive Plan:** The proposed residential use requires a rezoning and guide plan change.

The proposed housing component would qualify the project for public benefit under the planned unit development zoning district.

A complementary high density residential comprehensive plan re-guidance would align with the zoning density of 27.18 units/acre. (75 units/2.76 acre)

**Building Design**: The proposed 3 story building with a combination of sloped and flat roof and two-story components at each end represents significant first step in the redevelopment of the Shady Oak Road corridor between Highway 7 and Excelsior Boulevard.

This existing commercial building is dilapidated and unlikely to be a candidate for remodeling. The other residential redevelopment in the area includes The Oaks of Mainstreet townhome development (late 1990s) at the corner of Shady Oak Road and Mainstreet.

The proposed apartment building incorporates an attractive roof design and an articulated façade, underground parking and common building entry accesses.

## Changes from the previously approved development plan:

During our previous City approval process most of the concern from the neighbors was the impact of traffic on Oak Drive Lane. We had attempted during the previous application to approach our neighbor to the south on acquiring some additional property to allow for a change of access to the site, but we were unsuccessful. After our approval we re-kindled those discussions and now have a purchase agreement for the additional land needed to make the access off Shady Oak Road possible at the current stop light location.

Our current design includes 75 units. The previous design submitted in May earlier this year contained 67 units, but the building footprint was much larger which was a major concern of the Planning Commission and City Council. Our new design has



> (952) 947-3000 fax (952) 947-3030

smaller units and the building is approximately 60' shorter in length along Shady Oak Road and much farther from Oak Drive Lane.

**Site Design**: Like our previous proposal, this proposal would site the apartment building toward Shady Oak Road while providing greenspace to separate the building from the sidewalk.

Surface parking and a play area are provided on the west side of the building and the underground parking is now accessed only from Shady Oak Road.

Site and building design consider the relationships of public and private spaces. A strong relationship of the sidewalk, front yard space and the building's first floor is essential for great spaces, including an outdoor patio and rooftop deck, both facing the main street intersection.

## **Changes to Site Design:**

The previously approved site plan in 2017 had the entrance to the parking garage coming from Oak Drive Lane. The parking garage now enters from Shady Oak Road. The only traffic to Oak Drive Lane will come from our small surface parking lot of 29 parking stalls that will mainly be used by visitors.

The building now has shifted south to allow the garage entrance to come from Shady Oak Road.

The building exterior has changed to more blend and complement the existing residential neighborhood and the front of the building is faced toward and connected to the sidewalk along Shady Oak Road while providing greenspace to separate the building from the sidewalk.

Accenting landscaping will be placed at the north and south ends of the building to provide an attractive updated presence along Shady Oak Road. All efforts will be made to protect the existing trees as well as adding additional trees and landscaping to screen the existing neighbors from the surface parking.



> (952) 947-3000 fax (952) 947-3030

## **Stormwater Management:**

The current property is covered with 1.53 acres of impervious surface and primarily drains to the wetland. The new development stormwater management system for the site will convey all site runoff to a new basin installed on the adjacent property to the West. The impervious area for the new development (1.18 ac) provides a 23% reduction from the existing site condition. The development will meet all management standards required by the City of Minnetonka, the Nine Mile Creek Watershed District and the MPCA NPDES Permit.

**Traffic:** Prior to our previously approved proposal the city consultant prepared a traffic study of the area and it clearly shows that the new use will have less traffic than other currently allowed uses and the effect on the surrounding intersections was minimal. The impact of our current design will be dramatically reduced from our previously approved proposal due to most of our traffic will now enter directly onto Shady Oak Road vs Oak Drive Lane.

**Affordable Housing:** The project will include some units that are affordable based on 60% of area medium income (AMI).

**Professional Management:** Steven Scott Management will be our management company, they are a highly respected local company.

We will have an onsite resident caretaker as well as a building manager who is at the building a minimum of 30 hours per week, along with leasing agent and a Senior Manager who oversees the building management.

As part of the maintenance and management of the building we are in each unit, normally monthly or bi-monthly to maintain equipment and to do a quick inspection to confirm no lease violations or undo wear and tear is happening.



7500 West 78th Street Edina, MN 55439

> (952) 947-3000 fax (952) 947-3030

Monday, December 02, 2019

Loren Gordon City of Minnetonka 14600 Minnetonka Blvd Minnetonka, MN 55345

RE: Shady Oak Crossing - Request for Annexation

Ron Clark Construction is under Purchase Agreement to acquire a portion of the property described on the attached Exhibit as Parcel A. This property will become the main access to the proposed apartment building and will also have a small portion of the apartment building on it, the remaining portion of the parcel will remain with the current owner and be used for additional parking and access for the retail building to the south.

We are requesting annexation of Parcel A per the attached exhibit into the city of Minnetonka as part of our development approvals.

Respectfully

1. Michael Waldo

CEO, Ron Clark Construction and Design.

Monday, January 06, 2020

Loren Gordon City of Minnetonka 14600 Minnetonka Blvd Minnetonka, MN 55345

RE: Shady Oak Crossing - Request for Annexation

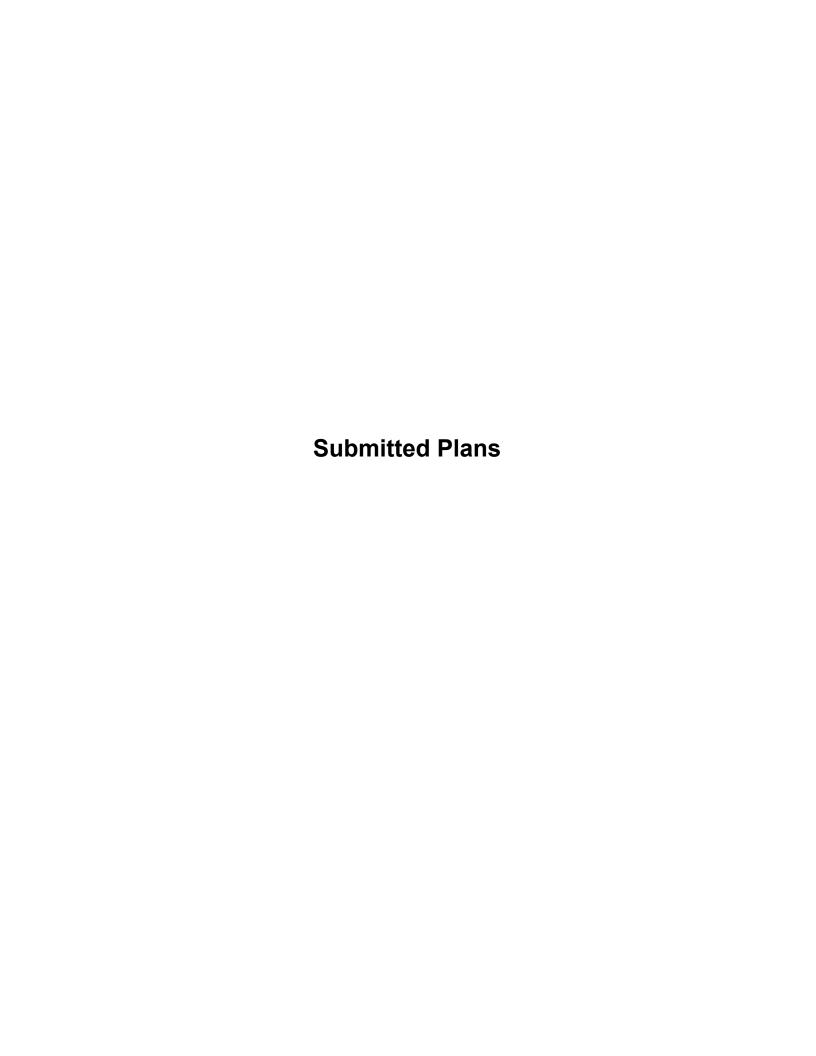
Ron Clark Construction is under Purchase Agreement to acquire a portion of the property described on the attached Exhibit as Parcel A. This property will become the main access to the proposed apartment building and will also have a small portion of the apartment building on it, the remaining portion of the parcel will remain with the Me and be used for additional parking and access for the retail building to the south.

I am requesting annexation of Parcel A per the attached exhibit into the city of Minnetonka as part of Ron Clark Construction city of Minnetonka development approvals. This request is contingent on the project receiving the required city approvals and the subsequent purchase of Parcel A by Ron Clark Construction.

Respectfully

Eric S. Johnson

**Property Owner** 























SOUTH ELEVATION SCALE: 3/32" = 1'-0"



WEST ELEVATION SCALE: 3/32" = 1'-0"



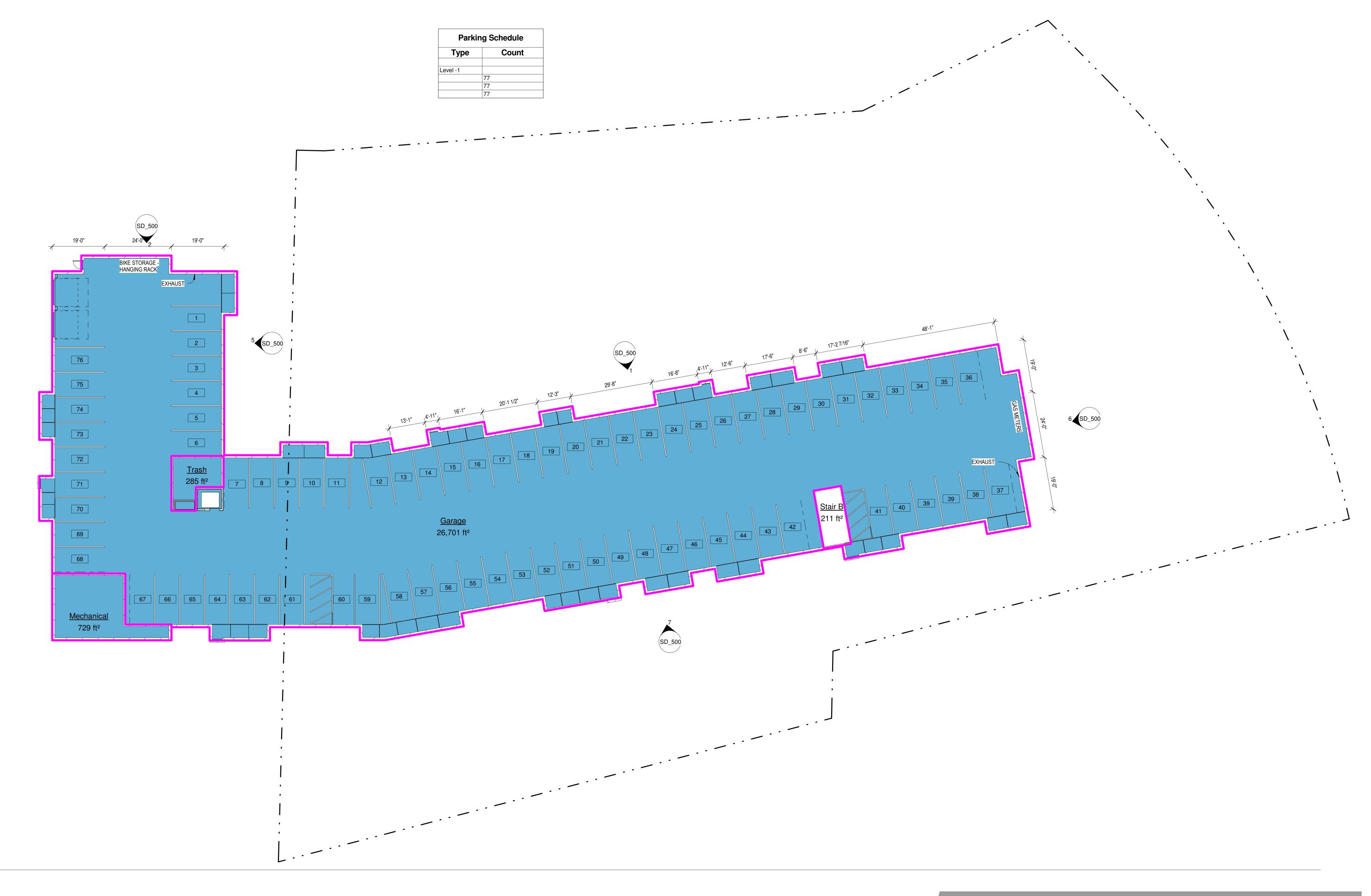
EAST ELEVATION SCALE: 3/32" = 1'-0"



NORTH ELEVATION SCALE: 3/32" = 1'-0"



Exterior Elevations - Color Shady Oak Crossing Minnetonka, Min





1 Level -1 1/16" = 1'-0"













	U	nit Mix by Fl	oor	
Name	Count	Net Area	Gross Area	Level
Level 1	1	4		
Unit A1	4	704 ft <sup>2</sup>	796 ft <sup>2</sup>	Level 1
Unit A2	2	757 ft <sup>2</sup>	843 ft <sup>2</sup>	Level 1
Unit A3	1	721 ft <sup>2</sup>	785 ft²	Level 1
Unit B1	2	915 ft²	988 ft <sup>2</sup>	Level 1
Unit B2	1	857 ft <sup>2</sup>	920 ft <sup>2</sup>	Level 1
Unit C1	4	1,029 ft <sup>2</sup>		Level 1
Unit C2	2	939 ft <sup>2</sup>	1,015 ft <sup>2</sup>	Level 1
Unit C4	1	1,151 ft <sup>2</sup>	1,231 ft <sup>2</sup>	Level 1
Unit S1	3	549 ft²	623 ft <sup>2</sup>	Level 1
Unit S2	4	448 ft <sup>2</sup>	519 ft <sup>2</sup>	Level 1
	24			
Level 2				1,
Unit A1	5	704 ft <sup>2</sup>	796 ft²	Level 2
Unit A2	2	757 ft <sup>2</sup>	843 ft <sup>2</sup>	Level 2
Unit A3	1	721 ft <sup>2</sup>	785 ft²	Level 2
Unit B1	2	915 ft <sup>2</sup>	988 ft <sup>2</sup>	Level 2
Unit B2	1	857 ft <sup>2</sup>	920 ft <sup>2</sup>	Level 2
Unit C1	5	1,029 ft <sup>2</sup>	1,107 ft <sup>2</sup>	Level 2
Unit C2	2	939 ft <sup>2</sup>	1,030 ft <sup>2</sup>	Level 2
Unit C3	1	1,197 ft <sup>2</sup>	1,282 ft <sup>2</sup>	Level 2
Unit C4	1	1,151 ft <sup>2</sup>	1,231 ft <sup>2</sup>	Level 2
Unit S1	3	549 ft <sup>2</sup>	623 ft <sup>2</sup>	Level 2
Unit S2	5	448 ft <sup>2</sup>	519 ft <sup>2</sup>	Level 2
	28			
Level 3				
Unit A1	5	704 ft <sup>2</sup>	796 ft²	Level 3
Unit A3	1	721 ft <sup>2</sup>	785 ft <sup>2</sup>	Level 3
Unit B1	2	915 ft <sup>2</sup>	988 ft <sup>2</sup>	Level 3
Unit B2	1	857 ft <sup>2</sup>	920 ft <sup>2</sup>	Level 3
Unit C1	5	1,029 ft <sup>2</sup>	1,107 ft <sup>2</sup>	Level 3
Unit C4	1	1,151 ft <sup>2</sup>	1,231 ft <sup>2</sup>	Level 3
Unit S1	3	549 ft <sup>2</sup>	623 ft <sup>2</sup>	Level 3
Unit S2	5	448 ft <sup>2</sup>	519 ft <sup>2</sup>	Level 3
	23		200	
Grand total: 75	75	# =		

Name	Count	Unit Type
1 BR		
Unit A1	14	1 BR
Unit A2	4	1 BR
Unit A3	3	1 BR
Oliticas	21	T DN
1BR + Den		10.
Unit B1	6	1BR + Den
Unit B2	3	1BR + Den
	9	
2 BR		
Unit C1	14	2 BR
Unit C2	4	2 BR
Unit C3	1	2 BR
Unit C4	3	2 BR
	22	
Alcove		
Unit S1	9	Alcove
	9	
Studio		
Unit S2	14	Studio
D. V. 27	14	
Grand total: 75	75	

Tota	Gross Area								
Level	Level Area								
Level 3	23,549 ft²								
Level 2	27,360 ft <sup>2</sup>								
Level 1	27,466 ft <sup>2</sup>								
Level -1	27,926 ft <sup>2</sup>								
Grand total	106,300 ft <sup>2</sup>								

Park	ing Schedule
Туре	Count
Level -1	
	77
	77
	77

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

CALL BEFORE YOU DIG
GOPHER STATE ONE CALL
TWIN CITY AREA: 651-454-0002
TOLL FREE 1-800-252-1166

PROJECT LOCATION

# PROJECT DIRECTORY

OWNER: RON CLARK CONSTRUCTION & DESIGN MIKE ROEBUCK
7500 WEST 78TH STREET
EDINA, MN 55439
PH. 952.947.3022
EMAIL: MIKE@RONCLARK.COM

ENGINEER: CAMPION ENGINEERING SERVICES, INC. MARTY CAMPION 1800 PIONEER CREEK CENTER MAPLE PLAIN, MN 55364 PH. 763.479.5172
EMAIL: MCAMPION@CAMPIONENG.COM

SURVEYOR:
WENCK ASSOCIATES
1800 PIONEER CREEK CENTER
MAPLE PLAIN, MN 55359
PH. 763.479.4200

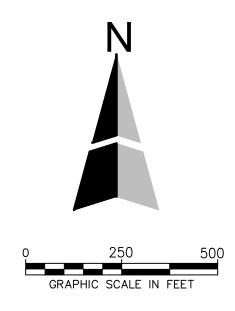
BOUNDARY AND TOPOGRAPHIC INFORMATION PER SURVEY PREPARED BY WENCK ASSOCIATES, DATED FEBRUARY 6, 2017.

