

**Minnetonka Planning Commission
Minutes**

July 9, 2020

1. Call to Order

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

2. Roll Call

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

Staff members present: City Planner Loren Gordon and Senior Planner Ashley Cauley.

3. Approval of Agenda

Maxwell moved, second by Luke, to approve the agenda as submitted with an additional comment provided in the change memo dated July 9, 2020.

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

4. Approval of Minutes: June 18, 2020

Henry moved, second by Luke, to approve the June 18, 2020 meeting minutes as submitted.

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

5. Report from Staff

Gordon briefed commissioners on items discussed at the June 22, 2020 and July 23, 2020 city council meetings:

- Three Rivers Park District staff presented a long-term, master plan to connect Bryant Lake Regional Park, French Lake Regional Park, and Eagle Lake Park. The connection would travel through Minnetonka primarily along Baker Road.
- The city council approved the Energy Action Plan developed by Xcel, staff, and commissioner members including Henry. It will be implemented during the next year and a half.
- Broader sustainability efforts the city could implement including those related to climate.
- The tree ordinance.

Minnetonka City Hall opened for staff to conduct appointment-based meetings with the public.

The planning commission meeting scheduled for July 23, 2020 has been cancelled. The next meeting will be Aug. 6, 2020.

6. Report from Planning Commission Members: None

7. Public Hearings: Consent Agenda

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

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

A. Expansion permit for a living space addition at 11309 Fetterly Road West.

Adopt the resolution approving an expansion permit for a living space addition over an existing garage at 11309 Fetterly Road West.

B. Expansion permit for garage and living space additions at 3326 Shores Blvd.

Adopt the resolution approving an expansion permit for garage and living space additions at 3326 Shores Blvd.

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

8. Public Hearings: None

9. Other Business

A. Concept plan review for Lake Minnetonka Care Center at 16913 Hwy 7.

Chair Sewall introduced the concept plan and called for the staff report.

Cauley reported. Staff recommends that commissioners provide comments and feedback to assist the applicant with future direction that may lead to the preparation of a more detailed development plan.

Jeff Sprinkle, of Lake Minnetonka Care Center, applicant, stated that:

- The Lake Minnetonka Care Center is currently located in Deephaven. The care center is located in a building over 100 years old.

- The proposal would have many amenities that the current building does not have. The size of the building needs to be upgraded to meet regulations set by the MN Department of Health.
- The building would occupy 10 percent of the land. The Lake Minnetonka Care Center is the smallest nursing home in Minnesota with 21 residents.
- The proposed facility would be two stories and have a partial basement.
- There would be single, private rooms with their own bathrooms. Private rooms are essential to prevent the spread of COVID-19.
- The hallways would be widened to eight feet. The number of toilets would increase from four to 26. The dining facility would be much larger. There would be a room for physical therapy.
- His family has owned the care center for 33 years.
- He applied for an exception to the moratorium with the MN Department of Health to allow a facility to be upgraded based on need and it was chosen as an exception.
- Hillcrest of Wayzata closed down last fall, so there is currently no nursing home in Minnetonka. There is a difference between nursing homes and assisted living facilities.
- The building would be as residential as possible.
- Over half of the 21 residents have lived at the care center for over 10 years.

Dave TeBrake, of Miller Architects and Builders, stated that:

- Most nursing homes are located in residential neighborhoods. He has been designing nursing homes since the late 1960s. The site is a good fit.
- The site would have access from Hwy. 7. MNDOT representatives said that it would approve the access with the addition of a turn lane.
- The residents were concerned with other proposals previously proposed for the site. He thought neighbors would be more supportive of a family-owned, small nursing home rather than a large development.
- The property is in dire need of redevelopment before the existing house falls down.
- An effort has been made to save trees. Seventy percent of the trees would be saved.
- Above-ground ponding was considered, but, after meeting with staff, below-ground ponding would be utilized.
- The development would have low density.
- The site would have 32 percent impervious surface coverage. The building footprint would take up 10 percent of the site.
- Neighbors expressed concern regarding traffic at the neighborhood meeting. A traffic analysis was completed. The residents would not have vehicles. Staff would travel to and from the site. Once a week, there would be garbage pickup and food delivery. Oxygen would be delivered every other week. A van would bring residents to appointments. Visitors

would visit the site. The number of trips per day would equal approximately 13. Thirteen is the number of trips the existing business, that has been operating for over 30 years, experiences. A 2017 US Department of Transportation study determined that a normal, single-family home generates 11.6 trips per day.

- The building would appear residential. Two stories are needed to reduce the size of the footprint. He noticed a number of two-story houses in the area. It would fit in nicely. The materials would match a residential house. There would be flower boxes below windows and a shingled roof.
- He was available for questions.

Henry asked for the differences between an assisted living facility and nursing home. Mr. Sprinkle answered the required staffing level and equity of the patients. A nursing home is licensed by the MN Department of Health. Nursing homes must have a licensed nurse on duty 24 hours a day and a registered nurse on duty during the day. That is not required by an assisted living facility. Nursing homes provide a level of care not provided by an assisted living facility. Nursing homes are the last stop for the long-term care of an individual.

