Minutes
Minnetonka City Council
Monday, June 27, 2016

1. Call to Order

Mayor Terry Schneider called the meeting to order at 6:30 p.m.

2. Pledge of Allegiance

All joined in the Pledge of Allegiance.

3. Roll Call

Council Members Tim Bergstedt, Tony Wagner, Bob Ellingson, Dick Allendorf, Patty Acomb and Terry Schneider were present. Brad Wiersum was excused.

4. Approval of Agenda

Wagner moved, Acomb seconded a motion to accept the agenda with addenda to items 10A, 10D, and 14A. All voted “yes.” Motion carried.

5. Approval of Minutes: May 23, 2016 regular council meeting

Allendorf moved, Wagner seconded a motion to approve the minutes of the May 23, 2016 council meeting, as presented. Wagner, Ellingson, Allendorf, Acomb, and Schneider voted “yes.” Bergstedt abstained. Motion carried.

6. Special Matters:

A. Life Safety Award presented to firefighters and police officers

Fire Chief John Vance presented the award to Kevin Hruby, Brian Kerr, and Dan Sorenson. Brandon Harris, was unable to attend the meeting. Vance reported Hruby, Kerr, Sorenson, and Harris helped save a patient who had gone into full cardiac arrest at the scene.

B. Recognition of former senior citizen advisory board members

Schneider read the recognitions and presented plaques to Allan Kind, Jeanne Lutgen, and Loy O’Boyle.

C. Review of the 2015 financial report with the city’s audit firm of CliftonLarsonAllen LLP

Doug Host, partner with CliftonLarsonAllen, presented the report.
7. **Reports from City Manager & Council Members**

   City Manager Geralyn Barone reported on events and upcoming meetings. City Clerk David Maeda noted absentee voting for the August 9, 2016 State Primary was underway.

8. **Citizens Wishing to Discuss Matters not on the Agenda**

   Angie Hasek, a staff person for Rep. Erik Paulsen, said she was attending the council meeting to learn more about what was happening in the community. She said Paulsen had an open door and was willing to help with any issues residents had.

   Schneider thanked Rep. Paulsen for the yeoman work he and Sen. Amy Klobuchar did in getting the westbound I394 ramp done.

9. **Bids and Purchases: None**

10. **Consent Agenda – Items Requiring a Majority Vote:**

   A. **Resolution awarding sale of approximately $10,000,000 General Obligation Bonds, Series 2016B**

      Allendorf moved, Acomb seconded a motion to adopt resolution 2016-047 awarding the sale of approximately $10,000,000 General Obligation Bonds, Series 2016B. Bids will be received prior to the council meeting on June 27, 2016, and staff will provide an addendum with results for the resolution and associated exhibits. All voted “yes.” Motion carried.

   B. **Reauthorize city participation in the Minnesota Municipal Money Market Fund (4M Fund)**

      Allendorf moved, Acomb seconded a motion to adopt resolution 2016-048 reauthorizing the city of Minnetonka’s participation in the 4M Fund. All voted “yes.” Motion carried.

   C. **Resolution approving a conditional use permit for 2,328 square feet of accessory structures at 4915 Highland Road**

      Allendorf moved, Acomb seconded a motion to adopt resolution 2016-049 approving a conditional use permit for 2,328 square feet of accessory structures at 4915 Highland Road. All voted “yes.” Motion carried.
D. Resolution approving the final plat of LEGACY OAKS 3rd ADDITION

Allendorf moved, Acomb seconded a motion to adopt resolution 2016-050 approving the final plat for LEGACY OAKS 3rd ADDITION. All voted “yes.” Motion carried.

E. Resolution approving a conditional use permit for an accessory apartment at 13800 Spring Lake Road

Allendorf moved, Acomb seconded a motion to adopt resolution 2016-051 approving the request. All voted “yes.” Motion carried.

11. Consent Agenda – Items requiring Five Votes: None

12. Introduction of Ordinances: None

13. Public Hearings:

A. On-sale liquor licenses for MTKA Pizza, LLC (Station Pizzeria) at 13008 Minnetonka Blvd

Barone gave the staff report.

Schneider opened the public hearing at 7:05 p.m.

Ryan Burnet, 2857 Irving Ave S, Minneapolis, said he was the operating partner and owner of Station Pizzeria. He owns eight other restaurants in the Twin Cities. He said his partner, Clark Gassen, lives across the creek from this site. The existing bones of the building will be used with a significant amount of money spent on landscaping and buying the lot. There will be 55 indoor seats and 16 outdoor seats. There currently are 19 onsite parking spots. A plan was submitted to curb the street and he thought this would mean around eight additional parking spots.

Annette Bertelsen, 13513 Larkin Drive, said she thought the pizzeria would be a great addition to the neighborhood. Her two sons attended St. David’s school behind the property. She said as the council considered the liquor license that the hectic nature of the time period from 4 p.m. to 6 p.m., Monday through Friday be taken into consideration. She suggested putting a restriction on happy hour during that time.

Wagner said the city has had a long time interest in trying to get more visibility of the creek behind the property. He suggested Burnet work with
city staff on this as the landscaping is considered. Burnet said he would be happy to do so.

Bergstedt moved, Wagner seconded a motion to continue the public hearing to July 25, 2016. All voted “yes.” Motion carried.

14. Other Business:

A. Concept plan for redevelopment of the TCF Bank site at 1801 Plymouth Road

City Planner Loren Gordon gave the staff report.