# GOVERNING SPECIFICATIONS:

- 1. THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION" LATEST EDITION & SUPPLEMENTS.
- 2. CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEAM) STANDARD UTILITIES SPECIFICATIONS. (LATEST EDITION)
- 3. ALL APPLICABLE FEDERAL, STATE AND LOCAL LAWS AND ORDINANCE WILL BE COMPLIED WITH IN THE CONSTRUCTION OF THIS PROJECT.
- 4. CITY OF MINNETONKA STANDARD SPECIFICATIONS & DETAILS.

# INDEX

SHEET NO.	DESCRIPTION
1.	COVER SHEET
2.	CERTIFICATE OF SURVEY
3.	PRELIMINARY PLAT-SHADY OAK CROSSING
4.	PRELIMINARY SITE PLAN
5.	PRELIMINARY UTILITY PLAN
6.	PRELIMINARY GRADING PLAN
7.	PRELIMINARY STORM WATER POLLUTION PREVENTION PLAN
8.	TREE INVENTORY
9.	TREE PRESERVATION PLAN
10.	DETAILS
11.	DETAILS



		•	
DATE	DESCRIPTION	N	CAMPION ENGINEERIN SERVICES, I

REVISIONS

 Civil Engineering
 Land Planning 1800 Pioneer Creek Center, P.O. Box 249 Maple Plain, MN 55359 Phone: 763-479-5172 Fax: 763-479-4242

E-Mail: mcampion@campioneng.com

Excelsion Blvd

or report has been 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.

Martin P. Campion —Lic. # 19901 Date:

SHADY OAK CROSSING RON CLARK CONSTRUCTION MINNETONKA, MN

Central Park

Excelsio: Blvd

					PROJECT NO:
	I	CO\	/ER SHEE	Т	17-011
T	NO	1	○F <b>11</b>	SHFFTS	DATE: 12/02/2019

# APPROXIMATE LOCATION OF SANITARY SEWER PER CITY RECORD PLANS (VERIFY) BENCHMARK: TOP NUT HYD = 928.53 LOT 20 RET. WALL POSSIBLE BOUNDARY BASED ON MONUMENTS WITH RAILING N86°50'24"W 209.00 PAR 1 BOUNDARY ----WALL AND UTILITY SEASEMENT PER DOC. 30' DRAINAGE A& UTILITY EASEMENT NO. T05099150 PER DO. NO. - WEST LINE OF PROPERTY BASED ON PLAT AND MONUMENTS POSSIBLE BOUNDARY OVERLAP 7-50' SANITARY SEWER EASEMENT PER DOC. NO 1183554 EXIST. BUILDING , 5' UTILITY " EASEMENT PER DOC. NO. 283910 N86°50'24"W 265.29 APPROXIMATE LOCATION OF SANITARY SEWER PER CITY RECORD PLANS (VERIFY) SE SOUTH LINE OF THE NORTH 200' OF PAR 1 FROM CERTIFICATE OF TITLE 1400997 ×930.52 - POSSIBLE BOUNDARY OVERLAP ×930.83 BITUMINOUS(OLD)/GRAVEL SURFACE ×931.19 ×930.85⁄ APROX. EDGE BITUMINOUS ---NE CORNER --SW1/4-SE1/4 **×**930.54 ×931.23 X91<u>6.60</u> ×916.61 STOP LIGHT ---\_\_919.08 N86°50'24"W 284.00 \_\_917.76 CONC. BLOCK WALL X9/31.08 ×931.55 BITUMINOUS EDGE -EXIST. BUILDING

# **CERTIFICATE OF SURVEY**

# MINNETONKA, MN

#### LEGEND

- O SET 3/4"ODx14" IRON PIPE WITH PLASTIC CAP 43055 OR MAG NAIL W/WASHER
- PROPERTY MARKER FOUND BY HENNEPIN COUNTY SURVEYOR
   FOUND MONUMENT
- S SANITARY SEWER MANHOLE
  STORM SEWER MANHOLE
- STORM SEWER INLET

  STORM SEWER INLET

  TELEPHONE MANHOLE
- □ COMMUNICATIONS PEDESTAL

GM GAS METER

- © ELECTRIC MANHOLE
- ELECTRIC TRANSFORMER

  TRAFFIC SIGN

  BOLLARD/POST

  UTILITY POLE

  LIGHT POLE

  CONIFEROUS TREE

  STORM SEWER

  SANITARY SEWER

  WATERMAIN

  UNDERGROUND GAS LINE

  UNDERGROUND COMMUNICATION LINE

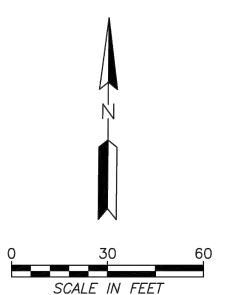
  OVERHEAD UTILITY LINE

YYYY TREE LINE

BUILDING

CONCRETE SURFACE

ASPHALT SURFACE



PROPERTY DESCRIPTION:

Certificate of Title 1400998

Lot 19 Block 2, Ginkels Oakridge Addition

Certificate of Title 1400997

All that portion of the tract or parcel of land described at paragraph "A" below, which lies Northerly of a line drawn parallel to and 200 feet Southerly of the North line thereof and the same extended, to—wit:

Paragraph "A". That portion of the West Half of the Southeast Quarter of Section 23, Township 117, Range 22, described as follows: Starting at the Northeast corner of the Southwest Quarter of the Southeast Quarter of said Section; thence South along the East line of the West Half of the Southeast Quarter of said Section, a distance of 300 feet; thence Westerly at right angles to said East line for a distance of 284 feet; thence Northerly along a line parallel to said East line a distance of 600 feet; thence Easterly along a line at right angles to said East line 209 feet to the center line of McGinty Road; thence Southeasterly along the center line of McGinty Road to the East line of the West Half of the Southeast Quarter of said Section 23; thence Southerly along said East line 33.5 feet to the point of beginning.

Par 2:

Lot 20, Block 2, Ginkels Oakridge Addition

# SURVEYORS NOTES:

- 1. Utility lines shown hereon are based on field markings and maps provided to us as a result of Gopher State One Call private utility locate (Ticket Numbers 170260089, 170260090). the surveyor cannot guarantee that all utilities were marked or that the markings/maps are accurate.
- 2. Horizontal Datum: Hennepin County Coordinate System NAD83(11)

(•) DECIDUOUS TREE

WV WATER VALVE

X HYDRANT

- 3. Vertical Datum: NAVD88
- 4. Date of fieldwork: 2/3/2017
- 5. Gross area = 2.38 acres.
- 6. Portions of the subject property were covered by snow and ice at the time of survey, the surveyor does not guarantee that all improvements are shown hereon.
- 7. This survey was prepared based on a cursory title review, the surveyor does not guarantee that all or any adverse interests, easements or other encumbrances are shown or that the owner listed has fee title to the property.

# SURVEYORS CERTIFICATION:

I hereby certify that this survey was completed by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.

Chris Ambourn Date

1802 WOODDALE DRIVE WOODBURY, MN 55125



RON CLARK CONSTRUCTION & DESIGN

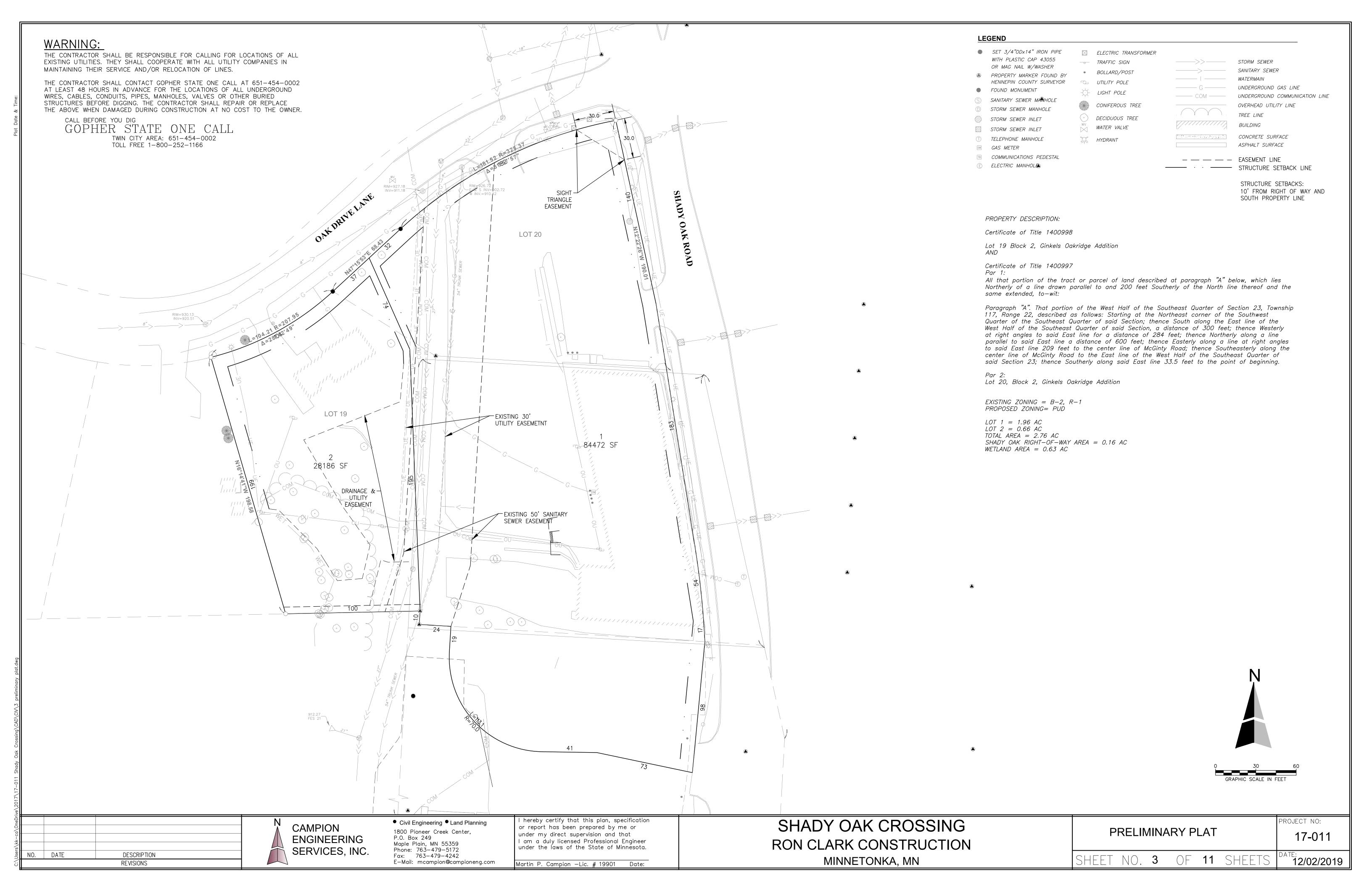
CERTIFICATE SURVEY

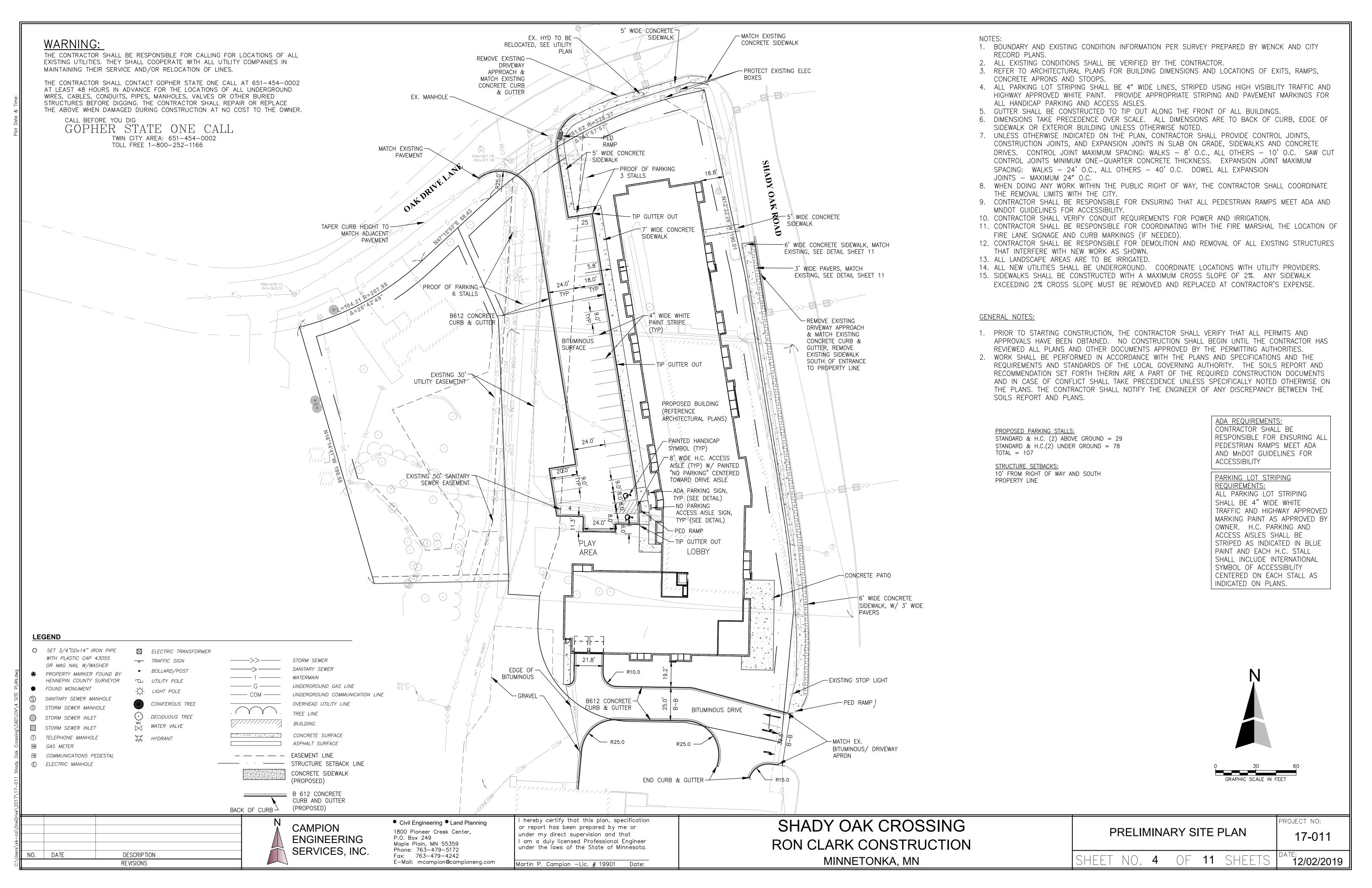
PROJECT TITLE

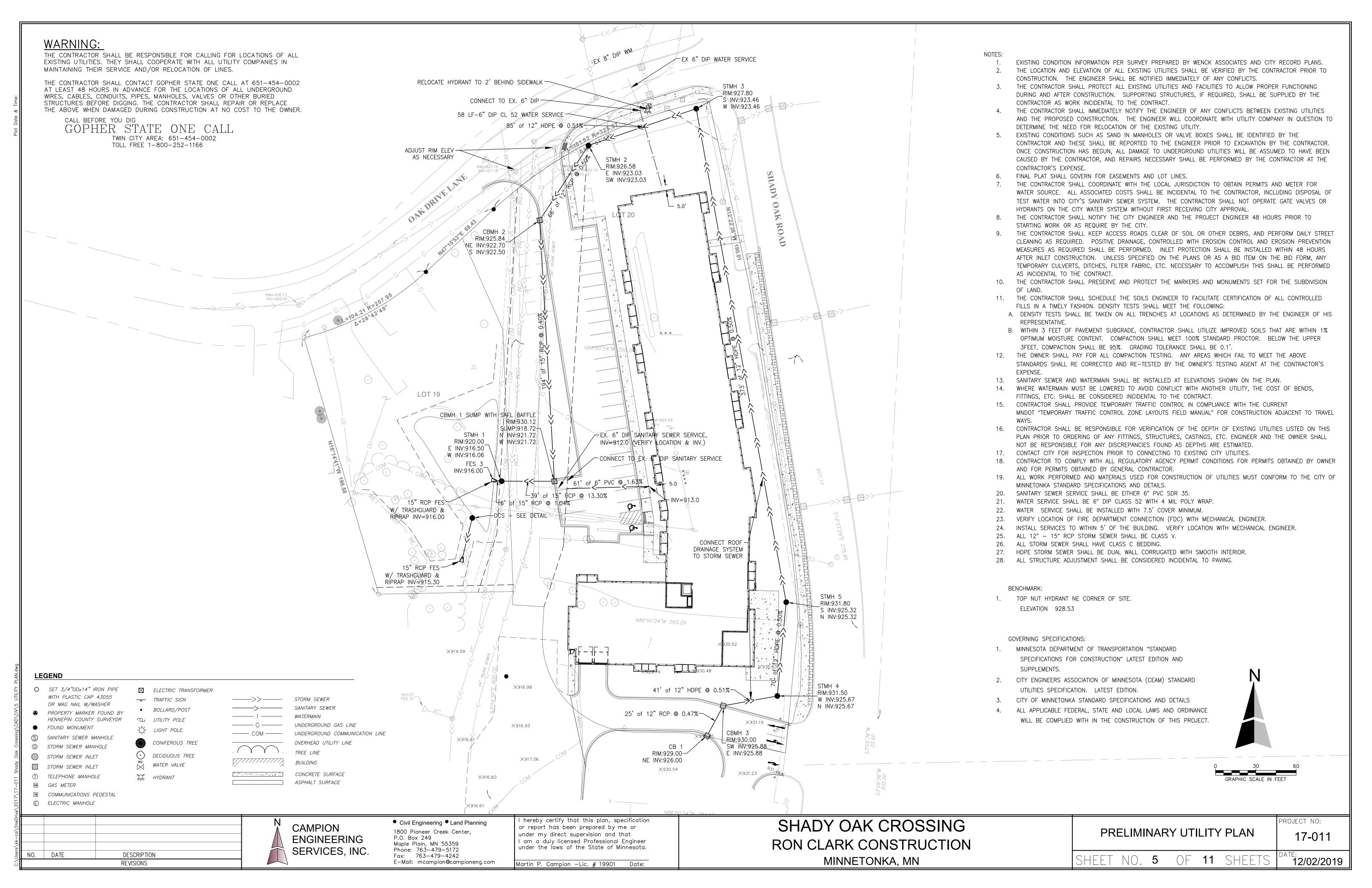
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 Dwn by Chk'd Name
 APP'D CNA
 Dwg date 6-FEB-2017

