

**Unapproved
Minnetonka Planning Commission
Virtual Meeting
Minutes**

May 6, 2021

1. Call to Order

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

2. Roll Call

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

Staff members present: City Planner Loren Gordon, Assistant City Planner Susan Thomas, and IT Technicians Gary Wicks and Joona Sundstrom.

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

4. Approval of Minutes: April 22, 2021

Maxwell moved, second by Banks, to approve the April 22, 2021 meeting minutes as submitted.

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

5. Report from Staff

Gordon briefed the commission on land use applications considered by the city council at its meeting of May 3, 2021:

- Adopted a resolution approving a 12-month extension of a preliminary plat for Damyan's Addition at 9598 Ann Lane.
- Introduced an ordinance regarding items for a Taco Bell proposed at 12380 Wayzata Blvd.
- Adopted a resolution approving a conditional use permit with variances for a restaurant expansion and outdoor seating area at 14725 Excelsior Blvd.
- Voted to continue review of conditional use permits for small-cell wireless facilities until the city council meeting scheduled for May 10, 2021.

The planning commission meeting scheduled for May 20, 2021 has been cancelled. The next planning commission meeting is scheduled to be held June 3, 2021.

Gordon invited commissioners to let him know if he or she is interested in participating in training opportunities.

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

7. **Public Hearings: Consent Agenda**

No item was removed from the consent agenda for discussion.

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

A. Resolution approving a setback variance for a deck at 17448 Sanctuary Drive.

Adopt the resolution approving a setback variance for a deck addition at 17448 Sanctuary Drive.

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

8. **Public Hearings**

A. Resolution approving a conditional use permit and parking variance for a drive-up facility at 10400 Yellow Circle Drive.

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.

Banks confirmed with Thomas that staff received no comments from the public regarding the application.

Leif Syverson, applicant, stated that he would be operating the bank at this location. He was available for questions.

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

In response to Henry's question, Mr. Syverson said that there would be sufficient parking for the proposed use.

Waterman supports staff's recommendation. The proposal would not adversely impact the surroundings. He recently visited the area a few times and never saw a parking problem.

Maxwell had no concerns with the amount of parking or drive-up for the site. She suggested moving the drive-up lane further from the building to allow parking stalls to be located adjacent to the building. She supports staff's recommendation.

Henry supports staff's recommendation. He was happy to see some diversity of uses in Opus.

Banks concurred. The site seems to have more than ample parking. A bank would be a good addition for the Opus area.

Hanson supports the proposal. He felt it would be great for residents to have a bank located so close to home. Parking would not be a problem. He has been able to avoid entering a bank for over a year.

Chair Sewall supports staff's recommendation. He saw no problem with the amount of parking or drive-through traffic pattern.

Banks moved, second by Maxwell, to recommend that the city council adopt the resolution approving a conditional use permit with parking variance for a drive-up facility at 10400 Yellow Circle Drive.

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

B. Items concerning a fast-food restaurant at 12380 Wayzata Blvd.

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 if the city has received an application for a similar use in a PID district. Thomas answered that the Wendy's has a drive-through and is located in the PID district.

In response to Waterman's question, Thomas explained that a master development plan may restrict the use of EFIS.

Banks asked if a study has been done to determine the amount of anticipated stacking at the drive-through. Thomas explained that a traffic consultant monitored the same fast-food restaurant at another location that was closed for indoor seating and had no concern for the traffic flow at the proposed site. The average service time is three minutes.

Chair Sewall confirmed with Thomas that there would be no customer seating inside the building. Thomas pointed out that a few tables would be located outside as shown on the site plan.

Chair Sewall asked if green space would be added. The area is currently a large parking lot. Thomas answered in the affirmative. A landscape plan has been submitted and reviewed by natural resources staff. Adding pollinator species is included in the conditions of approval. The proposal would add stormwater treatment improvements to the site including an underground stormwater treatment container. The site currently has no stormwater treatment features.

Chair Sewall compared the proposal to a food truck. Thomas stated that food trucks are licensed by the city's environmental health inspectors, but are not required to obtain a conditional use permit.

Barry Zelickson, representing Boarder Foods, applicant, stated that:

- He has been working with the property owner, CSM, and planning staff to design a building that would fit the lot. He worked to minimize the impact to all parties.
- Eighty percent of Taco Bell sales are done utilizing the drive-through. The service is already very mobile.
- This unique go-mobile building design would have two lanes. One lane would be a traditional drive-through where a motorist may order at one window and pay and receive the order at the next window. The second lane would be designed to handle preorders for customers who ordered using an application themselves or through a service like Door Dash or Grub Hub which helps with the flow of the traffic through the drive-through.
- There would also be a walk-up window designed for pedestrians.
- There would be several tables located outside that may be utilized weather permitting.
- He is excited to test the new design. The building would be small and compact to fit the lot and not impact the area.
- He was available for questions.