In response to Henry's question, Cauley stated that the applicants received confirmation from MNDOT that access would be allowed from the site to Hwy. 7 if specific conditions would be met.

Luke asked if 12 parking stalls would be sufficient. Mr. TeBrake explained that the current operating facility has nine parking stalls and has found that amount to be ample. The maximum number of staff present at one time would consist of a nurse, nursing assistant, activity director, cook, housekeeper, and administrator at the site during the day. The vehicles making deliveries would not use a stall. There would be a drop-off area. The facility could not have more than 21 residents since the state license would restrict the number to 21.

Luke asked if there would be common areas. Mr. Sprinkle stated that the current facility has a large deck. The proposal would have a family room, activity room, therapy room, and large dining area which the current facility does not have at all. The residents currently have no private rooms. The proposed facility would allow residents to all have private rooms.

In response to Luke's question, Mr. TeBrake stated that the glass entrance would provide an opportunity for non-contact visits when the lockdown would be lifted. Mr. Sprinkle stated that the private rooms in the proposal would allow for much safer conditions for residents to prevent the spread of COVID 19 than the current facility where the residents share rooms.

Henry asked if there would be overflow parking. Mr. TeBrake stated that vehicles could park in the grass areas at the end of the parking lot if needed.

Henry likes the design of the building and the balcony. He suggested each unit have its own balcony. Mr. TeBrake explained that would create a safety issue due to the level of equity of each resident. A congregate setting would be the only safe option. The MN Department of Health would not license the facility if each unit had its own balcony.

Henry asked if the facility would be large enough. Mr. Sprinkle stated that the proposal would be five to six times larger than the current facility and would have the same number of residents. It would be a huge improvement for the residents. Mr. TeBrake stated that each space would meet the specifications outlined by the MN Department of Health.

In response to Henry's question, Mr. TeBrake said that he was open to suggestions from neighbors if they would like additional screening. Mr. Sprinkle noted that there is an existing berm with trees separating the properties now.

Maxwell asked if there would be a room to accommodate a couple who wanted to share a room. Mr. Sprinkle explained that might be possible if a room would meet the size requirements set by the MN Department of Health, but he has not had a couple that wanted to share a room in 33 years. That happens more often in assisted living facilities.

In response to Maxwell's question, Mr. Sprinkle explained that a trash compactor would compact the trash and it would be picked up once a week.

Chair Sewall invited anyone from the public to provide input.

David Devins, 17100 Sandy Lane, stated that:

- He objected to the proposal connecting its sewer and water at the end of Sandy Lane. His trees and landscape would be torn up. It should connect on Hwy. 7.
- He supports water line connection access occurring on Hwy. 7.
- He is concerned with the current density and traffic created by the existing townhouses.
- He was concerned with future development of Gary Anderson's property, 17101 Hwy. 7.

No one else from the public spoke at the meeting.

Cauley explained that if a formal application is submitted, then city staff would research the history of the site and look for the best way to route sewer and water to the property. Engineering staff would determine whether the connection on the north or south would be viable options and whether the proper connection, sizing, and easements exist. Staff would review the viability of all of the options and provide that information to the applicant before the application would be submitted. The applicant may then choose to submit an application which would include the proposed sewer and water connection location. Neighbors could provide feedback at the public hearing to review the

application. Applicants are encouraged to contact neighbors to address concerns and receive suggestions prior to the public hearing.

Henry was comfortable with the proposal. The applicant is doing their due diligence. He supports the application.

Hanson thanked Mr. Sprinkle for his desire to invest in Minnetonka. It is great to have a business owner with a business that has been operating for over 30 years. He is super supportive of the concept plan. He suggested a covered, drop-off area be added in the front of the building. It would protect people being dropped off from the weather and provide an area for a resident to sit outside in the shade. The two-story building would fit in the area. He looks forward to seeing an application for the proposal in the near future. He appreciates the applicant's desire to serve some of the residents with the most need for care in our community.

Luke thought the nursing home would be a good use for the site. The site would have easy access provided by Hwy. 7. She appreciated the applicant's desire to provide the residents with a much more improved and safe living space than they have now. The proposal would be a shining example of quality nursing home care. She supports the proposal.

Maxwell agreed with Luke. A nursing home would be a good fit for the site. She appreciates Mr. Devins' concern and the research he provided regarding the water and sewer connections in the area. She supports the concept plan.

Chair Sewall was not a big fan of having no more than one access to Hwy. 7, but the use would be a great fit. The proposal would fit better than an apartment building or townhouses. The building would be very attractive. He thought overflow parking should be available for holidays since street parking would not be available. Grassy spots would be sufficient for overflow parking. He liked the amount of outdoor space. He suggested limiting tree removal around the property's perimeter and adding some trees where possible. The sewer and water connection issues would be reviewed during the application process. Rezoning would be appropriate. He supports the use in this location and the conditional use permit.

Henry suggested the applicant utilize pollinator-friendly landscape and sustainable, energy-saving features.

Chair Sewall stated that the concept plan is scheduled to be reviewed by the city council at its meeting on July 27, 2020.

10. **Adjournment**

Henry moved, second by Maxwell, to adjourn the meeting at 8:06 p.m. Motion carried unanimously.

By: _____
Lois T. Mason
Planning Secretary