City Council Agenda Item #10
Meeting of August 14, 2017

Brief Description
Resolution approving a conditional use permit and final site and building plans for a storage facility at Hopkins High School at 10901 Hillside Lane West.

Recommendation
Adopt the resolution approving the request

Proposal
Kevin Neuman, on behalf of the Hopkins School District, is proposing to construct a storage building on the Hopkins High School campus at 10901 Hillside Lane West. The proposed building would be located northeast of the existing football field and directly south of the tennis courts. The storage building would be 1,964 square feet in area and 14.5 feet in height. The building would be neutral color, mirroring the existing storage building northwest of the football field. (See attached.)

Planning Commission Hearing
The planning commission considered the request on July 20, 2017. At the meeting, staff recommended approval of the proposal noting:

1. Construction of a storage building on school property is reasonable.
2. The proposed structure would comply with the required standards and ordinances for the conditional use permit and site and building plan review.
3. The proposal would not negatively impact surrounding land uses, as the nearest residential property is over 300 feet from the proposed building. The proposed building would be appropriately buffered by the existing tennis courts and distance.

At the meeting, one resident spoke and provided his concerns about the proposal. Specifically, he suggested that some of the existing buildings be removed and storage consolidated. The resident also voiced concerns regarding noise, lights, and the visual aesthetics of the campus. Many of these concerns related to the turf and softball field project, approved in April 24, 2017.

Planning Commission Recommendation
On a 6-0 vote, the commission recommended that the city council approve the request. Meeting minutes are attached. There have been no changes to the proposal or additional information received since the planning commission’s meeting on this item.
Staff Recommendation

Adopt the resolution approving a conditional use permit for a storage building at 10901 Hillside Lane West.

Through: Geralyn Barone, City Manager
         Julie Wischnack, AICP, Community Development Director
         Loren Gordon, AICP, City Planner

Originator: Drew Ingvalson, Planner
Brief Description: Conditional use permit and site and building plan review for a storage building at Hopkins High School, 10901 Hillside Lane West

Recommendation: Adopt the resolution approving the conditional use permit and final site and building plans

Proposal

Kevin Neuman, on behalf of the Hopkins School District, is proposing to construct a storage building on the Hopkins High School campus at 10901 Hillside Lane West. The proposed building would be located northeast of the existing football field and directly south of the tennis courts. The storage building would be 1,964 square feet in area and 14.5 feet in height. The building would be neutral color, mirroring the existing storage building northwest of the football field. (See attached).

Staff 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 the primary questions associated with the applicant’s request and staff findings:

1. **Is the request reasonable?**

   Yes. Construction of a storage building on school property is reasonable. The proposed building would:
   
   - Meet the required standards and ordinances for the conditional use permit and site and building plan review.
   
   - Comply with all required setbacks.
   
   - Not result in a significant increase in impervious surface on the site.

2. **Would the proposal negatively impact surrounding land uses?**

   No. The proposal would not negatively impact surrounding land uses, as:
Meeting of July 20, 2017
Subject: Hopkins High School, 10901 Hillside Lane West

- The proposed building would be appropriately buffered from surrounding residential properties. There are existing tennis courts between the proposed structure location and the nearest residential homes.

- The proposed structure would be located over 250 feet from the nearest school property line and over 300 feet from the nearest residential property.

**Staff Recommendation**

Adopt the resolution approving a conditional use permit and final site and building plans for a storage building at Hopkins High School, 10901 Hillside Lane West.

Originator: Drew Ingvalson, Planner
Through: Loren Gordon, AICP, City Planner
Supporting Information

Project No. 96079.17b

Property 10901 Hillside Lane West

Applicant Kevin Neuman, on behalf of the Hopkins School District

Surrounding Land Uses
Northerly: single family homes, zoned R-1
Easterly: Hopkins School District campus
Southerly: Hopkins School District campus
Westerly: Hopkins School District campus

Planning Guide Plan designation: Institutional
Zoning: R-1, Low density residential

Building Architecture
The storage building would be just under 2,000 square feet in size and would be comprised of beige colored siding, a brick base, and beige metal roof materials. (See attached).