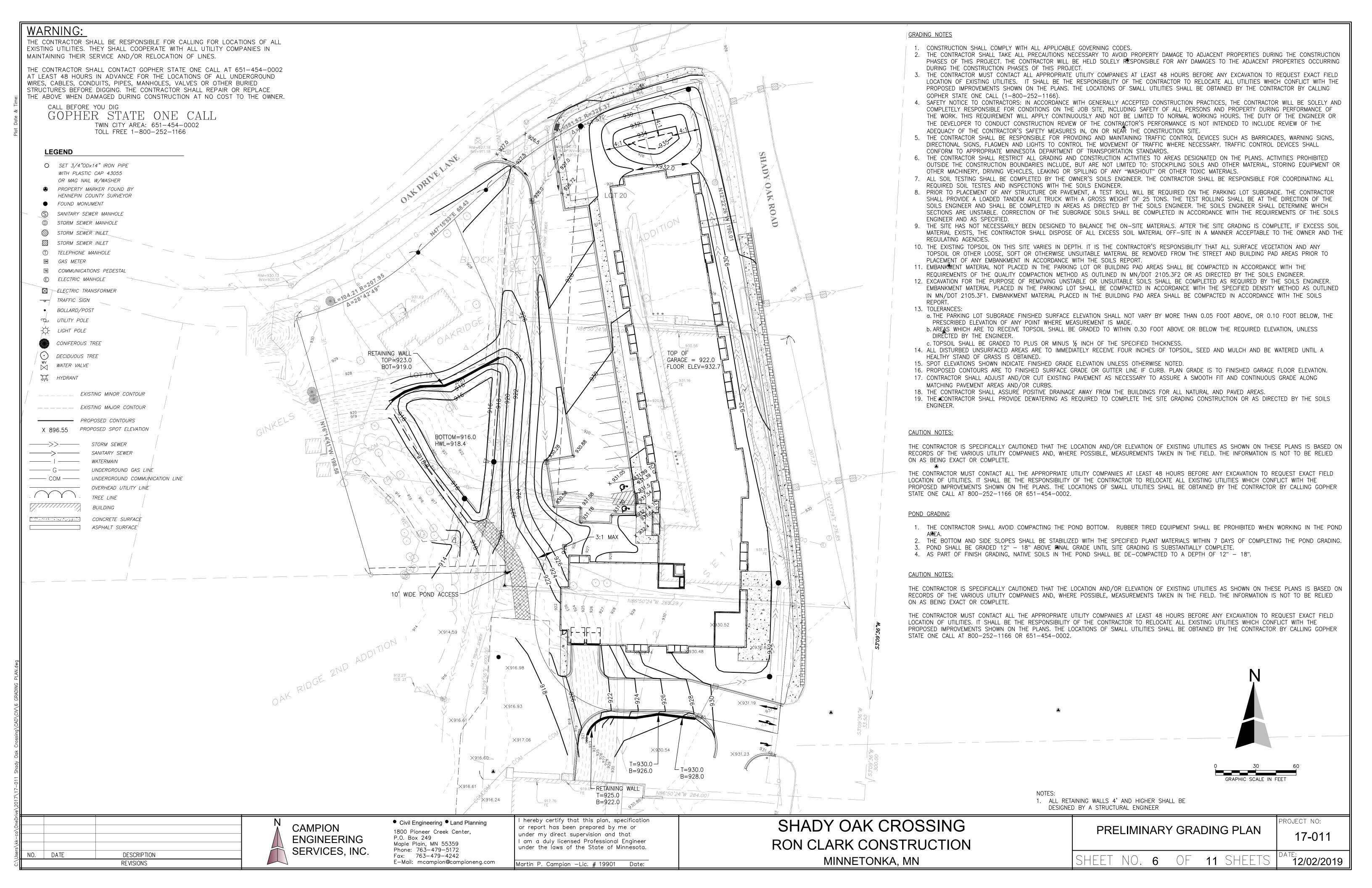
 Ph: 651-395-5212
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 SHEET NO.

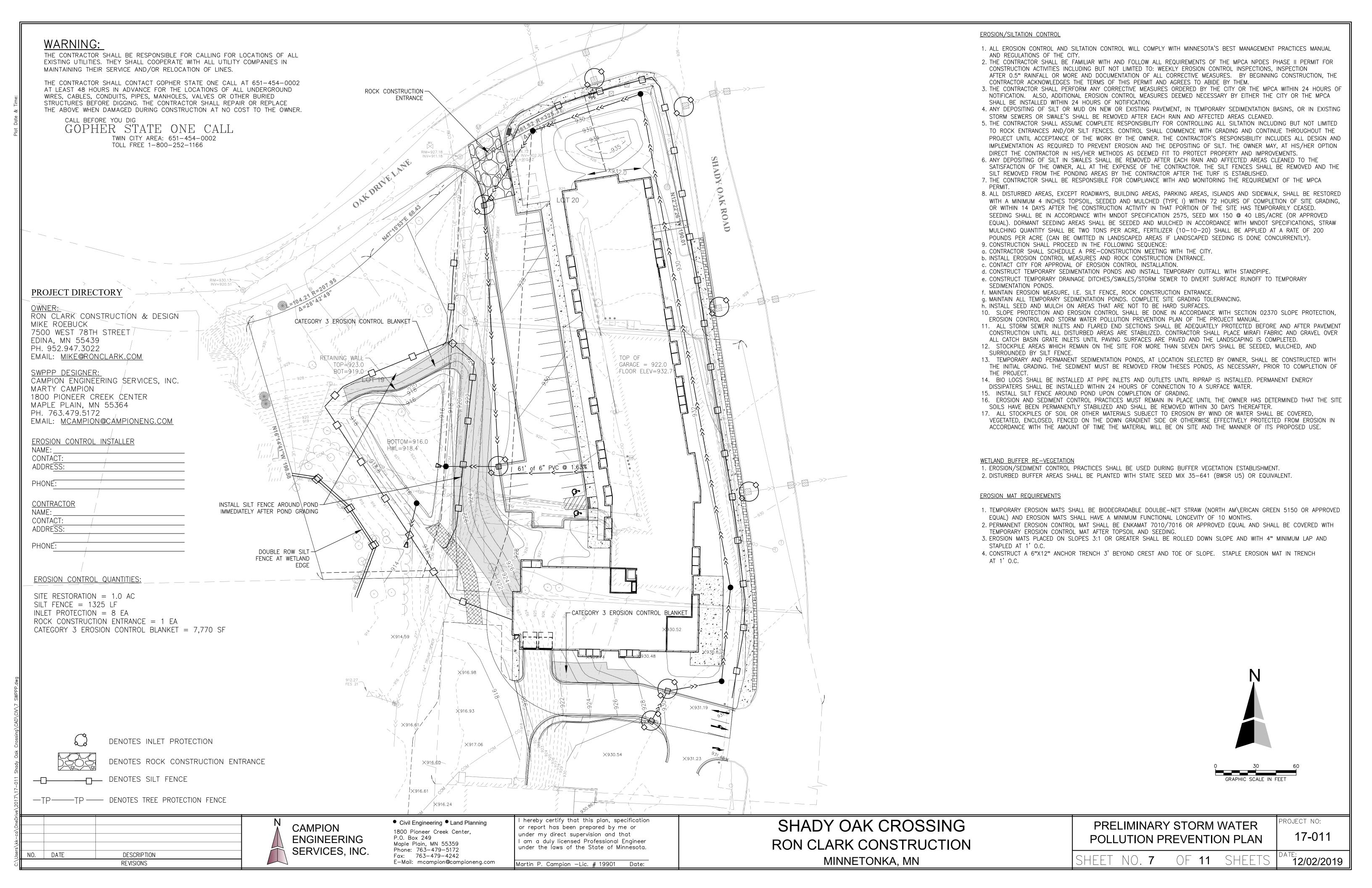
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 1531-0009
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 OF 11

