

**Minnetonka Planning Commission
Minutes**

May 21, 2020

1. Call to Order

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

2. Roll Call

Commissioners Maxwell, Powers, Waterman, Hanson, Henry, and Sewall were present. Luke was absent.

Staff members present: Community Development Director Julie Wischnack, City Planner Loren Gordon, Assistant City Planner Susan Thomas, Planner Drew Ingvalson and Natural Resources Manager Leslie Yetka.

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

4. Approval of Minutes: May 7, 2020

Powers moved, second by Henry, to approve the May 7, 2020 meeting minutes as submitted.

Maxwell, Powers, Waterman, Hanson, Henry, and Sewall voted yes. Luke was absent. Motion carried.

5. Report from Staff

Wischnack reported that, in response to the COVID-19 state of emergency, the city will allow restaurants to open outdoor eating areas with temporary permits starting June 1, 2020 without review and approval of a conditional use permit by the planning commission at this time. The permit is only temporary and will not be permanent.

Gordon briefed the commission on land use applications considered by the city council at its meeting of May 18, 2020:

- Adopted a resolution approving the preliminary plat for Dayman's Addition, a two-lot subdivision, at 9598 Ann Lane.
- Adopted a resolution approving a 12-month extension of the preliminary plat approval for Patriot Estates at 3515 Park Valley Road.

The June 4, 2020 planning commission meeting has been cancelled. The next regular meeting of the planning commission is scheduled for June 18, 2020.

6. Report from Planning Commission Members: None

7. Public Hearings: Consent Agenda

No item was removed from the consent agenda for discussion.

Waterman moved, second by Hanson, to approve the item listed on the consent agenda as recommended in the staff report as follows:

A. Expansion permit for garage and living space addition at 2208 Windsor Lake Drive.

Adopt the resolution approving the expansion permit for an addition at 2208 Windsor Lake Drive.

Maxwell, Powers, Waterman, Hanson, Henry, and Sewall voted yes. Luke was absent. Motion carried and the item on the consent agenda was approved as submitted.

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

8. Public Hearings

A. Preliminary plat of Semrud Hills, a three-lot subdivision, at 4716 Williston Road.

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

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

In response to Henry's question, Ingvalson explained how the tree protection ordinance applies to the site. Henry liked how specific the tree removal plan is. Ingvalson explained when mitigation of trees would be required.

Powers thought the grading area looks larger than usual. Ingvalson stated that the proposal is consistent with similar proposals.

Henry confirmed with Ingvalson that a previous application for the site did not meet ordinance requirements and was withdrawn by the applicant.

Steve Embretson, 4722 Semrud Circle, applicant, stated that he was not the previous applicant. He stated that:

- There would be no mass grading of the site. Each house would be fit with the existing grade. A grading permit would be applied for during the building permit process for each house.
- His plan is to market the lots when the preliminary plat is approved.

- There would be no changes to the property until a building permit would be issued.
- Ingvalson gave a clear presentation.
- He was available for questions.

Powers asked the applicant if he told the neighbors about the plan. Mr. Embretson stated that he met with the other resident of Semrud Circle and explained that he is doing this to control what would be allowed on the property. He wants something that would be compatible with the neighborhood, would retain its value, and have minimum impact on the neighbors. The neighbors seem to be satisfied with the proposal.

The public hearing was opened. Dulac informed Chair Sewall that there were no callers waiting to speak at the public hearing. No testimony was submitted and the hearing was closed.

Hanson liked that the applicant was able to work with staff to meet his needs as well as ordinance requirements. He was excited to support the proposal.

Powers liked this proposal better than the last one. He liked how the applicant worked with staff to meet the requirements of the tree protection ordinance. He was not concerned if construction did not occur within a certain time frame. He supports the proposal.

Waterman supports the proposal. It meets all ordinance requirements. He likes that the applicant lives in the neighborhood. One way to control the view is to purchase the property. The traffic impact would be negligible. He supports staff's recommendation.

Henry supports the proposal. He likes that the applicant lives in the neighborhood. The proposal would improve the neighborhood.

Maxwell appreciated that the maximum number of trees to be removed was specified for each lot. That would help ensure that tree ordinance requirements would be followed in the future. She thought grading two thirds of the northern two lots and the removal of the driveway on the south lot would be a lot of grading, but the grading would be addressed during the building permit approval process. She supports the proposal.