Required Setbacks
The following chart describes the required setbacks. These setbacks are measured to the exterior property lines:

<table>
<thead>
<tr>
<th></th>
<th>Required by ordinance</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northerly</td>
<td>50 ft.</td>
<td>± 250 ft.</td>
</tr>
<tr>
<td>Easterly</td>
<td>50 ft.</td>
<td>± 1,100 ft.</td>
</tr>
<tr>
<td>Southerly</td>
<td>50 ft.</td>
<td>± 1,050 ft.</td>
</tr>
<tr>
<td>Westerly</td>
<td>50 ft.</td>
<td>± 750 ft.</td>
</tr>
</tbody>
</table>

Screening
The proposed building would be located adjacent to the existing tennis court on the site. This would put the proposed structure approximately 250 feet (across the tennis courts) from Hillside Lane West and over 300 feet from the nearest residential property. The significant distance and existing tennis courts will serve as screening for the structure from public view and residential properties.

SBP Standards
The proposed building would comply with site and building standards as outlined in city code.

1. Consistency with the elements and objectives of the city's development guides, including the comprehensive plan and water resources management plan;

Finding: The proposal has been reviewed by planning, engineering, building, natural resources, fire, and public
works. Staff finds the proposal to be generally consistent with the city’s development guides.

2. Consistency with the ordinance;

   **Finding:** The proposal would meet all minimum ordinance standards.

3. Preservation of the site in its natural state to the extent practicable by minimizing tree and soil removal and designing grade changes to be in keeping with the general appearance of neighboring developed or developing areas;

   **Finding:** The proposed building would only slightly increase the amount of impervious surface on the site and no trees would be removed.

4. Creation of a harmonious relationship of buildings and open spaces with natural site features and with existing and future buildings having a visual relationship to the development;

   **Finding:** The proposed building would maintain a consistent relationship with the other storage buildings and elements of the property.

5. Creation of a functional and harmonious design for structures and site features, with special attention to the following:

   a) an internal sense of order for the buildings and uses on the site and provision of a desirable environment for occupants, visitors and the general community;

      **Finding:** The proposed storage building would be located in a desirable location. It would be located adjacent to the existing tennis courts and various athletic fields, and near an existing storage building.

   b) the amount and location of open space and landscaping;

      **Finding:** The proposed building would be partially on an existing concrete surface and would only slightly reduce the amount of existing open space on the site.

   c) materials, textures, colors and details of construction as an expression of the design concept and the compatibility
of the same with the adjacent and neighboring structures and uses; and

**Finding:** Materials would be complementary to the adjacent structures, including the existing storage building to the west.

d) vehicular and pedestrian circulation, including walkways, interior drives and parking in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangement and amount of parking.

**Finding:** No vehicular or pedestrian circulation changes are proposed at this time.

6. promotion of energy conservation through design, location, orientation and elevation of structures, the use and location of glass in structures and the use of landscape materials and site grading; and

**Finding:** The shed is proposed for an area that would only slightly reduce the amount of open space on site and would require only minimal grading.

7. protection of adjacent and neighboring properties through reasonable provision for surface water drainage, sound and sight buffers, preservation of views, light and air and those aspects of design not adequately covered by other regulations which may have substantial effects on neighboring land uses.

**Finding:** Distance and existing tennis courts would provide adequate screening.

**CUP General Standards**

The proposed building would comply with the general conditional use permit standards.

1. The use is consistent with the intent of this ordinance;

2. The use is consistent with the goals, policies and objectives of the comprehensive plan;

3. The use would not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements; and
4. The use does not have an undue adverse impact on the public health, safety or welfare of the community.

**CUP Specific Standards**

The proposed building would comply with the specific conditional use permit standards as outlined in city code.

1. Site and building plans subject to review pursuant to section 300.27 of this ordinance.

   **Finding:** This standard has been addressed within the SBP Standards section of this report.

2. Direct access limited to a collector or arterial roadway as identified in the comprehensive plan or otherwise located so that access can be provided without conducting significant traffic on local residential streets;

   **Finding:** The Hopkins High School Campus has access to Cedar Lake Road, an arterial roadway. However, the proposed storage building itself would not generate traffic.

3. Buildings setback 50 feet from all property lines;

   **Finding:** The proposed building would have setbacks to the exterior property lines of the Hopkins School District campus that are greater than 50 feet.