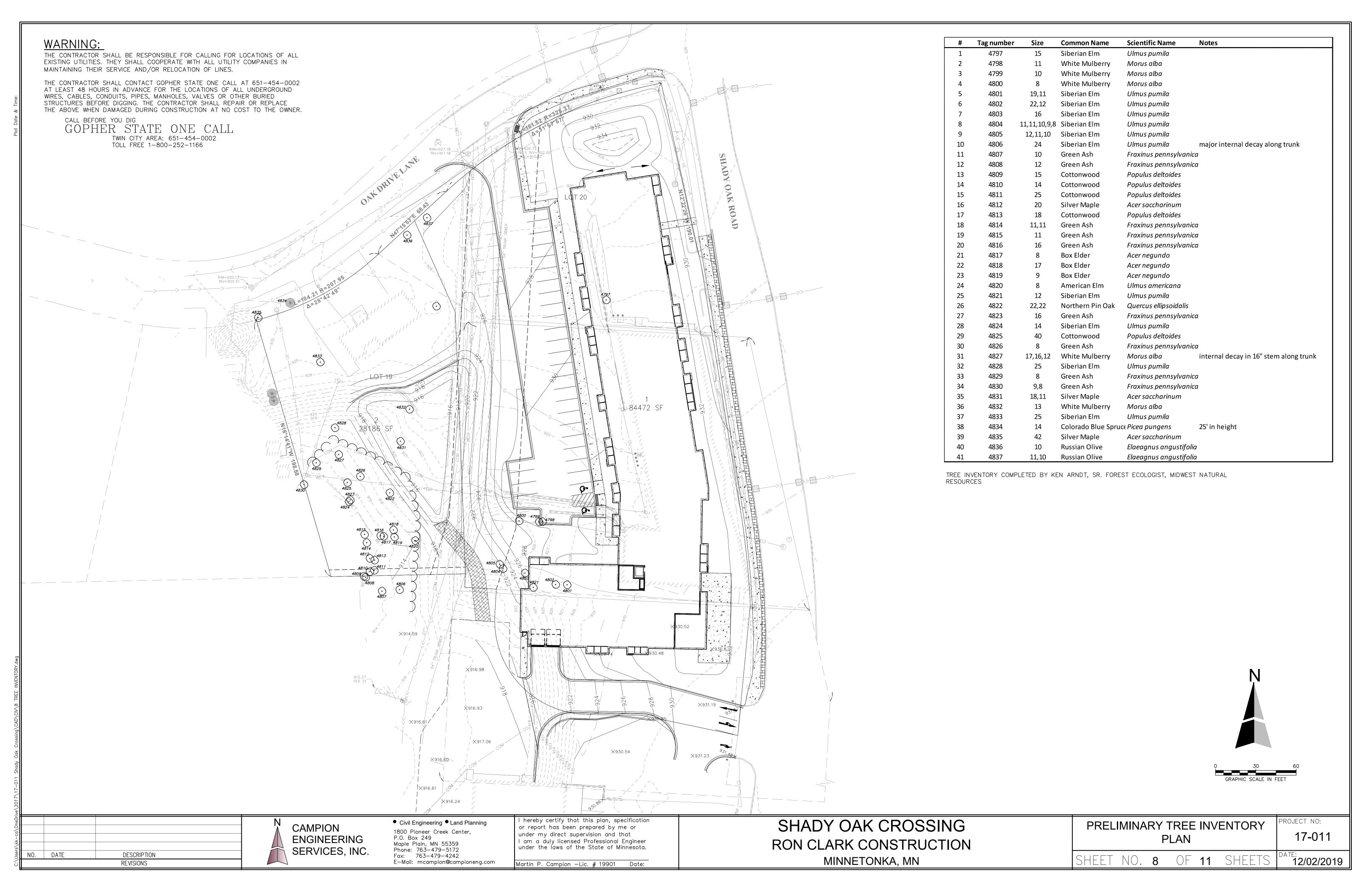


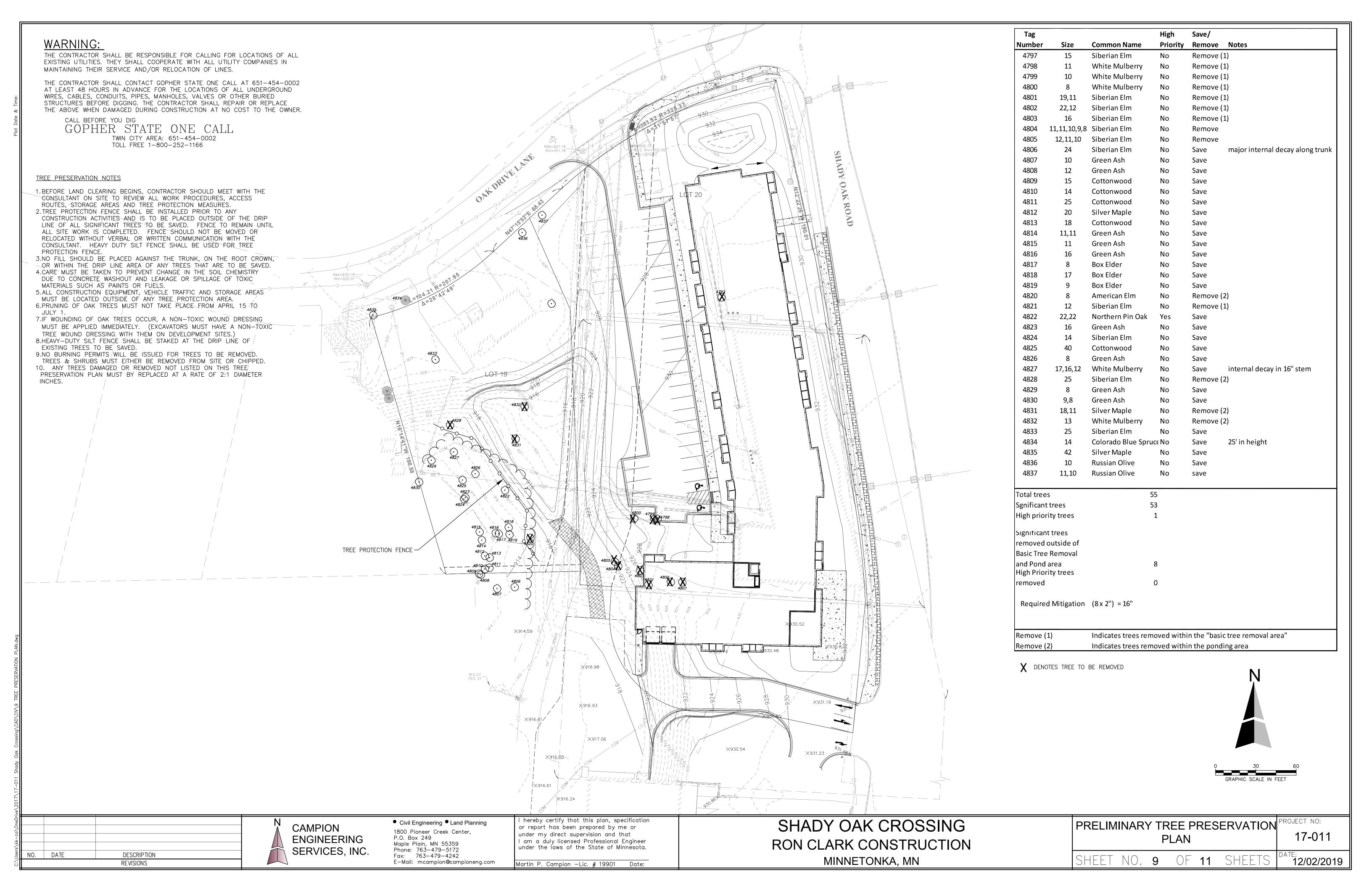


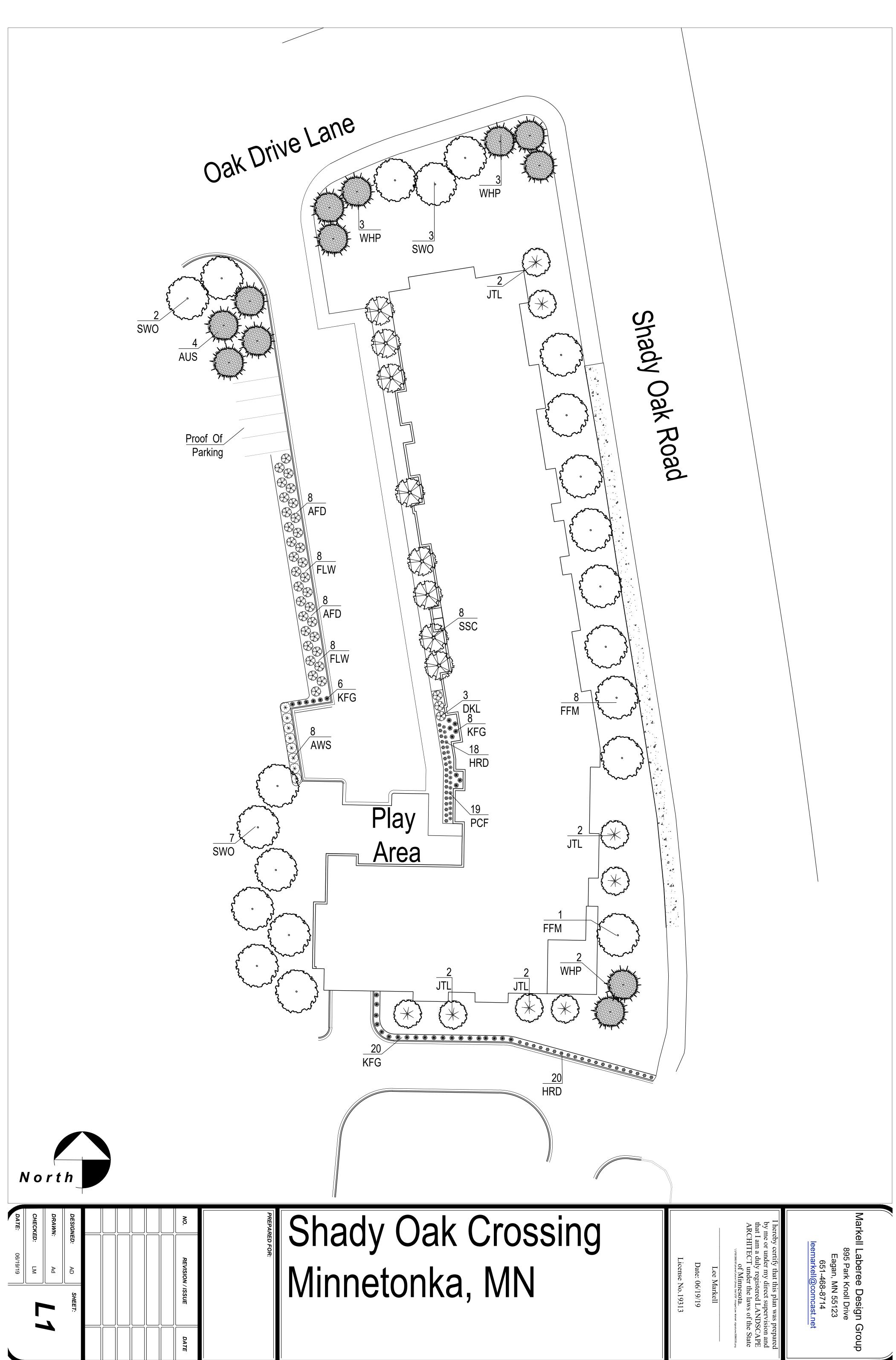










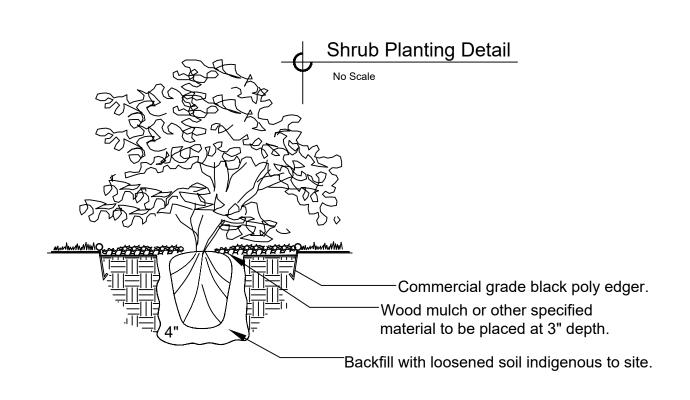


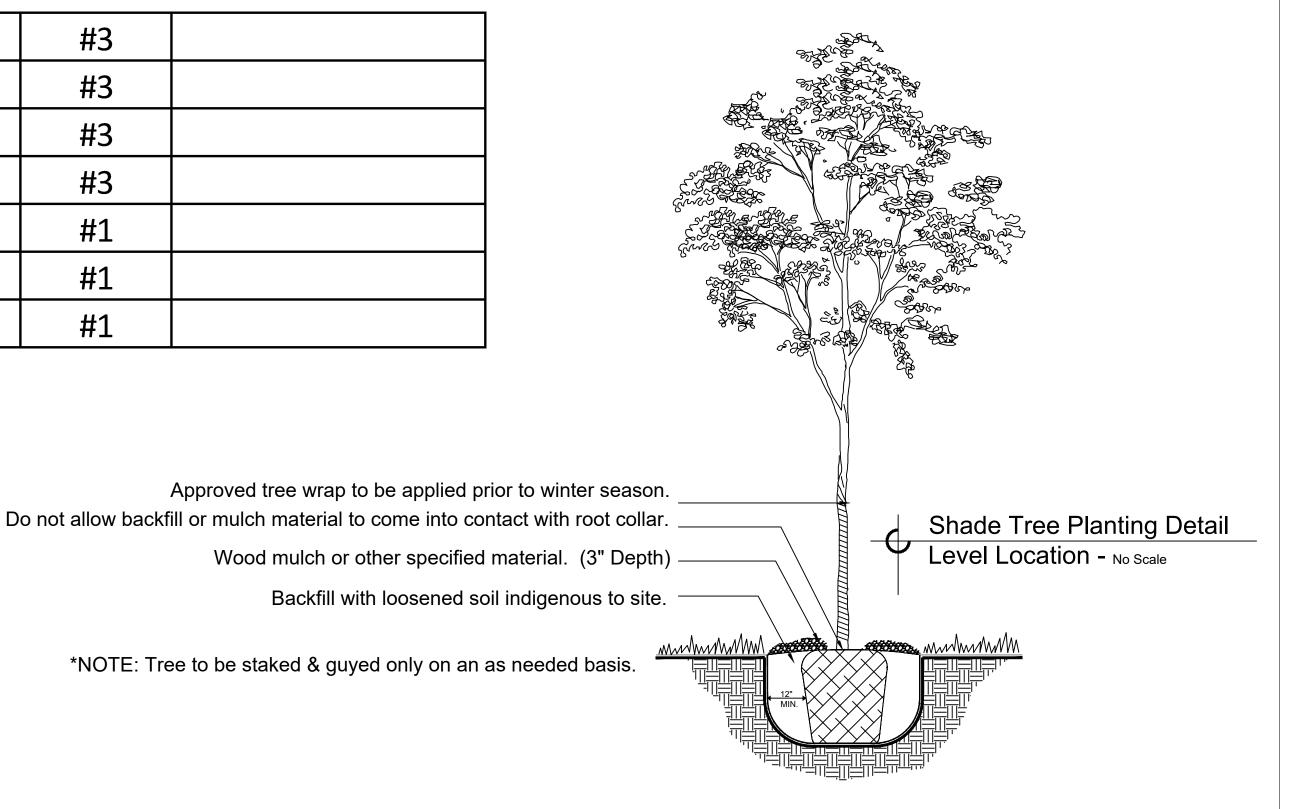
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Ad

QTY.	CODE	Common Name	Size	Notes
Overstory	/ Ornamer	ntal Trees		
9	FFM	Fall Fiesta Maple	2.5" BB	
12	SWO	Swamp White Oak	2.5" BB	
8	JTL	Japanese Tree Lilac	2.5" BB	
8	SSC	Spring Snow Crabapple	2.5" BB	
Evergreen	Trees			
8	WHP	White Pine	6' BB	
4	AUS	Austrian Pine	6' BB	
Shrubs an	d Perennia	ıls		
8	AWS	Anthony Waterer Spirea	#3	
3	DKL	Dwarf Korean Lilac	#3	
16	AFD	Arctic Fire Dogwood	#3	
16	FLW	Flame Willow	#3	
19	PCF	Purple Coneflower	#1	
28	HRD	Happy Returns Daylily	#1	

Karl Foerster Grass





# **GENERAL NOTES PLAN SPECIFIC:**

34

**KFG** 

All plantings shall be true to name and size in accordance with American Nurseryman's Standards.

All plantings shall be guaranteed for one year (365 days) from date of acceptance. Landscape Contractor shall replace any dead or damaged plants at no additional cost to Owner during the guarantee period. Landscape Contractor shall make monthly site maintenance inspections and notify owner of maintenance deficiencies.

#1

All trees shall be guyed at the discretion of the landscape contractor. Landscape contactor shall warrant plants to be plumb at the end of the warranty period.

All trees shall be wrapped at the end of November of installation year.

All shrub beds and areas indicated as receiving rock mulch shall receive a 5" deep layer of 2-4" size Washed River Rock over 3 ounce landscape fabric.

Landscape maintenance bed around the building is 3 feet wide with  $1\frac{1}{2}$  inch river rock over 3 ounce landscape fabric.

All single trees shall receive a 4" layer of shredded bark mulch free of leaves, twigs, and other extraneous debris over weed barrier fabric.

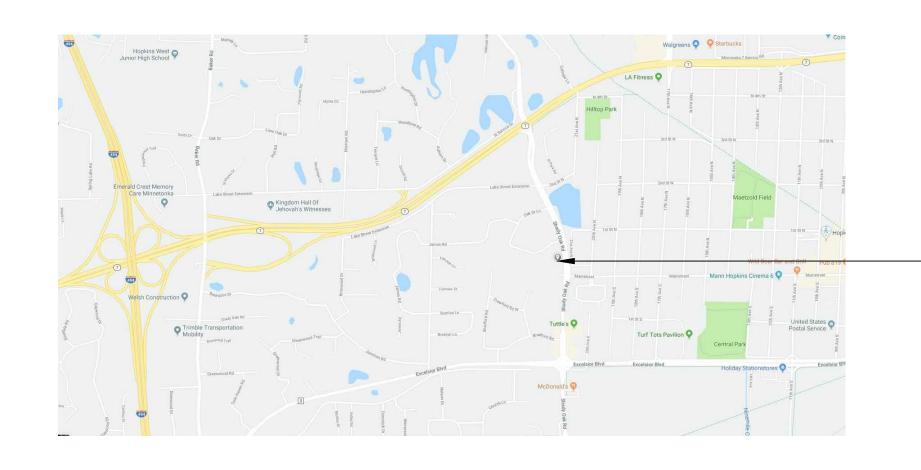
Sod shall be cultured Kentucky bluegrass, free of weeds and clumps. All area within the irrigations limits shall be sodded. Landscape Contractor will water at time of installation and roll all sod as needed to assure a smooth turf. All slopes greater than 3 to 1 shall be staked.

Any sliding of sod shall be replaced by Landscape Contractor at no cost to the owner.

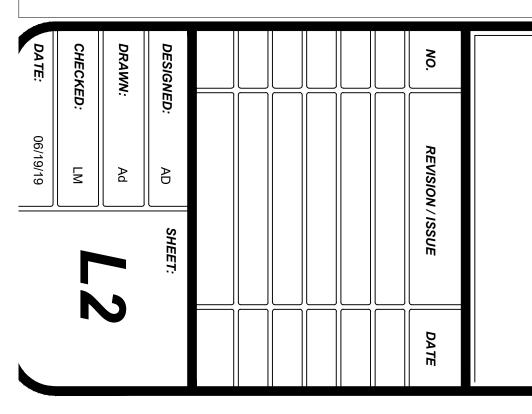
All areas outside the irrigation limits shall be seeded with MNDOT 25-131 and mulch with straw disc anchored. Any slopes greater than 3:1 shall be blanketed with 2 side straw blanket.

A performance base irrigation system shall be installed by the Landscape Contractor including sleeve as needed. RPZ shall be supplied to the general contractor for installation. Coordinate with the general contractor for the size of the irrigation stub. IRRIGATION INSTALLED ONLY IN THE SODDED TURF AREAS.

Landscape Contractor shall be responsible for locating all utilities by actual location in the field prior to any planting operation.



Shady Oak Crossing

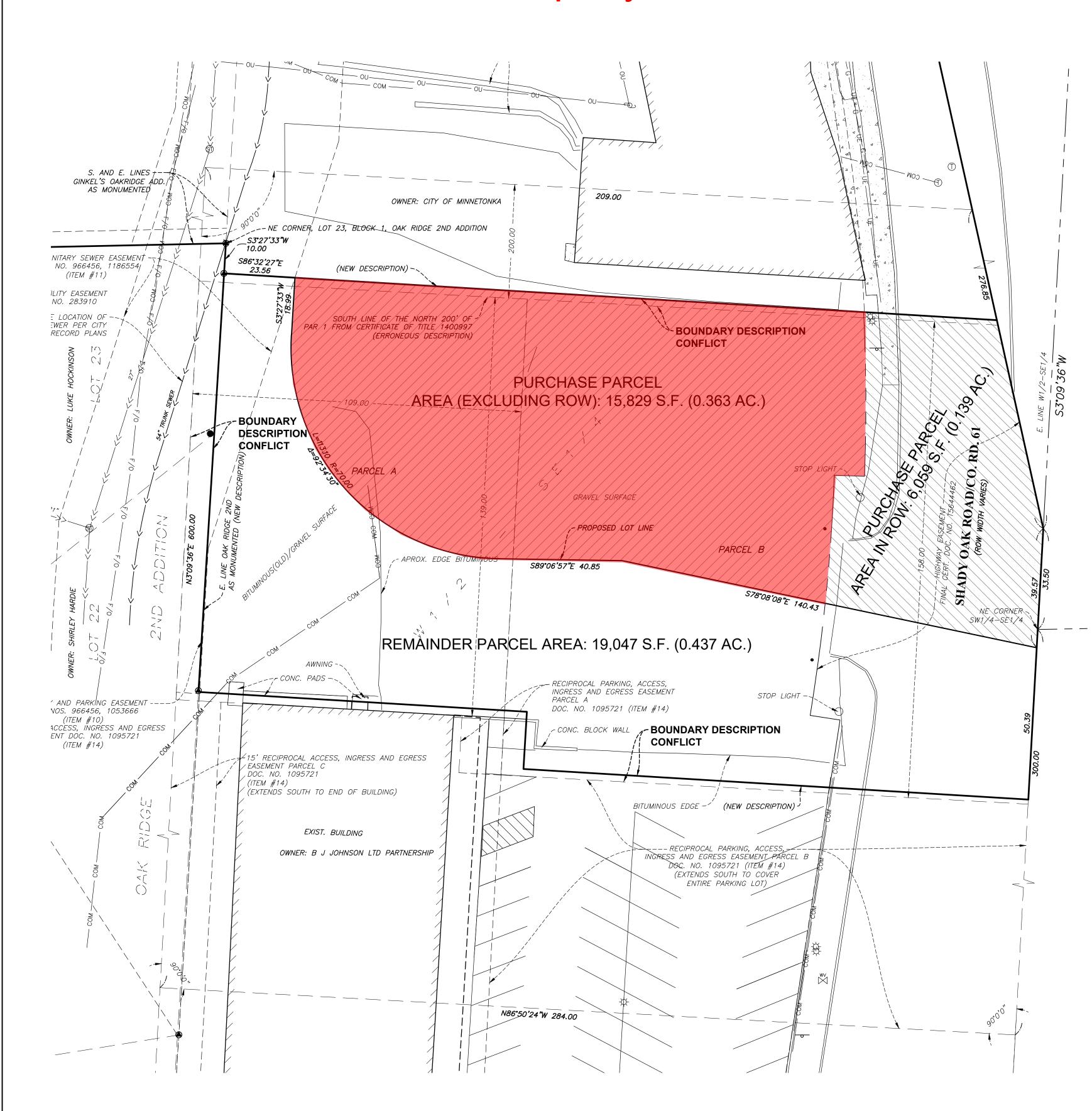


Shady Oak Crossing Minnetonka, MN

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly registered LANDSCAPE ARCHITECT under the laws of the State Date: 06/19/19 Lee Markell

Markell Laberee Design Group leemarkell@comcast.net 895 Park Knoll Drive Eagan, MN 55123

# Detachment/Annexation Property



# PARCEL SPLIT EXHIBIT

#### **LEGEND**

- O SET 3/4"ODx14" IRON PIPE WITH PLASTIC CAP 43055 OR MAG NAIL W/WASHER
- PROPERTY MARKER FOUND BY HENNEPIN COUNTY SURVEYOR
- FOUND MONUMENT
- S SANITARY SEWER MANHOLE STORM SEWER MANHOLE
- STORM SEWER INLET STORM SEWER INLET
- GM GAS METER
- P COMMUNICATIONS PEDESTAL

TELEPHONE MANHOLE

(E) ELECTRIC MANHOLE

- TRAFFIC SIGN
- BOLLARD/POST UTILITY POLE
- CONIFEROUS TREE

C HYDRANT

- DECIDUOUS TREE WV WATER VALVE

UNDERGROUND GAS LINE

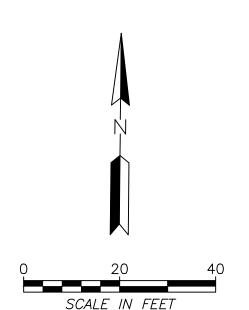
OVERHEAD UTILITY LINE

CONCRETE SURFACE

ASPHALT SURFACE

TREE LINE

UNDERGROUND COMMUNICATION LINE



### EXISTING PROPERTY DESCRIPTION:

Certificate of Title 1492019

All that portion of the tract or parcel of land described as Paragraph "A" below, which lies Southerly of a line drawn parallel to and 200 feet Southerly of the North line thereof and the same extended, to wit:

Paragraph "A"; That portion of the West Half of the Southeast Quarter of Section 23, Township 117 North, Range 22 West of the 5th Principal Meridian, described as follows: Starting at the Northeast corner of the Southwest Quarter of the Southeast Quarter of said Section, thence South along the East line of the West half of the Southeast Quarter of said Section, a distance of 300 feet, thence Westerly at right angles to said East line for a distance of 284 feet; thence Northerly along a line parallel to said East line a distance of 600 feet; thence Easterly along a line at right angles to said East line 209 feet to the center line of McGinty Road; thence Southeasterly along the center line of McGinty Road to the East line of the West Half of the Southeast Quarter of said Section 23; thence Southerly along said East line 33.5 feet to the point of beginning.