Chair Sewall noted that the application meets all ordinance requirements. He agreed with Maxwell that it is nice that the specific number of trees that could be removed was listed for each lot. He was not concerned with the lots possibly not being developed within a certain time frame. Part of the charm of Minnetonka is that not all of the houses look the same.

Powers moved, second by Henry, to recommend that the city council adopt the resolution approving the preliminary plat request for Semrud Hills at 4716 Williston Road.

Maxwell, Powers, Waterman, Hanson, Henry, and Sewall voted yes. Luke was absent. Motion carried.

Chair Sewall stated that this item is tentatively scheduled to be reviewed by the city council on June 8, 2020.

B. Items concerning The Pointe at 801 Carlson Pkwy.

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

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

Waterman asked what mass transit options are available in the area. Wischnack answered that there is currently a bus line that operates near the Carlson Center. It travels from downtown Minneapolis to the Carlson Towers area. It is anticipated that suburban MTC bus service may be impacted by the state of emergency created by COVID-19.

In response to Powers' question, Thomas explained that staff did not have a concern with the hotel and apartment building being owned by separate entities. A condition of approval would require an easement to cover utilities, common areas, and access to parking areas. It would not be an uncommon situation. She provided West Ridge Market and Ridgehaven Mall as examples where lot lines run through the parking lots.

In response to Maxwell's question, Thomas answered that an extensive trail system is located near the Carlson Center and that pedestrians could reach the Ridgedale area. Gordon added that a trail connection is planned to be located west of Lunds-Byerly's along the south frontage road within the next few years.

Maxwell thought this site would be a good one to locate a building taller than six feet since the site is located near the Carlson Towers. Thomas recalled several commissioners asking that same question during the concept plan review. The applicant explained that the proposed height relates to the number of floors necessary to offset the cost increase of constructing a building over six-stories. She invited the applicant to comment.

In response to Chair Sewall's question, Thomas explained that if the property owner would want to change the use of the hotel in the future, an application for an amendment to the master development plan would have to be reviewed by the planning commission and approved by the city council.

Rick McKelvey, representing United Properties, applicant, stated that:

- A lot has changed since December. The project has been improved. Sustainability features have been added.

- There is no question that the rental market is a bit shaken right now. The 55-plus demographic is staying in place if possible. The market demand will be there when fear ultimately subsides and the demand will return.
- The site would be great for a hotel due to its proximity to Interstates 394 and 494. This market will recover also.
- Instead of developing both buildings simultaneously, the residential portion would be Phase One and the hotel would be Phase Two.
- A shuttle would be provided for residents to travel to Ridgedale Center and Target.
- The building height would be ideal because the construction cost would increase by 40 percent if the building would go any higher than six stories. Instead of a wood frame, concrete or steel would be required. At a minimum, there would need to be 12 stories and an increase in the rent charged to make it financially feasible. A six-story building would fit well in the area. The Carlson Towers are iconic and it would be a shame to compete with the existing towers.

Jesse Symnykywicz, with Damon Farber, the applicant's landscape architect, reviewed the pedestrian walkway and trail exhibit. He stated that:

- The red lines show new pedestrian connections. A great trail system would be made even better.
- A lot of mature trees would be saved. Native plants would be added.
- High-maintenance-turf lawn would be removed. Millions of gallons of water would be preserved.
- He reviewed the amenities and activities. There would be flexible lawn spaces.
- More native tree species and shrubs would be added. Many would support pollinators.

Lukas VanSistine, of ESG Architects, representing the applicant, thanked staff and commissioners for utilizing technology to keep the application moving. He stated that:

- He took the feedback provided at the Dec. 5, 2019 meeting seriously.
- The development would complement and complete the existing area. The proposal would provide vibrancy for the campus every day of the week. There would be a generous amount of landscape.
- He reviewed the site plan, garden, and traffic pattern.
- The view of the iconic towers would be preserved. He provided views from the proposed buildings.
- There would be a prominent entrance.
- There would be glassy, lantern-elements in the corners of the apartment building. He reviewed the proposed building materials.
- He reviewed the floor plans.
- The project would be enrolled in the Excel EDA program. There would be

a solar-hot-water system to heat the water in the pool, electrical plug-ins would be available for electric vehicles and smart thermostats would be used in each unit.