4. Parking spaces and parking setbacks subject to section 300.28 of this ordinance; and

   **Finding:** Parking on the subject property will be unchanged with the proposed improvement.

5. No more than 70 percent of the site to be covered with impervious surface and the remainder to be suitably landscaped; and

   **Finding:** A significant amount of the proposed building would be located on an existing impervious surface and would only minimally increase the impervious surface on the property.

6. Stand-alone utility buildings, such as lift stations, are only subject to site and building plan review.
Finding: The proposal is for a storage building and it is subject to the conditional use permit.

Natural Resources: Best management practices must be followed during the course of site preparation and construction activities. This would include installation and maintenance of a temporary rock driveway, erosion control, and tree protection fencing. As a condition of approval the applicant must submit a construction management plan detailing these management practices.

Neighborhood Comments: The city sent notices to 945 area property owners and has not received any written comments.

Pyramid of Discretion

Motion Options: The planning commission has three options:

(1) Concur with staff’s recommendation. In this case a motion should be made to recommend approval of the proposal based on the findings outlined in the staff-drafted resolution.

(2) Disagree with staff’s recommendation. In this case a motion should be made recommending denial of the proposal. The motion should include findings for denial.

(3) Table the request. In this case, a motion should be made to table the item. The motion should include a statement as to why the request is being tabled with direction to staff, the applicant or both.

Voting Requirement: The planning commission will make a recommendation to the city council. A recommendation for approval requires an affirmative vote of a simple majority. The city council’s final approval requires an affirmative vote of a simple majority.
Deadline for Action    September 28, 2017
Location Map

Project: Hopkins HS Garage
Address: 2400 Lindberg Dr
Project No. 96079.17b

City of minnetonka

This map is for illustrative purposes only.
New Storage Building
Property Setback Distances from Structure

- 1,100 feet
- 1,050 feet
- 750 feet
- 250 feet
Existing Structure
Proposed Structure Location from Hillside Lane West
ENDWALL 1
ENDWALL 2
SIDEWALL 1
SIDEWALL 2

Ron Foust
PO Box 417
Lester Prairie, MN 55354

Hopkins Public Schools
1001 Highway 7, Suite 103
Hopkins, MN 55305

42'-0"x53'-1"x10'-0"
Uni-Frame Embedded
QP051817

Customer Approval

DATE: 5/26/2017

PROJ: 031A-15941-00-00
PROPOSAL DRAWINGS ONLY
Not intended for Construction Purposes

The information presented in this drawing is based on a
preliminary design using the input provided. The final
design is subject to Lester Engineering review.

*Not To Scale*
B. Conditional use permit and site and building plan review for a storage building at Hopkins High School at 10901 Hillside Lane West.

Acting Chair Calvert 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.

Powers appreciated the colorful drawings.

Kevin Newman, Hopkins Public Schools Buildings and Grounds staff, applicant, appreciated Ingvalson explaining the situation. He stated that the school would be installing the second largest turf field in Minnesota. It would allow use of the field during more months of the year. The storage building would allow cleanup of an outdoor storage area. He was excited to move forward with the project. There may be improvements done to the older storage buildings, but the proposal should provide adequate storage. The current pending referendum includes a proposal for a new plaza in the southeast corner with new concessions area, ticket sale booth, and bathrooms.

The public hearing was opened.

Steve Thompson, 2204 Hillside Circle, stated that he was concerned that there are already five buildings surrounding the baseball field. He would like some of them removed and consolidated. He was concerned with noise, lights, and the visual aesthetics. He has a good relationship with the school staff. He would like approval of a comprehensive plan to combine the small shacks put up over the years. The wind blows around the screening of the tennis courts.

Mr. Thompson stated that he received a notification for this proposal, but not for a different proposal. Ingvalson looked up the mailing list and found Steve and Mary Thompson’s name and address on the list of those who were sent a notice for the public hearing for that proposal. Ingvalson explained what lighting would be used for the other project. There would be no lighting added for the current proposal.

No testimony was submitted and the hearing was closed.

Mr. Newman explained which poles are used for telecommunications equipment and rope courses. He explained how the lighting would be improved for the neighbors. The older buildings belong to the football and baseball associations to
house their equipment. The proposed building is the first step in improving the area. A new comprehensive plan will be developed for the high school site.