## Which are described as follows:

Parcel A: The West 109.00 feet of the North 139.00 feet.

Parcel B: That part of the North 158.00 feet thereof lying East of the West 109.00 feet thereof.

Together with an easement for driveway and parking purposes over, under and cross that part of Lot 22, Block 1, Oak Ridge 2nd Addition, lying Northeasterly of a line, and its extensions, drawn from the Southeast corner of said lot to a point on the Northwesterly line of said lot distant 120 feet Southwesterly, measured along said Northwesterly line, from the most Northerly corner of said lot, as contained in deed Doc. No. 966456; (See Order Doc. no. 1053666)

# PROPOSED PROPERTY DESCRIPTION

That part of the West Half of the Southeast Quarter of Section 23, Township 117 North, Range 22 West, Hennepin County, Minnesota being described as follows:

All that portion of the tract or parcel of land described as Paragraph "A" below, which lies Southerly of a line drawn parallel to and 200 feet Southerly of the North line thereof and the same extended, to wit:

Paragraph "A"; That portion of the West Half of the Southeast Quarter of Section 23, Township 117 North, Range 22 West of the 5th Principal Meridian, described as follows: Starting at the Northeast corner of the Southwest Quarter of the Southeast Quarter of said Section, thence South along the East line of the West half of the Southeast Quarter of said Section, a distance of 300 feet, thence Westerly at right angles to said East line for a distance of 284 feet; thence Northerly along a line parallel to said East line a distance of 600 feet; thence Easterly along a line at right angles to said East line 209 feet to the center line of McGinty Road; thence Southeasterly along the center line of McGinty Road to the East line of the West Half of the Southeast Quarter of said Section 23; thence Southerly along said East line 33.5 feet to the point of beginning.

# Which are described as follows:

Parcel A: The West 109.00 feet of the North 139.00 feet.

Parcel B: That part of the North 158.00 feet thereof lying East of the West 109.00 feet thereof.

Together with an easement for driveway and parking purposes over, under and cross that part of Lot 22, Block 1, Oak Ridge 2nd Addition, lying Northeasterly of a line, and its extensions, drawn from the Southeast corner of said lot to a point on the Northwesterly line of said lot distant 120 feet Southwesterly, measured along said Northwesterly line, from the most Northerly corner of said lot, as contained in deed Doc. No. 966456; (See Order Doc. No. 1053666)

# Which lies northeasterly of the following described line:

Commencing at the northeast corner of Lot 23, Block 1, OAK RIDGE 2ND ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota; thence South 03 degrees 27 minutes 33 seconds West, along the east line of said Lot 23, a distance of 10.00 feet to the point of beginning of the line to be described; thence South 86 degrees 32 minutes 27 seconds East a distance of 23.56 feet to the point of beginning of the line to be described; thence South 03 degrees 27 minutes 33 seconds West a distance of 18.99 feet; thence southeasterly 113.10 feet along a tangential curve concave to the northeast having a radius of 70.00 feet and central angle of 92 degrees 34 minutes 30 seconds; thence South 89 degrees 06 minutes 57 seconds East a distance of 40.85 feet; thence South 78 degrees 08 minutes 08 seconds East a distance of 140.43 feet, more or less, to the east line of said West Half of the Southeast Quarter and there terminating.

# SURVEYORS CERTIFICATION:

I hereby certify that this survey was completed by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.

REVISION DESCRIPTION



1802 WOODDALE DRIVE

WOODBURY, MN 55125



NCK		RON CLA	RK			
OCIATES		CONSTRUCTION	& [	DES	IGN	
ional outcomes.						DWN B
ional outcomes.						CNA
Ph: 651-395-5212	#		XXX	XXX	XX/XX/XX	PROJEC

DWN APP REV DATE

PARCEL SPLIT EXHBIT Y CHK'D APP'D DWG DATE SEE DRAWING | CNA | CNA | SCALE 1" = 20' XXX XXX XX/XX/XX PROJECT NO. SHEET NO.

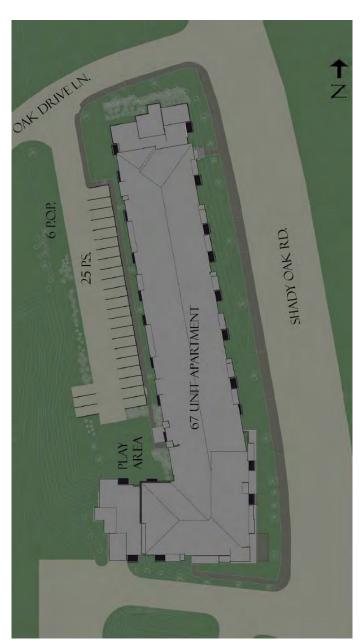
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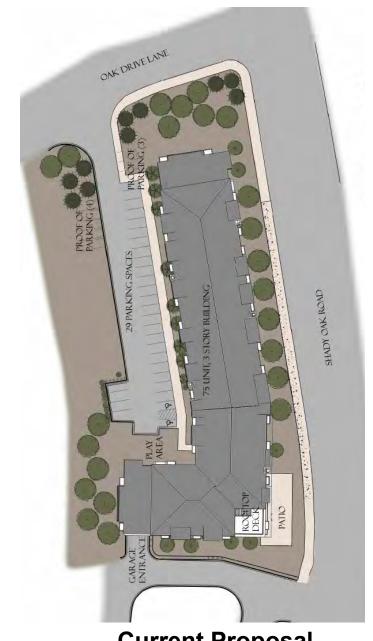




Approved 2017 Plan 49 units 300' length



June 2019 Proposal 67 units 415' length



Current Proposal 75 units 355' length





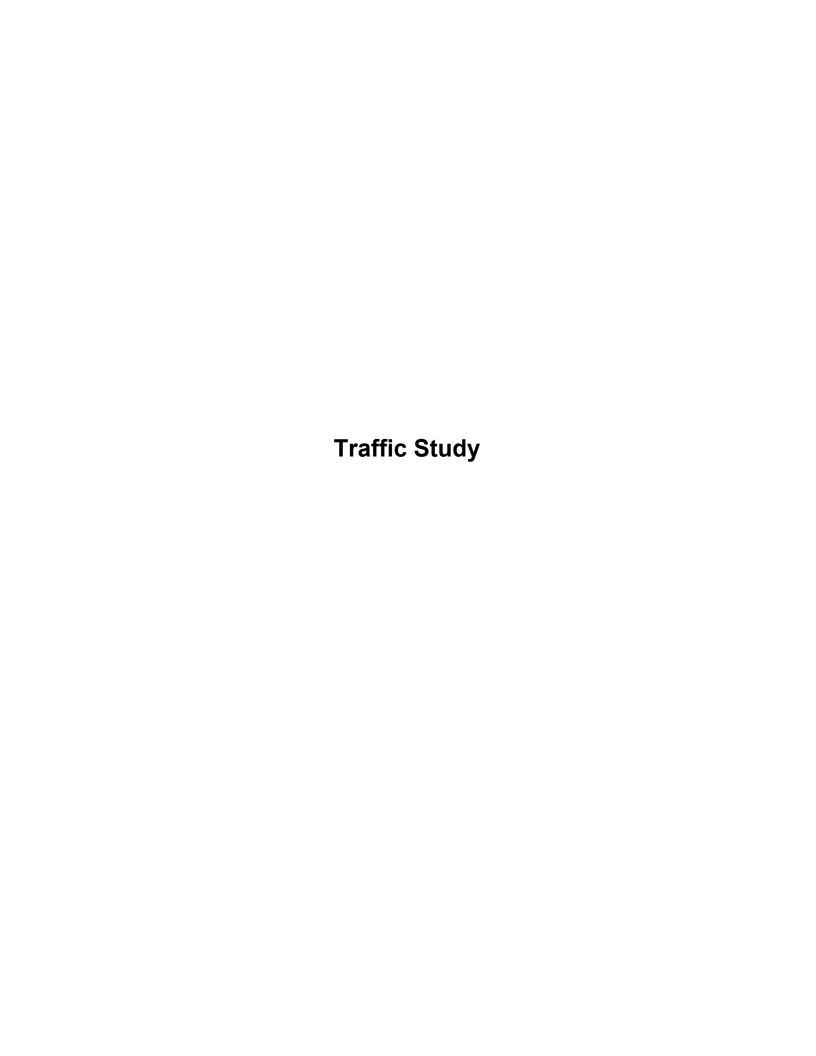
# **Approved 2017 Plan**



June 2019 Proposal



**Current Proposal** 





#### Memorandum

To: Loren Gordon, City Planner

City of Minnetonka

From: Sudheer Dhulipala, PE, PTOE

cc: Tony Heppelmann, PE

Date: January 10, 2020

Re: Shady Oak Redevelopment

WSB Project No. 014518

#### Introduction

This traffic impact study addresses a proposed redevelopment of the property at 4312 Shady Oak Road with a 75-unit apartment building. The project location is shown on **Figure 1**. The development would replace the existing retail building on this site. The proposed site layout is shown on **Figure 2**. The proposed development would have two accesses. The primary access is to an underground parking garage from Shady Oak Road via a new driveway that will be constructed at the west leg of the intersection of Mainstreet and Shady Oak Road. The secondary access will be to Oak Drive Lane from a 29-space surface parking lot. There are a few businesses in the southwest quadrant of the intersection of Mainstreet and Shady Oak Road which currently have access to Shady Oak Road and it is proposed that they will also be able to access the new driveway to Shady Oak Road at Main Street. The primary issues for this project are the potential queues and delays on the west leg of the intersection of Shady Oak Road and Mainstreet and the preferred configuration for this approach.

### **Existing Conditions**

Shady Oak Road is a four-lane divided roadway, while Mainstreet is a two-lane undivided roadway; both have a posted speed limit of 30 mph. The intersection of these two roads is signalized with turn lanes as represented by turn arrows in **Figure 1**. WSB obtained traffic counts from the intersection of Shady Oak Road and Mainstreet from a prior study done in April 2016 shown in **Figure 3**. Average Annual Daily Traffic (AADT) data was obtained from MnDOT for Shady Oak Road and Mainstreet for recent years up to 2018. It was observed that AADT on Shady Oak Road went up by 17% from 11,500 in 2016 to 13,400 in 2018 but the AADT on Mainstreet has been gradually decreasing over the years – 5700 in 2005, 5200 in 2008, 4400 in 2012 and 4200 in 2016.

WSB set a video traffic counter at the south access to the businesses in the southwest quadrant of the intersection in front of Tonka Cycle and Ski in July 2019 to determine the amount of traffic using the businesses in the southwest quadrant during peak hours. Approximately 56 vehicles enter the business driveway during the AM peak hour and 51 vehicles enter during the PM peak hour. 39 vehicles exit the business driveway during the AM peak hour and 55 vehicles exit during the PM peak hour. It was observed that vehicles had difficulty making left turns out of the driveway during the evening peak hour.

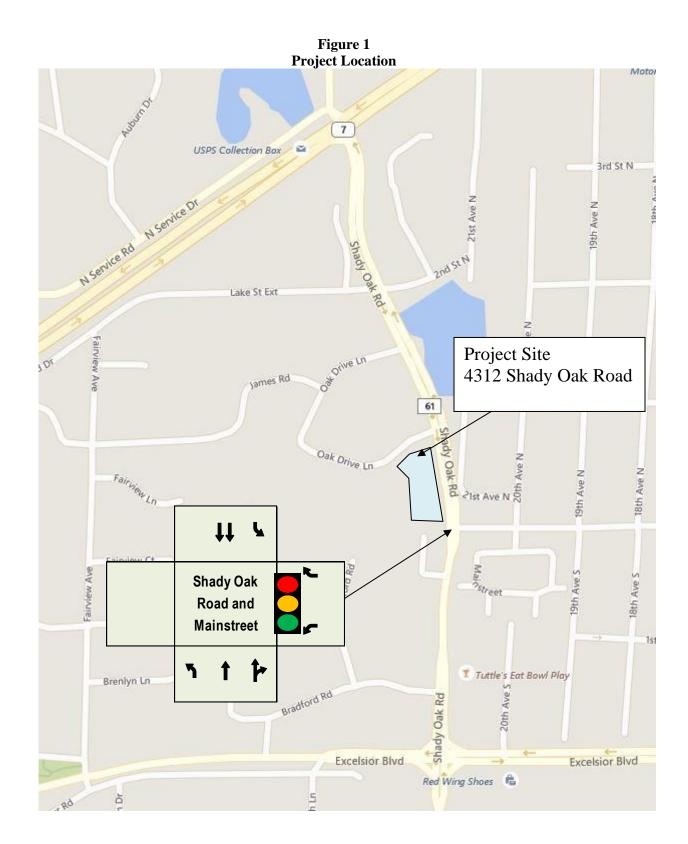


Figure 2 Proposed Site Plan

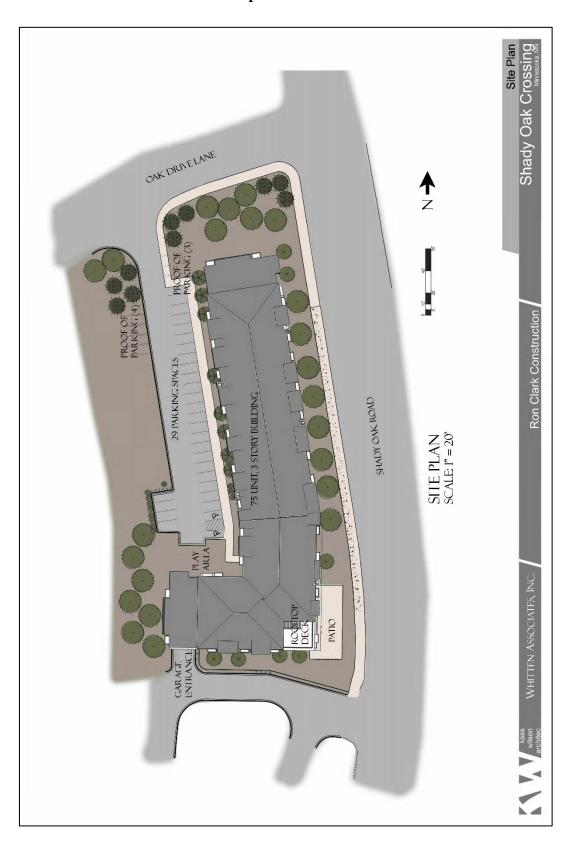
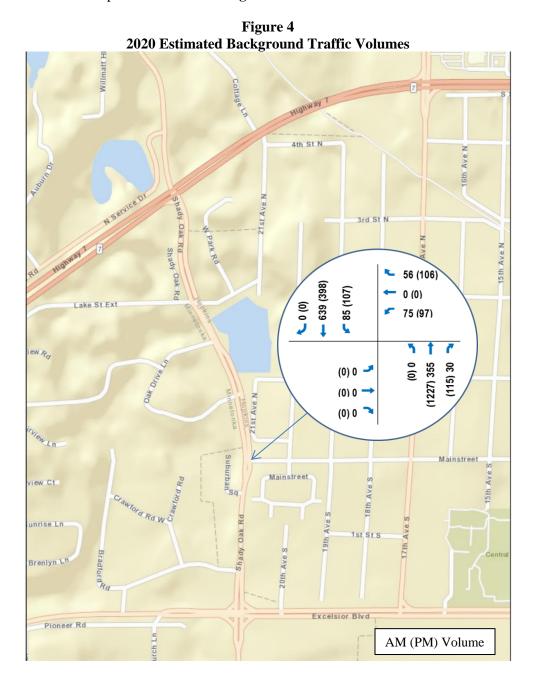


Figure 3
2016 Traffic Volumes 4th St N Shady Oak Rd 3rd St N 56 (106) **←** 524 (326) F 85 (107) **-** 0 (0) (0) 0 Lake St Ext **7**5 (97) (1006) 291 **(115)** 30 **(115)** ew Pa (0) 0 🗾 (0) 0 -(0) 0 🤼 Mainstreet Mainstreet 18th Ave S view Ct Shady Oak Rd unrise Ln 1st St S Brenlyn Ln Excelsior Blvd Pioneer Rd AM (PM) Volume

#### **Traffic Forecasts**

Based on the 2016 turning movement counts and recent AADT counts, the am and pm peak hour turning movement volumes in year 2020 were estimated. The growth from 2016 to 2020 was estimated to be 22%, which is 17% to 2018 plus 5% from 2018 to 2020. This estimate is the background traffic level at the site not including the proposed development. It should be noted that the traffic levels on Mainstreet were not reduced based on the AADT trend and were kept at the 2016 level. The forecasted 2020 turning movement counts without the development are shown in **Figure 4**.



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The estimated trip generation for the site is shown in **Table 1** below. The estimated trips are based on trip generation rates from the Institute of Transportation Engineers Trip Generation Manual 10<sup>th</sup> Edition. The site is expected to generate 36 trips in the am peak hour and 46 trips in the pm peak hour.