Henry asked if customers could enter the building to order. Mr. Zelickson answered in the negative. Customers could walk up to the walk-up window from outside of the building, order, pay, and receive the order. There would be a walk-up window for pedestrians, a typical drive-through window, and a separate window for customers who ordered using an application. A grab-and-go area located inside the building may be created and utilized in the winter, but it is anticipated that customers would prefer the pedestrian window and drive-through windows. There would definitely be no dine-in seating.

Henry asked if there would be a pervious surface to absorb water drainage. Greg Dahling, architect for the project, explained how a concrete patch would be located between the curb and building. Grading would direct drainage to the stormwater collection system with catch basins and an underground infiltration system. Mr. Dahling pointed out the areas that would be landscaped on the site plan.

Henry thought the workers might like more windows. Mr. Zelickson stated that the windows were designed to provide light for the workers. Henry encouraged the use of solar panels. Mr. Zelickson explained that he would work with the franchise which drives what can be done with the building.

Waterman suggested using more brick to make the building appear more harmonious with the rest of the corridor. Mr. Zelickson said that a new rendering has been created that would increase the amount of brick and make it appear more harmonious with the area.

Waterman asked if there would be a free-standing sign. Mr. Dahling clarified that there would be a sign on the tower and one on the side of the building, but not a free-standing sign.

Chair Sewall asked if the applicant expects to get more preordered delivery services going through the drive through than the traditional customer who orders at the window. Mr. Zelickson said that the traditional customer is still more common, but the popularity of delivery services is growing. The traffic pattern and stacking area have been designed to handle the traffic levels that other locations have been experiencing.

Chair Sewall suggested providing a bike rack. Mr. Zelickson said that the area is not a traditionally pedestrian-friendly area. He would be happy to add a bike rack if it looks like it would be utilized.

Banks asked if additional seating would be considered in the future if it would be deemed necessary for the site to be successful. Mr. Zelickson said that the proposal has been designed to be a success by reducing the footprint and taking out a service point. Knowing the volume levels from other locations, he is confident that this proposal would be a success even if it would operate at 80 percent of the existing location.

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

Hanson felt that more restaurants will look like this in the future. Starbucks moved to drive-through service. There is a Chipotle-lane in Opus. He supports the proposal. The proposal is attractive for people who live and work in Minnetonka. He thinks it is a cool idea, would meet a need, and be a trend of the future. He supports staff's recommendation.

Waterman supports staff's recommendation. The area is a fairly mature commercial corridor and the parcel is underutilized. The use makes sense. It would not have an adverse impact on a residential area, traffic, or parking. It would be located near the interstate, so the location makes sense. He is interested to see the new rendering of the building. He did not find the building colors to be very attractive. He would like more brick and changing of the colors. Boarder Foods are great operators with great analytics. He appreciated Minnetonka being the location to test this use.

Henry is a Taco Bell fan. He encouraged the applicants to utilize solar panels and be carbon neutral. He likes the landscaping, but not the appearance of the building. He encouraged adding windows to the west side of the building to provide natural light for the employees. He likes that a pedestrian could still walk up and pay at a window. He supports the proposal.

Maxwell was generally in favor of the proposal. The parking lot is usually empty when she drives by. This would be a great way to add an innovative use in a space that is already developed, but underutilized. She appreciates the addition of green space, landscaping, and outdoor seating. She appreciates the flexibility to pay at the window. She likes the stormwater treatment features that would be located underneath the facility to help handle the runoff from the existing impervious surface along the corridor. She is glad that there would not be a gigantic sign.

Banks supports staff's recommendation. He was initially concerned with what the site would be used for if the proposal would not be successful, but he feels more confident that it would be successful after hearing from the applicants. He looks forward to its completion.

Chair Sewall stated that parking and traffic flow would not be an issue at all. He agreed with Maxwell that the parking lot is currently underutilized. He likes the proposal's addition of green space and vegetation. He likes the small footprint. He was o.k. with using the underutilized space for the proposal.

Waterman moved, second by Hanson, to recommend that the city council adopt the following items relating to the property at 12380 Wayzata Blvd.:

- ***An ordinance approving a major amendment to the existing master development plan.***
- ***A resolution approving a conditional use permit with variances.***
- ***A resolution approving final site and building plans with variances.***
- ***A resolution approving a sign plan amendment.***

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

This item is tentatively scheduled to be reviewed by the city council at its meeting on May 24, 2021.

9. **Adjournment**

Hanson moved, second by Maxwell, to adjourn the meeting at 8:45 p.m. Motion carried unanimously.

By: _____
Lois T. Mason
Planning Secretary