Acting Chair Calvert thought the proposal would be a step in the right direction to clean up the site.

Schack moved, second by Knight, to recommend that the city council adopt the resolution approving a conditional use permit and final site and building plans for a storage building at Hopkins High School at 10901 Hillside Lane West.

Schack, Sewall, Knight, O’Connell, Powers, and Calvert voted yes. Kirk was absent. Motion carried.

This item is tentatively scheduled to be reviewed by the city council at its August 14, 2017 meeting.

C. Conditional use permit for a restaurant with outdoor seating area at Ridgedale Corner Shoppes at 1801 and 1805 Plymouth Road.

Acting Chair Calvert 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.

Steve Johnson, applicant, explained that parking for the site has always been tight. The proposal was approved knowing that parking would be tight and that there would be a restaurant use on the east end. The Starbucks leasing the space is willing to go ahead without additional parking. He was comfortable with adding the parks which would enhance the project even more. Firestone refused to consider negotiation of shared parking spaces. Joan Suko, the mall manager for General Growth Properties, has agreed to provide 20 spaces for construction and contractor parking. The proposal seems to be the most logical solution to the traffic study. TCF staff agreed that the proposal would not impact its drive-through windows. The Starbucks would be a café and not have a drive-through window.

Mr. Johnson said that the other two uses would have minimal impact on parking. Gordon said that the site would not have enough parking for the other two uses to be restaurants.
City Council Resolution No. 2017-

Resolution approving a conditional use permit and final site and building plans for a storage building at Hopkins High School, 10901 Hillside Lane West

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

Section 1. Background.

1.01 Kevin Neuman, on behalf of the Hopkins School District, has requested approval of final site and building plans and conditional use permit for a storage building.

1.02 The property is located at 10901 Hillside Lane West. It is legally described in Exhibit A of this resolution.

1.03 By City Code §300.10 Subd.4, educational institutions and facilities are conditionally-permitted land uses. The proposed storage building would increase the potential use of the Hopkins High School campus.

1.04 On July 20, 2017, the planning commission held a hearing on the proposal. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments received and the staff report, which are incorporated by reference into this resolution. The commission recommended that the city council approve the amendment.

Section 2. General Standards.

2.01 City Code §300.16, Subd. 2, states no conditional use permit shall be granted unless the city council determines that all of the following standards will be met:

1. The use is consistent with the intent of this ordinance;

2. The use is consistent with the goals, policies and objectives of the
comprehensive plan;

3. The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements; and

4. The use does not have an undue adverse impact on the public health, safety or welfare.

2.02 City Code §300.16, Subd. 3, states that in addition to the general standards, no conditional use permit shall be granted unless the city council determines that all of the specific standards for a specific use will be met. For public buildings or facilities, except for recreational buildings that contain less than 1,000 square feet, and utility cabinets larger than 150 cubic feet:

1. Site and building plans subject to review pursuant to section 300.27 of the ordinance.

2. Direct access limited to a collector or arterial roadway as identified in the comprehensive plan or otherwise located so that access can be provided without conducting significant traffic on local residential streets;

3. Buildings set back 50 feet from all property lines;

4. Parking spaces and parking setbacks subject to section 300.28 of this ordinance;

5. No more than 70 percent of the site to be covered with impervious surface and the remainder to be suitably landscaped; and

6. Stand-alone utility buildings, such as lift stations, are only subject to site and building plan review.

2.03 City Code §300.27, Subd. 5, states that in evaluating a site and building plan, the city will consider its compliance with the following:

1. Consistency with the elements and objectives of the city's development guides, including the comprehensive plan and water resources management plan;

2. Consistency with the ordinance;

3. Preservation of the site in its natural state to the extent practicable
by minimizing tree and soil removal and designing grade changes to be in keeping with the general appearance of neighboring developed or developing areas;

4. Creation of a harmonious relationship of buildings and open spaces with natural site features and with existing and future buildings having a visual relationship to the development;

5. Creation of a functional and harmonious design for structures and site features, with special attention to the following:
   a) an internal sense of order for the buildings and uses on the site and provision of a desirable environment for occupants, visitors and the general community;
   b) the amount and location of open space and landscaping;
   c) materials, textures, colors and details of construction as an expression of the design concept and the compatibility of the same with the adjacent and neighboring structures and uses; and
   d) vehicular and pedestrian circulation, including walkways, interior drives and parking in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangement and amount of parking.