Table 1
Site Trip Generation

Description/ITE Code	Units	Expected Units (independ ent variable)	Calculated Daily Trips	Trips -	AM In	AM Out	PM Peak Trips - Total	PM In	PM Out
Multi-family housing – low rise (Code:220) (adjacent street)	Dwelling Unit	75	526	36	8	28	46	29	17

It was assumed that 10% of the site trips would use the surface parking lot with access from Oak Drive Lane. In order to develop the traffic forecasts at the intersection of Mainstreet and Shady Oak Road with the proposed development, the above site generated trips were added to the 2020 background traffic. The background traffic volumes were not reduced to reflect the removal of the existing retail development on this site so the forecast is a conservative estimate of the future traffic volumes with this development.

The business driveway in the southwest quadrant of the intersection of Shady Oak Road and Mainstreet was assumed to remain open. An additional access from the business to the new driveway was assumed. This enables drivers who wish to go north on Shady Oak Road or east on Mainstreet to use the signal which is a safer option than the existing driveway. It was assumed that the new signal access will allow 50% more traffic than current levels to turn left from the businesses due to the added convenience of making the turn. It was also assumed that all the traffic entering the business area from the south will continue to use the existing driveway until the median is closed off preventing this movement. Half of the traffic entering the businesses from north was assumed to use the signal and the other half the existing driveway. All the traffic exiting the businesses to the south were assumed to use the existing driveway.

With the removal of the existing businesses from the project site, and due to the primary access to the apartment being from the Mainstreet and Shady Oak Road intersection, the traffic levels at the intersection of Oak Drive Lane and Shady Oak Road are expected to be lower than current levels.

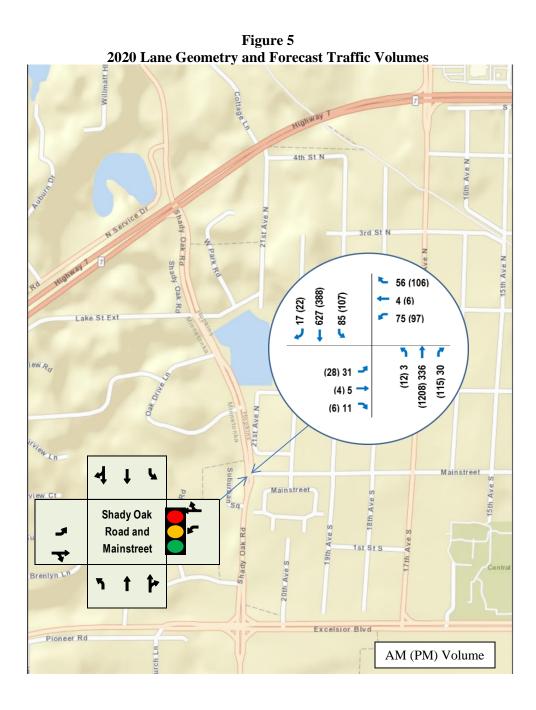
The trips from the site were distributed according to the traffic patterns observed from existing counts.

Three different configurations were analyzed for the new eastbound approach.

- A one-lane approach with no turn lanes.
- A two-lane approach with shared left and through movements and a separate right-turn lane.
- A two-lane approach with an exclusive left-turn lane and a shared through-right lane.

The level of service for all three alternatives were found to be acceptable as discussed in the next section. The recommended geometry is to have left-turn lanes on the eastbound and westbound approaches. The through movements would be shared with right-turns on these approaches. The recommended storage on eastbound left-turn lane is 75 feet.

Figure 5 shows the recommended lane geometry and forecast traffic volumes with the proposed project.

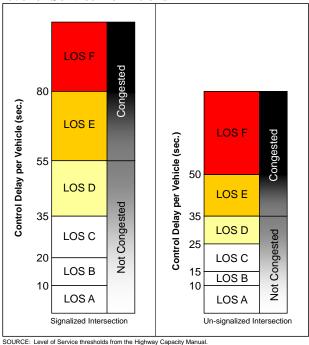


### **Future Traffic Operations**

WSB conducted traffic operations analysis of the forecast traffic volumes with the development to determine the level of delays, level of service and vehicle queues at the intersection of Mainstreet and Shady Oak Road.

Intersection operations are evaluated in terms of average seconds of delay per vehicle for the intersection, and for each approach and turning movement. The average number of seconds of delay is broken into six ranges assigned letter grades A through F defining each level of service (LOS) as shown in **Figure 6**. The ranges for unsignalized intersections are narrower than the ranges for signalized intersections. This is because many factors including the intangible factors of driver discomfort and frustration are considered. A one-minute delay at a red light is perceived as being more tolerable than one minute waiting for a gap in traffic at a stop sign, especially when there are vehicles queued behind. It is generally recognized that LOS D is the lowest acceptable LOS for urban intersections. The analysis also quantifies the length of queues of stopped vehicles. A 100-foot queue is approximately equal to four cars.

Figure 6 Level of Service Definitions



**Tables 2-4** shows the results for year 2020 for various alternatives for the eastbound approach. The analysis shows that the intersection operates at an acceptable LOS in both AM and PM peak hours with the proposed development in all alternatives. There is capacity at the intersection for additional traffic growth. In the left-turn lane scenario, the eastbound approach operates at LOS "C" in the am peak hour and LOS "D" in the pm peak hour with an average delay of 32 seconds/vehicle in the am peak hour and 46 seconds/vehicle in the pm peak hour. The analysis indicates that the potential maximum queue length on the eastbound left turn lane is 56 feet or approximately 3 vehicles long at 20 feet per vehicle and the average is about 22 feet or approximately 1 vehicle long. It is recommended that the access from the businesses south of the new access be located as far west as possible to allow these vehicles to get into the correct lane at the intersection. As the traffic levels at the intersection of Oak Drive Lane and Shady Oak Road are expected to be lower than current levels and the intersection is anticipated to operate at an acceptable level.

#### Shady Oak Redevelopment

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Table 2
Delay and Level of Service at Mainstreet and Shady Oak Road with Development – No Turn lanes on Eastbound Approach

#### AM Peak Hour

		Intersection									LOS by		LOS by		Average & Maximum Traffic Queueing (feet)								
Control	ntrol	Location	Appr	Total Delay by Movement			LOS by Movement			Approach I		Intersection		Appr	Left-Turn			Through			Right-Turn		n
•	3			L	Т	R	L	Т	R	Delay	LOS	Delay	LOS		Ave Queue	Max Queue	Storage	Ave Queue	Max Queue	Storage	Ave Queue	Max Queue	Storage
-			NB	8	4	3	Α	Α	Α	4	Α			NB		9	150	23	97				
1	IIze	1: CSAH 61 & Mainstreet	WB	42	45	5	D	D	Α	27	С	7	٨	WB				61	134		26	68	100
	Signalized	1: CSAH 61 & Mainstreet	SB	6	3	3	Α	Α	Α	3	Α	_ ′	^	SB	26	66	300	49	132				
(	<u>^</u>		EB	41	38	14	D	D	В	34	С			EB				37	92				

Note: For movements that are shared on one lane, the queue is only shown one of the shared movements.

#### PM Peak Hour

		Intersection									LOS by		LOS by		Average & Maximum Traffic Queueing (feet)								
ontrol	2	Location	Appr		Total Delay by Movement		LOS by Movement			1 1		Intersection		Appr	Left-Turn			Through			Right-Turn		'n
Ċ	3			L	Т	R	L	Т	R	Delay	LOS	Delay	LOS		Ave Queue	Max Queue	Storage	Ave Queue	Max Queue	Storage	Ave Queue	Max Queue	Storage
-	a		NB	8	11	10	Α	В	В	11	В			NB	3	19	150	146	359				
Į.	Signalized	1: CSAH 61 & Mainstreet	WB	50	49	12	D	D	В	31	С	13	В	WB				78	169		46	130	100
		1. COATTOT & Manistreet	SB	18	4	2	В	Α	Α	7	Α	13		SB	55	112	300	32	117				
C	ח		ЕВ	47	54	22	D	D	С	44	D			EB				31	88				

Note: For movements that are shared on one lane, the queue is only shown one of the shared movements.

Table 3
Delay and Level of Service at Mainstreet and Shady Oak Road with Development – Right-Turn lane on Eastbound approach and Shared Through-left lane

#### AM Peak Hour

		Intersection								LOS by Approach (Sec/Veh)		LOS by Intersection (Sec/Veh)		Appr	Average & Maximum Traffic Queueing (feet)										
Capto	Control	Location	Appr	Total Delay by Movement				LOS by	•						Left-Turn			Through			Right-Turn				
ပိ	3			L	Т	R	L	Т	R	Delay	LOS	Delay	LOS		Ave Queue	Max Queue	Storage	Ave Queue	Max Queue	Storage	Ave Queue	Max Queue	Storage		
٦,	-	1: CSAH 61 & Mainstreet	NB	9	5	3	Α	Α	Α	5	Α			NB	1	7	150	20	101						
1	IIIze		WB	41	45	5	D	D	Α	26	С	7	Δ	WB				61	137		26	58	100		
2	Signalized		SB	7	3	1	Α	Α	Α	3	Α	] ′	٨	SB	27	82	300	47	114						
٥	^		EB	44	42	6	D	D	Α	35	D			EB				31	98		8	37	50		

Note: For movements that are shared on one lane, queue lengths are only shown one of the shared movements.

#### PM Peak Hour

	Intersection								LOS	S by	1.09	S by		Average & Maximum Traffic Queueing (feet)									
Control	Location	Appr	Total Delay by Movement			LOS by Movement			Approach (Sec/Veh)		Intersection		Appr	Left-Turn			Through			Right-Turn			
ပိ			L	Т	R	L	Т	R	Delay	LOS	Delay	LOS		Ave Queue	Max Queue	Storage	Ave Queue	Max Queue	Storage	Ave Queue	Max Queue	Storage	
9	1: CSAH 61 & Mainstreet	NB	9	11	10	Α	В	В	11	В			NB	2	19	150	129	350					
alize		WB	48	49	13	D	D	В	30	С	12	В	WB				77	152		45	107	100	
Siana		SB	18	3	2	В	Α	Α	6	Α	12	В	SB	48	122	300	29	116					
S		EB	44	61	5	D	Е	Α	40	D			EB				24	84		6	30	50	

Note: For movements that are shared on one lane, queue lengths are only shown one of the shared movements.

Table 4
Delay and Level of Service at Mainstreet and Shady Oak Road with Development – Exclusive Left-Turn Lane and Shared Through-Right Lane

#### AM Peak Hour

	Intersection								LOS by		1.09	LOS by		Average & Maximum Traffic Queueing (feet)									
Control	Location	Appr		l Dela oveme		LOS by Movement			Approach (Sec/Veh)		Intersection (Sec/Veh)		Appr	Left-Turn			Through			Right-Turn			
			L	Т	R	L	Т	R	Delay	LOS	Delay	LOS		Ave Queue	Max Queue	Storage	Ave Queue	Max Queue	Storage	Ave Queue	Max Queue	Storage	
7	,	NB	6	4	3	Α	Α	Α	4	Α			NB	1	19	150	26	105					
azile	1: CSAH 61 & Mainstreet	WB	44	31	6	D	С	Α	28	С	7	Δ	WB	54	120	100	32	106					
Signalized	1. SOAIT OF & Manistreet	SB	6	3	2	Α	Α	Α	3	Α	_ ′		SB	21	56	300	46	123					
0		EB	40	41	7	D	D	Α	32	С			EB	22	56	75	12	49					

Note: For movements that are shared on one lane, queue lengths are only shown one of the shared movements.

#### PM Peak Hour

	Intersection								LOS by		1.09	S by		Average & Maximum Traffic Queueing (feet)									
Control	Location	Appr	Total Delay by Movement			LOS by Movement			Approach (Sec/Veh)		Intersection (Sec/Veh)		Appr	Left-Turn			Through			Right-Turn			
ပိ			L	Т	R	L	т	R	Delay	LOS	Delay	LOS		Ave Queue	Max Queue	Storage	Ave Queue	Max Queue	Storage	Ave Queue	Max Queue	Storage	
Б	4. COALLOS A Main stances	NB	9	10	9	Α	В	Α	10	В			NB	5	64	150	127	353					
lize		WB	48	54	13	D	D	В	30	С	12	В	WB				74	172		49	135	100	
Signalized	1: CSAH 61 & Mainstreet	SB	20	4	2	С	Α	Α	7	Α	12	Ь	SB	50	129	300	34	132					
		ЕВ	52	49	21	D	D	С	46	D			EB	2	19	75	28	74					

Note: For movements that are shared on one lane, queue lengths are only shown one of the shared movements.

### **Conclusions and Recommendations**

The following conclusions and recommendations were reached from the analysis that was conducted for this traffic study of the proposed 75-unit apartment at 4312 Shady Oak Road.

- The proposed site will generate 36 trip ends in the am peak hour and 46 trip ends in the pm peak hour with an estimated 90% of the traffic using the Mainstreet and Shady Oak Road intersection through a new driveway that forms the west leg of this intersection. The remaining 10% of the traffic is estimated to use Oak Drive Lane from the surface parking lot.
- The existing businesses in the southwest quadrant of the intersection of Mainstreet and Shady
  Oak Road will be given an additional access that connects to the new access to Shady Oak Road.
  This gives vehicles going north and east from the businesses a safer alternative to exit compared
  to the existing driveway from these businesses.
- With the development of the site, the level of service for traffic at Mainstreet and Shady Oak Road intersection is LOS "A" in the am peak hour and LOS "B" in the pm peak hour. The intersection operates at an acceptable level of service in both peaks and has ample capacity for future traffic growth.
- It is recommended the new eastbound approach to Mainstreet and Shady Oak Road intersection have a separate left-turn lane with at least 75 feet of storage. The through and right turn movements can be shared on one lane. It is also recommended that the westbound approach be restriped to allow a separate left-turn lane and a through right lane.
- The left-turn lane on the eastbound approach to the intersection of Mainstreet is anticipated to have a short queue of one car length on the average and occasionally this might grow to three cars long. The through-right movement is anticipated to have a queue of 1-2 cars.
- It is recommended that the access from the businesses to the new access be constructed as far
  away from the intersection as feasible to allow vehicles turning in and out of the access to enter
  and exit efficiently without being blocked by the eastbound queues on the approach.
- With the removal of the existing businesses from the project site, and due to the primary access to the apartment being from the Mainstreet and Shady Oak Road intersection, the traffic levels at the intersection of Oak Drive Lane and Shady Oak Road are expected to be lower than current levels and the intersection is anticipated to operate at an acceptable level.

67-unit plan Concept Plan and Ordinance Intro. Meeting Minutes

### PLANNING COMMISSION MAY 2, 2019 MEETING MINUTES

# A. Concept plan review for amendments to Shady Oak Crossing at 4312 Shady Oak Road.

Chair Kirk introduced the concept plan 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.

Luke asked if the setbacks on the north side would meet ordinance requirements. Gordon explained that the property is zoned as a planned unit development (PUD). The current north setback is approximately 37.5 feet. The proposal would reduce the north setback.

Chair Kirk noted that the houses in the area were built before setback ordinances were adopted. Gordon stated that the standard front setback for houses in the area is 35 feet.

In response to Henry's question, Wischnack explained that the city of Hopkins has not provided comments on the concept plan and would do so when a formal application would be submitted.

In response to Henry's question, Wischnack explained tax-increment financing.

Powers asked who would pay for the annexation and detachment. Wischnack answered that the developer would be required to provide all necessary documents.

Gordon reviewed the four areas staff would appreciate comments regarding: density, building design, site design, and traffic and circulation.

Mike Waldo, of Ron Clark Construction, applicant, reviewed the concept plan and stated that:

- He still likes the original project proposal.
- Comments were received regarding the traffic on Oak Drive Lane.
- He spent time with the land owner on the south and purchased part of the property. The property owner lost a lot of parking space from the street improvement project. The current purchase agreement is for 17,000 square feet.
- The proposal should reduce the traffic on Oak Drive Lane by 80 percent to 90 percent. There would be 90 stalls down below.
- The current proposal is a better project for the applicant, the neighbors, the city, and would provide 18 workforce-housing residences.
- There is no way to have no parking off of Oak Drive Lane. There is an elevation change of 11 feet and would not work for trucks to access and exit the site.
- The entrance to the parking lot was moved farther west to provide more

- room for stacking on Oak Drive Lane.
- He spoke with adjacent neighbors about providing landscaping for screening.
- There would be more area for the tot lot and play area.
- The applicant would agree to reduce the parking area if staff would be comfortable with that.
- The 37-foot setback was reduced to a 20-foot setback.
- The applicant thought that a soft-pitch roof would look more residential than a flat roof. He requested commissioners provide their comments.

Tim Whitten, architect with Whitten and Associates, on behalf of the applicant, gave a presentation on the concept plan:

- He described the drive area and traffic flow.
- He provided slides of the concept plan with and without landscaping.
- He described the roof provided in the concept plan.
- The building would be closer to the sidewalk than the previous proposal to allow for the turning radius of trucks.
- Grading could occur up to the first floor and would be able to have landscaping.
- On the northwest corner, there would be a two-story component that would move into the tot lot area and main entrance for visitors.
- The southwest corner would preserve a lot of trees.
- The exterior materials would be brick and made up of a cement board panel system. He explained the horizontal and vertical components.
- The elevation on the north end is one of his favorites. There would be a flat, bungalow-like feel.
- He is proud of how all of the pieces have been brought together and is excited about the opportunity.

In response to Henry's question, Mr. Whitten explained the evolution of the changes to the roof.

Luke thought the traffic pattern would be better with a signaled intersection for the entrance. She asked about walkability and where sidewalks and entrances to the building would be located. Mr. Waldo stated that there would be a sidewalk around the entire building. Mr. Whitten pointed out the patio area and entrances.