- Health and wellness features would be implemented.
- The specific designs for the hotel will not be submitted at this time.
- He was available for questions.

Hanson appreciated the presentation from the applicant. He asked how many of the units would be affordable. Mr. McKelvey stated that 19 of the 186 units would meet affordable income guidelines. Ten units would be 50 percent AMI and the other nine units 60 percent AMI. The affordable units would be a cross section of all unit types.

Powers appreciated the sustainability features. He asked if common areas would be able to be powered fully by solar power. Mr. McKelvey stated that it was estimated that at least half of the energy used to power the common areas would be provided by solar power. Powers appreciated the applicant having the courage to do that.

Henry thanked the applicant for utilizing the feedback. It was a good proposal before and it is an excellent proposal now. He asked if the proposal would meet the pollinator ordinance requirements. Mr. Symnykywicz answered affirmatively. Thomas noted that staff confirmed the proposal's compliance with the city's pollinator ordinance.

Henry asked how much of the roof would be covered with solar panels and if a green roof had been considered. Mr. McKelvey estimated that 40 percent of the roof would be covered with solar panels, so there would be room for future expansion of solar panels. The applicant avoids green roofs since it has been found that green roofs are ineffective, require a lot of maintenance, and cause leaking problems.

Waterman appreciated the presentation. He asked how Mr. McKelvey thought the pandemic may impact the development. Mr. McKelvey answered that more stringent cleaning policies would be implemented. He hopes that a vaccine would be developed soon. Tours and leasing would be done while utilizing social distancing. The residents typically move into these types of apartments from single-family houses to gain more social engagement. He believes the market will come back.

In response to Powers' question, Mr. McKelvey stated that there would be enough electrical plug-ins to serve electric vehicles for 60 percent of the apartment residents' vehicles.

The public hearing was opened. Dulac informed Chair Sewall that there were no callers waiting to speak at the public hearing. No testimony was submitted and the hearing was closed.

Powers supports the proposal. He would like the building to be taller. He felt the proposal's features including affordable units that would adhere to 60 percent AMI

guidelines, incorporating public-minded amenities and utilizing solar power would be wonderful. The presentation was gorgeous and made his decision much simpler.

Waterman agreed with Powers. The proposal makes a lot of sense. The property is zoned for high-density. The solar aspect is great. The landscaping would be great and provide habitat for animals. The area was already graded a number of years ago. The variances would be reasonable. The proof of parking makes sense. He appreciated the applicant's willingness to develop in this environment. There is a need for housing in Minnetonka. The development would be sharp looking. If the hotel layout would be built, great, but if another use would be considered in the future, then that would be evaluated at that time.

Henry said that the proposal is great. All of the comments were implemented and made the project better. He supports the project 100 percent. It would blend in great with the area. It is what the community needs. It would provide a sense of home for the residents who live there. The features on the building and the grounds would look great and span the test of time. The amenities are great. He liked the underground catch basins. He is looking forward to the project being completed.

Maxwell appreciates the applicant's efforts to match the building's materials to the Carlson Towers, to increase energy efficiency, and to include a variety of trees, shrubs, and pollinators. The proposal looks good. She predicted there would be demand for more apartment units in the next three to five years, but understood the decision to go with six floors rather than 12 floors.

Chair Sewall appreciates the proposal. The landscaping would look beautiful. He looks forward to walking through the area when it is completed. He felt that the location would be a natural fit for a hotel. He loves the green aspects. He wished the building could be taller just because there are few places in Minnetonka where a 12-story building would look appropriate in a big, grand way, but understood the economics. He supports staff's recommendation.

Henry moved, second by Hanson, to recommend that the city council adopt the following items relating to the property at 801 Carlson Parkway:

- 1. An ordinance approving a major amendment to the existing master development plan.***
- 2. A resolution approving a preliminary plat.***
- 3. A resolution approving final site and building plans with variances for a multi-family residential building.***

Maxwell, Powers, Waterman, Hanson, Henry, and Sewall voted yes. Luke was absent. Motion carried.

Chair Sewall stated that this item is tentatively scheduled to be reviewed by the city council on June 8, 2020.

9. **Adjournment**

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

By:

Lois T. Mason
Planning Secretary