6. Promotion of energy conservation through design, location, orientation and elevation of structures, the use and location of glass in structures and the use of landscape materials and site grading; and

7. Protection of adjacent and neighboring properties through reasonable provision for surface water drainage, sound and sight buffers, preservation of views, light and air and those aspects of design not adequately covered by other regulations which may have substantial effects on neighboring land uses.

Section 3. Findings.

3.01 The proposal would meet the general conditional use permit standards outlined in the City Code §300.16, Subd. 2.
1. The use is consistent with the intent of this ordinance;

2. The use is consistent with the goals, policies and objectives of the comprehensive plan;

3. The use would not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements; and

4. The use does not have an undue adverse impact on the public health, safety or welfare of the community.

3.02 The proposal would meet the specific conditional use permit standards outlined in the City Code §300.16, Subd. 3.

1. The proposal would meet site and building plan standards as outlined the Section 3.03 of this resolution.

2. The Hopkins High School Campus has access to Cedar Lake Road, an arterial roadway. However, the proposed storage building would not generate traffic.

3. The proposed building would have setbacks to the exterior property lines of the Hopkins School campus that are greater than 50 feet.

4. Parking on the subject property would be unchanged with the proposed improvement.

5. A significant amount of the proposed building would be located on an existing impervious surface. The building would only minimally increase the impervious surface on the property.

6. The proposal is for a storage building and it is subject to the conditional use permit.

3.03 The proposal would meet site and building plan standards outlined in the City Code §300.27, Subd. 5.

1. The proposal has been reviewed by planning, engineering, building, natural resources, fire, and public works and found to be generally consistent with the city’s development standards.

2. The proposal would meet all minimum ordinance standards.
3. The proposed building would only slightly increase the amount of impervious surface on the site and no trees will be removed.

4. The proposed building would maintain a consistent relationship with the other storage buildings and elements of the property.

5. The proposed storage building would have a functional and harmonious design with existing structures and site features.
   a) The proposed storage building would be located in a desirable location. It would be located adjacent to the existing tennis courts and various athletic fields, and near an existing storage building.
   b) The proposed building would be partially on an existing concrete surface and would only slightly reduce the amount of existing open space on the site.
   c) Materials would be complementary to the adjacent structures, including the existing storage building to the west.
   d) No vehicular or pedestrian circulation changes are proposed at this time.
   e) The structure is proposed for an area that would only slightly reduce the amount of open space on site and would require only minimal grading.
   f) Distance to property lines and existing tennis courts would provide adequate screening.

Section 4. City Council Action.

4.01 The final conditional use permit and final site and building plans for a storage building at 10901 Hillside Lane West are hereby approved. Approval is subject to the following conditions:

1. Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, except as modified by the conditions below:
   • Site plan date stamped June 2, 2017
   • Building elevations dated June 2, 2017
• Floor plans dated June 2, 2017

2. Prior to issuance of a building permit, submit the following items for staff review and approval:

   1) Cash escrow in an amount to be determined by city staff. This escrow must be accompanied by a document prepared by the city attorney and signed by the builder and property owner. Through this document the builder and property owner will acknowledge:

   • The property will be brought into compliance within 48 hours of notification of a violation of the construction management plan, other conditions of approval, or city code standards; and

   • If compliance is not achieved, the city will use any or all of the escrow dollars to correct any erosion and/or grading problems.

3. The property owner is responsible for replacing any required landscaping that dies.

4. The applicant must prohibit heavy machinery or truck traffic from use of Hillside Lane. Access must come from the eastern parking lot or from the parking lot south of the track.

5. Inlet protection of storm drains is required as directed by staff.

6. Construction must begin by December 31, 2018, unless the planning commission grants a time extension.

Adopted by the City Council of the City of Minnetonka, Minnesota, on August 14, 2017.

__________________________
Terry Schneider, Mayor

Attest:

__________________________
David E. Maeda, 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, Minnesota, at a meeting held on August 14, 2017.

__________________________________
David E. Maeda, City Clerk
Exhibit “A”