Henry asked if having the tot lot closer to the building had been discussed. Mr. Waldo said that it was determined that having the connection to the main access on Shady Oak Road was more of a priority. The play area would be fenced in. He could see positives and negatives with both scenarios.

Powers applauded the concept. It is an improvement from the 49-unit apartment building. He was amazed how the applicant tried to please everyone by making the south end look more urban and the north end residential. He asked if he understood correctly that there would be more room for buffering on the Oak Drive Lane side. Mr. Waldo answered affirmatively. He would work with staff. The applicant is committed to doing better projects. The applicant knew that was an important factor.

Knight stated that he likes the balconies. Mr. Whitten stated that the balconies would be solid aluminum and last as long as the apartment building.

Henry discussed buffering options for neighbors on Oak Drive Lane with Mr. Waldo. Mr. Waldo stated that the applicant would be happy to meet with the neighbor to see what the neighbor would prefer for buffering.

Chair Kirk invited those present to provide comments.

Chris Aanestad, 4255 Oak Drive Lane, stated that:

- He questioned how long the project would take.
- He appreciated the proposal moving the access off of Oak Drive Lane.
- The building would be too large. He did not understand how the building was shown on the plan.

Cynthia Jung, 18505 Spring Crest Drive, stated that:

- She represented the Minnetonka Housing Team. The Minnetonka Housing Team supports adding more units of affordable housing.
- They support the proposal.

Chair Kirk concluded receiving public comments.

Chair Kirk discussed with Mr. Waldo and Mr. Whitten how it is difficult to show the different elevations and scale of the building on a screen.

Chair Kirk stated that the building is too long to keep it to scale on the screen and it is difficult to represent a building that has an elevation change because it is distorted.

Wischnack explained that the city has a contract with the applicant. If tax credits would be awarded this year, then construction would begin in 2020. Relocation of businesses could occur in 2019.

Gordon provided that the 2017 plan proposed 31 units per acre and this concept plan has 33 units per acre.

Knight likes the concept plan. The building looks nice. He likes the change in the roofline. That improves the look significantly. He remembered residents on the south concerned with motorists cutting through their neighborhood. He asked if the proposal would create a cut through. Gordon recalled that a resident was concerned with motorists using Bradford Street to cross southbound traffic to make a left-hand turn onto Excelsior Blvd. to travel east or north on Shady Oak Road. Gordon did not see the concept plan creating that type of circumstance. Mr. Waldo described the traffic pattern for semis with trailers.

Powers liked everything about the new concept plan. He liked the roof lines. He liked how the developer worked so diligently to make this work. Work force housing is needed now. The sooner this is approved and started the happier he will be. The area would be

wonderful for kids. He liked the architect thinking of the change in exterior colors and materials.

Luke liked the concept plan more than the previous proposal. The building would be attractive. She liked how traffic would be managed on the south side of the building instead of accessing Oak Drive Lane. She thought the 31 parking stalls looked like a lot of parking.

Henry felt that the type of housing is needed in the city. He liked how there would be more of a buffer between the proposed apartment building and residence on the west side. The building would be massive. Lowering the building to two levels sooner on the south side like it is on the north would make it more visually appealing. He would like to see how much sun would be blocked by the building.

Chair Kirk supports affordable housing. He voted no for the previous proposal because he wanted to see it improved. Moving the access to the south was key. He was happy to see that happen. He suggested aligning the road to prevent headlight wash. Mr. Waldo explained that the parking lot would be sloped down so a vehicle would travel with headlights pointed down.

Chair Kirk asked if a playground could be located over a sewer pipe. Gordon stated that would be looked at. The concept plan provides more flexibility to move the playground around. Chair Kirk suggested moving the playground further south and aligned with the backyard of 4292 Oak Drive Lane. He would like proof of parking. He looks forward to seeing a clear landscaping plan with trees, sidewalks, and snow storage. The building is still too close to the road. He was fine with the roofline. He hoped the number of units could be condensed a little to help condense the setback from Oak Drive Lane.

Powers stated that he visited residents of Oak Drive Lane and most of them did not care about the size of the building, except for the closest neighbors. It is 2020 and density is going to increase. He sees buildings in suburbs twice this size. The density is appropriate. The building is appropriately sized and takes into account that the city needs affordable housing now. This type of opportunity, for this type of parcel, along a major street, that has already been developed, is rare. The site's proximity to amenities makes it even rarer. He favored keeping the density as it is.

Luke felt that it would be nice to have an apartment building near single-family houses instead of an industrial area. That would make the apartments more attractive and keep the workforce housing near other workforce housing. The site would be accessible to amenities including the grocery store. It would be a very good location.

Chair Kirk noted that the owners of surrounding businesses would welcome the residents. The site is ready for redevelopment.

Henry would like the playground area moved closer to the main entrance if it could be done without ending up in a completely shaded area.

### **Unapproved City Council May 20, 2019 Meeting Minutes**

#### 14. Other Business:

# A. Concept plan review for the Shady Oak Redevelopment located at 4312 Shady Oak Road.

Gordon gave the staff report.

Happe thought the structure would be massive for the area. Three stories seems high. He asked how many units would be in the third story. Gordon estimated 14 units in the third story. The proposed building on the concept plan has a total of 67 units.

Schack noted that using the adjacent lot for drainage was discussed in 2017. She asked if that is part of the concept plan. Gordon answered affirmatively. The adjacent lot on the west is owned by the city and would be used for stormwater treatment.

In response to Wiersum's question, Wischnack explained that once the city receives a formal application, the next steps would include detachment and annexation of the Hopkins property, land use approvals, and establishment of TIF funding. The approval of the previous application would remain in place if a new application would not move forward.

Mike Waldo, of Ron Clark Construction, who submitted the concept plan, stated that:

- The previously approved project for the site is very good, but there was concern with increasing traffic on Oak Drive Lane.
- The previous project did not meet the threshold for median cost after the removal of five units, addition of a flat roof, and other changes were made that increased cost-containment issues.
- The concept plan is pretty good. The previous plan could be modified to save costs, but he thinks the current concept plan would be better.
- The concept plan would improve the traffic on Oak Drive Lane by 80 percent to 90 percent compared to the previously approved plan.
- There would be 90 underground parking stalls.
- He wants to keep 31 outdoor parking stalls. A few outdoor stalls could be made into green space now and kept as proof of parking.
- He was confident the proposal would have 18 affordable units and provide a more efficient use of resources.
- Hopkins staff are supportive of the concept plan.

Tim Whitten, of Whitten Associates, architects for the concept plan, stated that:

- The building was made larger in the concept plan than the previouslyapproved plan. He described the floor plans and shape of the building.
- The access to structured parking would connect to Main Street.
- He explained the loading dock area and traffic pattern.
- The access being removed from Oak Drive Lane would allow more landscaping and a raised grade.

- There would be three access points to the trail on Shady Oak Road.
- He provided renderings of the building and elevations from each direction.
- The need for stacking was reduced with the guest-housing component.
- He could see how either project would work.

Mr. Waldo clarified that the top floor of the concept plan contains 20 units. Two-story apartments do not work, so that could not be done. The building would provide a transition from commercial to residential areas.

Ellingson asked how steep the grade would be on the access from Main Street down to the structured parking. Mr. Whitten estimated nine percent. The city has a slope maximum of 10 percent. The concept plan building length from north to south is 412 feet.

In response to Carter's comment, Mr. Waldo answered that the play area would be fenced in.

Happe asked if there are other three-story buildings in the area. Gordon answered that most of the buildings in the area on Shady Oak Road are single-story commercial or two-story residential.

Wiersum asked for the estimated height of the building. Mr. Waldo stated that the eave height would be a little higher, but the roof would be the same height as the building in the project previously approved.

Wiersum would appreciate an example of a building of comparable size be provided with an application. Wischnack explained that there is a chart that shows the size of every building in the city. The Ridge has four stories instead of three stories, but, otherwise, is similar in size to the building in the concept plan.

Calvert asked for the number of units in Applewood Pointe. Wischnack responded 84 units. She noted that Applewood Pointe is a cooperative so the square foot per unit is much larger than an apartment.

Wiersum invited those present to comment. No one chose to speak.

Wiersum likes the change to the access location, but the change increased the cost of the project and, in turn, caused an increase in the size of the building. That is the tradeoff.

### Schack stated that:

- The concept plan is better than the previously approved project.
- The access being located on Oak Drive Lane was her biggest reservation when she reviewed the application in 2017 as a planning commissioner. Now the traffic concern on Oak Drive Lane has been resolved.
- Another huge benefit of the current concept plan compared to the project from 2017 is that councilmembers know that lite rail is coming and the concept plan would provide access to the lite rail.

- She did not think the proposed amount of parking would be needed. The public transportation options for the area will be increasing. She was comfortable with the proof of parking proposed in the second option.
- The second option also places the playground in a better location.

Calvert agreed with Schack that the concept plan is a dramatic improvement. She stated that:

- The hip roof is a wonderful architectural detail that does not add a great deal of height.
- She was flexible with the playground's location knowing that it would be fenced in. She suggested placing it in an area that would receive sunlight.
- She was excited for the access to be located on Main Street, the parking area being moved away from neighbors and that there would be more room for landscaping.
- She did not have a problem with the mass of the building.
- She supports additional workforce housing, especially units with one, two, and three bedrooms. That is very rare.
- She likes the architectural details that break up the mass.
- The building in the concept plan would be at least one story shorter, have a flatter roof than Applewood Pointe, and would be more compact since it would have fewer amenities. The number of units does not bother her in this location.

### Bergstedt stated that:

- He appreciated the project having an excellent developer. The developer did a great job making the building in the concept plan look more urban, similar to row houses, and stepped down in height on both ends as well as moving the access off of Oak Drive Lane.
- Lining up the access at a signaled intersection on Main Street would make the concept plan a thousand times better and safer than the previously approved project.
- He preferred proof of parking.
- He liked the play area moved to the east. It would be closer to the units rather than being on the outside.
- The hip roof is nice and provides a softer feel.
- The concept plan provides more workforce housing which the city needs.
- He saw a lot of positives.
- The building would be very long, but, with the applicant having to purchase the lot to change the access, he acknowledged that the concept plan would not work without the additional units.

### Happe stated that:

- The concept plan is very good.
- He agreed with councilmembers.

- The building would be too big. The building would be close to Shady Oak Road and three stories high. He thought it would tower over motorists on Shady Oak Road and be too large for the area.
- The layout, design, and concept plan look great, but the setback would not be far enough from the street in relation to the size of the building.

### Ellingson stated that:

- He agrees with the observations.
- The access change is a necessary improvement.
- He was concerned with the size of the building and lack of setback from the street. It would not fit in the area very well. The building would be very large compared to the others on the street.

Calvert supports making sure motorists would be able to safely turn left onto Oak Drive Lane and that headlights would not shine on the residence across the street.

#### Wiersum stated that:

- The concept plan is better than the previously-approved plan due to the change in the access location to underground parking. That is a big and expensive deal.
- The concept plan is much better. It works.
- He was concerned with the mass of the building. The building would be 412 feet long. The design works well. He understood the concern with the height and mass. There are three-story and four-story buildings located nearby on Main Street in Hopkins. The area will become more urban as time goes on.
- Shady Oak Road is a busy street. The proposed building would act as a sound wall to muffle traffic noise. He acknowledged that it would be a big building.
- The concept plan would improve the access and provide workforce housing in a location near future lite rail. The benefits of the concept plan make a lot of sense. He supports the concept plan.
- He likes the design elements. He supports breaking up the building as much as possible. The hip roof works.
- He prefers to go with proof of parking.
- He prefers locating the play area more internally on the site.
- He likes limiting the amount of hard surface on the exterior as much as possible.

Gordon thanked councilmembers for their comments.

The mayor and councilmembers reviewed and discussed the concept plan. No formal action required.

### **CITY COUNCIL JULY 8, 2019 MEETING MINUTES**

### A. Items concerning Shady Oak Road Redevelopment:

- 1) Master Development Plan,
- 2) Site and Building Plan review,
- 3) Preliminary Plat,
- 4) Detachment/Annexation,
- 5) Comprehensive guide plan amendment, and
- 6) Rezoning

City Planner Loren Gordon gave the staff report.

Calvert asked what the setbacks were on Shady Oak Road. Gordon reviewed the setbacks with the council.

Happe questioned if there had been any material changes since the concept plan was reviewed on May 20. Gordon stated he would know more about this by Friday. He commented on the surface it appears the plans were very similar.

Wiersum inquired if the applicant had anything to add. The applicant had nothing to add at this time.

Schack moved, Carter seconded a motion to introduce the ordinance amending the master development plan, rezoning the property to Planned Unit Development and refer it to the planning commission. Schack, Carter, Bergstedt, Ellingson, Calvert and Wiersum voted "yes". Happe voted "no". Motion carried.



### **Project Comparison**

Name	Details	Stories	Height	Residential Density (Gross)	Building Size (sq. ft)	FAR	Hard surface
Ridgedale Area Developments							
Ridgedale Active Adult Apartments	168 units of age restricted (50+)	6	60 ft.	71 units/acre	187,862	1.81	80%
12610 Ridgedale Dr.							
Ridgedale Executive Apts. 12501 Ridgedale Dr.	77-unit market rate	4	54 ft.	17 units/acre	174,060	0.78	51%
Highland Bank 1730 Plymouth Rd	Mixed use building with 16,000 sq. ft. of retail and 120 units of market rate apartments	6	76 ft.	59 units/acre	155,000	1.7	85%
Cherrywood Pointe 2004 Plymouth Rd.	100-unit senior apartments	4	55 ft.	34 units/acre	117,000	0.93	45%
Woodbine Condos 12700 Sherwood Pl	45-unit residential condominium building	3	40 ft.*	6 units/acre	90,000	0.3	
The Ridge 12708 Wayzata Blvd	64-unit affordable apartment building	4	40 ft.	37 units/acre	113,000	1.5	64%
Ridgepoint 12600 and 12800 Marion Ln W	274-unit senior apartments	8	76 ft.*	32 units/acre	283,000	0.8	
Ridgegate 1919 YMCA La	60-unit market rate apartments	3	42 ft.*	15 units/acre	68,000	0.4	
Glen Lake Developments							
The Exchange 14403 Excelsior Blvd	Mixed use building with 22,000 sq. ft. of retail and 52 units of market rate apartments	4	54 ft.	24 units/acre	82,000	0.9	87%
St Therese 5300 Woodhill Rd	150-unit senior housing building	5	55 ft.	56 units/acre	225,000	1.9	75%
Beacon Hill 5300 & 5330 Beacon Hill Rd	152-unit senior apartments/assisted	4		22 units/acre			
The Landing	97-unit senior apartments/assisted	5		44 units/acre			
The Atrium	83-unit condominium	3		15 units/acre			
Zvago (One Two One)	54-unit senior cooperative	4	45 ft.	22 units/acre	117,079	1.0	49%
Recently Approved Projects							

### **Project Comparison**

Dominium	482-unit affordable apartments (220 general/262 senior occupancy)	4-6	43-81 ft.	51 units/acre			60%
Carlson Island Apartments 501 Carlson Pkwy	174-unit market rate apartments	5	55 ft.	15 units/acre	188,000	0.4	21%
Crest Ridge Senior Living (Orchards at Minnetonka) 10955 Wayzata Blvd	147-units market rate senior	4	53.5 ft	21 units/acre	200,000	.65	38%
Havenwood of Minnetonka 17710 Old Excelsior	100 units (independent, assisted and memory care)	3	46-ft	40 units/acre	104,000	.95	
Applewood Pointe 12201 Minnetonka Blvd	87-unit senior cooperative building	4	50 ft.	22 units/acre	179,000	1.1	45%
Minnetonka Hills Apartment 2814 Jordan Avenue	78-unit market rate apartments	5	52.5 ft	32 units/acre (27 units/acre overall)	80,000	.99	46%
Rize at Opus 10101 Bren Rd E	322-unit (10% units at 80% ami)	6	83 ft	42 units/acre	400,000	1.15	50%
Tonka on the Creek 9731 Minnetonka Blvd	100-unit apartment building	4	54 ft.	49 units/acre	107,000	1.2	42%
The Chase (At Home Apts.)	106-unit apartment building	4	50 ft.	32 units/acre	105,040	0.74	39%

<sup>\*</sup>approximate

Name	Address	No. of Stories
Marriott Southwest	5801 Opus Pkwy	16
601 Tower	601 Carlson Pkwy	14
701 Tower	701 Carlson Pkwy	14
Cloud 9	5601 Smetana Dr	10
UHG	9900 Bren Rd W	10
UHG	9800 Health Care Ln	10

### **Project Comparison**

UHG	9700 Healthcare Ln	10
Crescent Ridge	10900 Wayzata Blvd	9
Crescent Ridge	11100 Wayzata Blvd	9
Ridgepoint	12600 Marion Ln W	8
Ridgepoint	12800 Marion Ln W	8
UHG	12700 Whitewater Dr	6



### Ordinance No. 2020

## An ordinance amending the master development plan for a 3-story, 75-unit apartment building the property located at 4312 Shady Oak Rd.

The City of Minnetonka Ordains:

#### Section 1.

- 1.01 On Sept. 25, 2017, the city council adopted Ordinance No. 2017-15 that rezoned the property located at 4312 Shady Oak Rd. from B-2 Commercial to PUD/Planned Unit Development.
- 1.02 On Feb. 24, 2020, the city council considered a major amendment to the master development plan for the property. The master development plan contemplated a 75 unit, 3-story apartment building.
- 1.03 City Code Section 300.22 Subd. 9 states that major amendments to an approved master development plan "...may be approved by the city council after review by the planning commission."
- 1.04 City Code Section 300.22 Subd. 1 allows for planned unit development zoning "...to provide flexibility from certain zoning and subdivision regulations in order to realize public benefits that may not otherwise be achieved through non-PUD development."
- 1.05 City Code Section 300.22 Subd. 2 states that, "...PUD zoning may be considered by the city when it would result in one of the following public benefits:
  - a) Greater preservation of existing natural resources, in number or quality, than would otherwise be provided under non-PUD development;
  - b) Provision of affordable housing;
  - c) Provision of a housing type or target housing price that is desirable to the city;
  - d) A mix of land use types;

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e) Development that is compatible with existing, surrounding development type and intensity that is no longer allowed in other existing zoning districts; or

- f) Greater energy conservation through building and site design than would otherwise be achieved under non-PUD development;
- g) Other public benefits as recognized by the city.

#### Section 2.

- 2.01 This action is based on the following findings:
  - a. The rezoning to PUD would provide the following public benefits:
    - (1) A greater protection of natural resources.
      - a. The project would remove existing site contamination.
      - b. The project would incorporate stormwater management to treat surface water run-off.
      - The project would increase green space and landscaping on site
    - (2) It would result in the provision of affordable housing and a housing type and price that is desirable to the city.
    - (3) As a transition property, the proposed development is compatible with the surrounding development type south along the Shady Oak Road corridor, which is represented by a mix of commercial and multi-family residential uses.
  - b. The rezoning is consistent with the comprehensive guide plan, the Shady Oak Road Study, and the intent of the zoning ordinance.
  - c. The rezoning is consistent with the public health, safety, and welfare.

### Section 3.

- 3.01 Approval is subject to the following conditions:
  - a. The property must be developed and maintained in substantial conformance with the following plans:
    - 1. Subject to staff approval, Shady Oak Crossings must be developed and maintained in substantial conformance with the following plans, except as modified by the conditions below:

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- Preliminary Plat, dated Dec. 2, 2019
- Site Plan, dated Dec. 2, 2019
- Grading Plan, dated Dec. 2, 2019
- Utility Plan, dated Dec. 2, 2019
- Tree Preservation Plan, Dec. 2, 2019
- Landscape Plan, dated June 19, 2019
- SWPPP, Dec. 2, 2019
- Architectural Plans, received Dec. 2, 2019

The plans outlined above constitute the master development plan for the subject properties.

- 2. Development must further comply with all conditions outlined in City Council Resolution No. 2020-xx, approving the final site and building plans.
- 3. This ordinance is contingent on detachment/annexation approval.
- Section 4. A violation of this ordinance is subject to the penalties and provisions of Chapter XIII of the city code.
- Section 5. This ordinance is effective immediately.

Adopted by the city council of the City of Minnetonka, Minnesota, on Feb. 24
--

Brad Wiersum, Mayor
Attest:
Becky Koosman, City Clerk

### **Action on this Ordinance:**

Date of introduction: Jan. 6, 2020 Date of adoption: Motion for adoption:

Seconded by:

Voted in favor of: Voted against: Abstained: Absent: Ordinance adopted.
Date of publication:
Certified Copy:
I certify that the foregoing is a true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota, at a meeting held on Feb. 24, 2020.
Becky Koosman, City Clerk

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### **EXHIBIT A**

That part of the West Half of the Southeast Quarter of Section 23, Township 117 North, Range 22 West, Hennepin County, Minnesota being described as follows:

All that portion of the tract or parcel of land described as Paragraph "A" below, which lies Southerly of a line drawn parallel to and 200 feet Southerly of the North line thereof and the same extended, to wit:

Paragraph "A"; That portion of the West Half of the Southeast Quarter of Section 23, Township 117 North, Range 22 West of the 5th Principal Meridian, described as follows: Starting at the Northeast corner of the Southwest Quarter of the Southeast Quarter of said Section, thence South along the East line of the West half of the Southeast Quarter of said Section, a distance of 300 feet, thence Westerly at right angles to said East line for a distance of 284 feet; thence Northerly along a line parallel to said East line a distance of 600 feet; thence Easterly along a line at right angles to said East line 209 feet to the center line of McGinty Road; thence Southeasterly along the center line of McGinty Road to the East line of the West Half of the Southeast Quarter of said Section 23; thence Southerly along said East line 33.5 feet to the point of beginning.

Which are described as follows:

Parcel A: The West 109.00 feet of the North 139.00 feet.

Parcel B: That part of the North 158.00 feet thereof lying East of the West 109.00 feet thereof.

Together with an easement for driveway and parking purposes over, under and cross that part of Lot 22, Block 1, Oak Ridge 2nd Addition, lying Northeasterly of a line, and its extensions, drawn from the Southeast corner of said lot to a point on the Northwesterly line of said lot distant 120 feet Southwesterly, measured along said Northwesterly line, from the most Northerly corner of said lot, as contained in deed Doc. No. 966456; (See Order Doc. No. 1053666)

Which lies northeasterly of the following described line:

Commencing at the northeast corner of Lot 23, Block 1, OAK RIDGE 2ND ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota; thence South 03 degrees 27 minutes 33 seconds West, along the east line of said Lot 23, a distance of 10.00 feet to the point of beginning of the line to be described; thence South 86 degrees 32 minutes 27 seconds East a distance of 23.56 feet to the point of beginning of the line to be described; thence South 03 degrees 27 minutes 33 seconds West a distance of 18.99 feet; thence southeasterly 113.10 feet along a tangential curve concave to the northeast having a radius of 70.00 feet and central angle of 92

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degrees 34 minutes 30 seconds; thence South 89 degrees 06 minutes 57 seconds East a distance of 40.85 feet; thence South 78 degrees 08 minutes 08 seconds East a distance of 140.43 feet, more or less, to the east line of said West Half of the Southeast Quarter and there terminating.

### City of Hopkins Resolution No.

### City of Minnetonka Resolution No. 2020-

# JOINT RESOLUTION REQUESTING CONCURRENT DETACHMENT FROM HOPKINS AND ANNEXATION TO MINNETONKA OF CERTAIN LANDS PURSUANT TO MINNESOTA STATUTES SECTION 414.061

**WHEREAS,** certain real property, approximately 0.36 acres in size, legally described and depicted on Exhibit A attached hereto and incorporated herein and depicted on the survey thereof attached hereto and incorporated herein as Exhibit A (the "Annexation Property") is located in the City of Hopkins; and

**WHEREAS**, the Annexation Property is located southerly of and abutting real property estate that is located in the City of Minnetonka; and

**WHEREAS**, Ron Clark ("Developer") desires to incorporate the Annexation Property into a proposed plat and residential development known as Shady Oak Crossings; and

**WHEREAS**, the Annexation Property is part of a larger tax parcel, with a street address of 2 Shady Oak Road, Hopkins, MN and a tax parcel number of 23-117-22-42-0056; and

**WHEREAS,** the City of Hopkins, the City of Minnetonka and the Developer desire that the entire Shady Oak Crossings plat and development be located within the boundaries of Minnetonka by detaching the Annexation Property from Hopkins and annexing the Annexation Property to Minnetonka; and

**WHEREAS,** the detachment of the Annexation Property from Hopkins will result the division of tax parcel number 23-117-22-42-0056 into the Annexation Property and a separate parcel, legally described and depicted as the "Remainder Parcel" on the attached Exhibit A; and

**WHEREAS**, the division of tax parcel number 23-117-22-42-0056 is a lot line adjustment that may be administratively approved and does not constitute a subdivision within the meaning of the City of Hopkins subdivision ordinances; and

**WHEREAS**, the City of Hopkins wishes to preserve future redevelopment opportunities for the Remainder Parcel; and

**WHEREAS**, the city of Minnetonka desires to transfer this property into the city of Hopkins in a "land swap" between the two cities; and

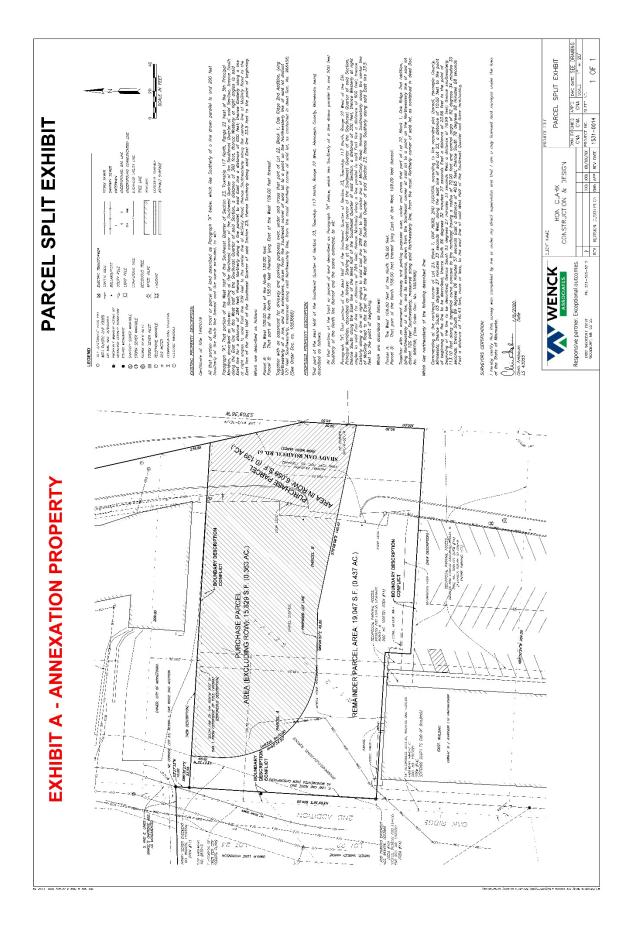
**WHEREAS**, the City of Hopkins and the City of Minnetonka desire to modify their respective boundaries by detaching the Annexation Property from the City of Hopkins and annexing the Annexation Property to the City of Minnetonka pursuant to Minnesota Statutes Section 414.061.

### NOW, THEREFORE, BE IT RESOLVED:

- 1. The City of Hopkins and the City of Minnetonka jointly request that the Office of Administrative Hearings Municipal Boundary Adjustment concurrently detach the Annexation Property from the City of Hopkins and annex the same to the City of Minnetonka at the earliest possible date.
- 2. The city clerk for each city is directed to submit this Joint Resolution to the Office of Administrative Hearings Municipal Boundary Adjustments for the purposes set forth herein.
- 3. The City of Hopkins and the City of Minnetonka agree that, within 30 days of receipt of this Resolution, passed and adopted by each party, the Office of Administrative Hearings Municipal Boundary Adjustments, may review and comment, but shall order the concurrent detachment and annexation consistent with the terms of this Resolution.
- 4. The City of Hopkins has designated a Comprehensive Plan Land Use Guiding of Commercial and a Zoning District designation of Commercial for the Annexation Property. As a condition of annexation of the Annexation Property into the City of Minnetonka, the Developer is required to combine the Annexation Property with tax parcel 23-117-22-42-0057. Upon annexation into the City of Minnetonka and the filing of the tax parcel combination, the Annexation Property shall have a Comprehensive Plan Land Use Guiding designation of High Density Residential and a Zoning District designation of Planned Unit Development. These designations match the existing comprehensive plan land use guidance zoning designation for tax parcel 23-117-22-42-0057.
- 5. As a condition of the Shady Oak Crossings development approvals, the City of Minnetonka agrees to require a cross access easement to provide joint use of the driveway by the Annexation Parcel and the Remainder Parcel. In approving the cross access easement, the City of Minnetonka will ensure that future redevelopment opportunities of the Remainder Parcel are not precluded and that the function of the driveway to the Shady Oak Crossings development will not compromise or restrict the use of the driveway in providing future opportunities for the redevelopment of the Remainder Parcel.
- 6. The City of Minnetonka is responsible for all costs associated with processing this Resolution, including reimbursement of reasonable attorney's fees incurred by the City of Hopkins.
- 7. The City of Minnetonka and City of Hopkins will not submit this Resolution to the Office of Administrative Hearings Municipal Boundary Adjustments until the City of Minnetonka has granted final land use and financing approvals for the Shady Oak Crossings residential development project.
- 8. This Resolution is conditioned upon approval of the concurrent detachment/annexation Resolution for the 2 Shady Oak Rd. property also requested by the city of Minnetonka and city of Hopkins.

Brad Wiersum, Mayor
ATTEST:
Becky Koosman, City Clerk
Action on this resolution:
Motion for adoption: Seconded by: Voted in favor of: Voted against: Abstained: Absent: Resolution adopted.
I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka at a meeting held on Feb. 24, 2020.
Becky Koosman, City Clerk
(Seal)

Passed and adopted by the City Coun, 2020.	cil of the City of Hopkins on the day of
Jason Gadd, Mayor	
ATTEST:	
Amy Domeier, City Clerk	
	CERTIFICATION
foregoing Resolution No is a adopted by the Council of the City of	ly qualified Clerk of the City of Hopkins, hereby certifies the true and correct copy of a resolution presented to and Hopkins at a duly authorized meeting thereof held on the own by the minutes of the aforesaid meeting in possession
Amy Domeier, City Clerk	
(Seal)	



### City of Hopkins Resolution No.

### City of Minnetonka Resolution No. 2020-

### JOINT RESOLUTION REQUESTING CONCURRENT DETACHMENT FROM MINNETONKA AND ANNEXATION TO HOPKINS OF CERTAIN LANDS PURSUANT TO MINNESOTA STATUTES SECTION 414.061

**WHEREAS,** certain real property, approximately 0.46 acres in size, legally described and depicted on Exhibit A attached hereto and incorporated herein and depicted on the survey thereof attached hereto and incorporated herein as Exhibit A (the "Annexation Property") is located in the City of Minnetonka; and

**WHEREAS**, the city of Minnetonka desires to transfer this property into the city of Hopkins in a "land swap" between the two cities; and

**WHEREAS**, the Annexation Property has a street address of 11524 Excelsior Blvd., Minnetonka, MN and a tax parcel number of 23-117-22-44-0160; and

**WHEREAS**, the City of Minnetonka and the City of Hopkins desire to detach the Annexation Property from Minnetonka and annexing the Annexation Property to Hopkins; and

**WHEREAS**, the City of Minnetonka and the City of Hopkins desire to modify their respective boundaries by detaching the Annexation Property from the City of Minnetonka and annexing the Annexation Property to the City of Hopkins pursuant to Minnesota Statutes Section 414.061.

### NOW, THEREFORE, BE IT RESOLVED:

- 1. The City of Hopkins and the City of Minnetonka jointly request that the Office of Administrative Hearings Municipal Boundary Adjustment concurrently detach the Annexation Property from the City of Minnetonka and annex the same to the City of Hopkins at the earliest possible date.
- 2. The city clerk for each city is directed to submit this Joint Resolution to the Office of Administrative Hearings Municipal Boundary Adjustments for the purposes set forth herein.
- 3. The City of Hopkins and the City of Minnetonka agree that, within 30 days of receipt of this Resolution, passed and adopted by each party, the Office of Administrative Hearings Municipal Boundary Adjustments, may review and comment, but shall order the concurrent detachment and annexation consistent with the terms of this Resolution.
- 4. The City of Minnetonka is responsible for all costs associated with processing this Resolution, including reimbursement of reasonable attorney's fees incurred by the City of Hopkins.

- 5. The City of Minnetonka and City of Hopkins will not submit this Resolution to the Office of Administrative Hearings Municipal Boundary Adjustments until the City of Minnetonka has granted final land use and financing approvals for the Shady Oak Crossings residential development project.
- 6. This Resolution is conditioned upon approval of the concurrent detachment/annexation Resolution for the 2 Shady Oak Rd. property also requested by the city of Minnetonka and city of Hopkins.

Adopted by the City Council of the City of Minnetonka on Feb. 24, 2020.
Brad Wiersum, Mayor
ATTEST:
Becky Koosman, City Clerk
Action on this resolution:
Motion for adoption: Seconded by: Voted in favor of: Voted against: Abstained: Absent: Resolution adopted.
I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka at a meeting held on Feb. 24, 2020.
Becky Koosman, City Clerk
(Seal)

Passed and adopted by the City Cour, 2020.	icil of the City of Hopkins on the day of
Jason Gadd, Mayor	
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foregoing Resolution No is a adopted by the Council of the City of	ly qualified Clerk of the City of Hopkins, hereby certifies the true and correct copy of a resolution presented to and Hopkins at a duly authorized meeting thereof held on the own by the minutes of the aforesaid meeting in possession
Amy Domeier, City Clerk	
(Seal)	

### **EXHIBIT A**

All that part of the following described portion of the Southeast Quarter of Section 23, Township 117, Range 22, lying west of a line drawn parallel with and 1165.2 feet measured at right angles from the east line of said Southeast Quarter of Southeast Quarter and lying south of the north 263 feet of said portion, which portion is bounded and described as follows: Beginning at a point where the northerly line of the abandoned right-of-way of the Chicago, Milwaukee & St. Paul Railway Company (later leased to and occupied by the Minneapolis, St. Paul & Suburban Railroad Company) as said right-of-way was located and constructed across said Southeast Quarter of Southeast Quarter of said Section 23, is intersected by a line parallel with and 660 feet West, measured at right angles from the East line of said Southeast Quarter of Southeast Quarter of said Section 23, running thence North on said parallel line 310.3 feet; thence West at right angles 366.8 feet to the actual point of beginning of the land to be described; thence continuing West on said last described right angle line 306.8 feet, more or less to the West line of said Southeast Quarter of Southeast Quarter of Section 23, thence South on said West line 358.2 feet, more or less to said northerly line of right-of-way; thence Easterly along said right-of-way line to its intersection with a line drawn parallel with and 1026.8 feet West from the East line of said Southeast Quarter; thence North parallel with said East line to the actual point of beginning.