Steve Johnson, Solomon Real Estate Group, said the last time he appeared before the council was at a council study session. What he heard at that meeting was the council wanted an integrated building it could support. He went back to the drawing board and worked hard with TCF and RSP Architects. He felt what they came up with was a very attractive and integrated building. The intent was to keep a lot of the same integrity including the sidewalk all around the site and landscaping that would complement the apartment building across the street.

Bill Wittrock, RSP Architects, presented the proposed building. He said as he got into designing the building he realized he could make it bigger with the use of light. The site plan affords the sidewalk to be widened out and would potentially allow room for some outdoor seating. The building would be functional, relatively affordable, and unique.

Acomb asked if there had been any consideration given to flipping the building around so the back with the drive through wasn’t facing Cartway Lane. Wittrock said there were certain functional requirements that led to the proposed orientation.

Allendorf said what the council had been seeking was a look of density. He asked what the building height was excluding the tower. Wittrock said the height would be around 24 feet. There would be a 15 to 16 foot storefront. Allendorf asked if there was an architectural way to raise the height of the building to closer to 30 feet. Wittrock said there was a way to raise the height but the space would be nonfunctional. He said when the building was lit it would be quite noticeable and would address the same thing as density. Allendorf said it was possible to raise the height to 30 feet and make it stand out architecturally. Wittrock said it would be a design challenge to do so. He said he was struggling with what the proportions of the building would end up being and if there would be visual
satisfaction provided. The proportions and visibility of the building were very important to how it would work on a pedestrian level. If the building was too tall a pedestrian would not be able to relate back to what was inside the building. Allendorf noted the third design had the added height that was to be used as office and retail space. The issue was this didn’t balance out with the available onsite parking. He was looking for a way to get a little denser look to the property without requiring underground parking. Wittrock said any additional square footage to the building would require additional parking.

Wagner said there was marked improvement going from the first concept plan to this fourth one. He said if not for the density expectations, everyone on the council would likely support the building. He thanked Johnson and Wittrock for their work to improve the plan.

Annette Bertelsen, 13513 Larkin Drive, said she was speaking on behalf of a small group of residents from her neighborhood. As a former creative director she could get excited about what the building would look like even in this early stage of concept plan review. As she heard the architect talk about lighting it was a whole other dimension that got her excited about the plan. Her group supported the plan for a number of reasons. Although it would not add to the density to the area closer to the mall, it would add a little more graceful and elegant look as one came into the area. It might create better sightlines for drivers too. She said the village would see some gains as well. Currently the site is just a bank but with the plan it would add a handful of new businesses. During the visioning process, neighbors indicated a desire for small retail businesses in the area. Also during the visioning process retailers indicated for sustained success they like to have good storefront visibility and she thought the lighting concepts the architect presented would provide for that visibility. She liked the pedestrian friendly ideas in the plan.

Bertelsen said the potential moratorium raised questions about fairness given the developer’s participation over the past year in neighborhood meetings as well as planning commission and council meetings. If a moratorium were put in place, it should be applied to a larger area rather than just this property. She said further community work needed to be done with the vision before drafting an ordinance for this area. She thought the coffee group idea that was used in the Glen Lake area would be useful for the Ridgedale area as well in order to accelerate the process.

Wagner said he truly thought there was a marked improvement in the building but it was not at all what the council expected during the visioning process. The council had discussed the pros and cons. They had
discussed the pros of being more specific in what was expected. This would allow things to occur that were closer to the vision. The downside of this was the market may never react to the vision. Developers had looked at the area and other the banks on the road had sent out proposals and none of them matched the council’s vision for a hotel. The developers indicated the area was not walkable enough yet for a hotel. He said he didn’t want the same process of multiple concept plans for the Wells Fargo and US Bank properties and potentially other properties in the area. The downside was the city might have to live with stagnation for a long time. He thought Bertelsen’s comments about a lower level entry to the mall had some merit. He remained concerned that the meat had not been put behind the bones for what was desired for the quadrant and the council would continually be disappointed by what was easier and more profitable. He said he would lean toward greater certainty but wasn’t sure he wanted to do a moratorium. He would like more specific standards to be developed but he potentially would support this particular plan if it made its way through the process.

Allendorf agreed this plan was a vast improvement over the first two iterations that the council had reviewed. He accepted that the third concept plan was not possible to do financially because of the need for underground parking. He questioned if the council should continue to push for a taller building while looking for a way to make the parking work. He said doing a moratorium on a wider area but specifically including this property would lead to a point six months from now where it was determined underground parking was not a possibility and the city would be no further in the process. At this point he didn’t think a moratorium would get any more density than what was seen in this concept plan. He wondered if the original study/concept wasn’t flawed. It was good to say the city wanted more density but it never went through the iterations that the architect and developer did to prove out the concept.

Bergstedt said when TCF and the developer came before the council with the first concept plan, the council comments were pretty brutal and rightfully so. The developer and TCF took the comments to heart and came back with another plan. The council kept discussing more density and building height and trying to assemble the parcels to get closer to the vision. He understood Wells Fargo not being interested given the size of their parcel. The council all got excited about the third concept plan but the underground parking made the plan not doable. He said TCF and the developer had done everything they could to address the council’s concerns and this concept plan was as good as the city would get. He agreed with Allendorf about putting a moratorium on with no real hope that six months from now the city would be in a different spot. Because the
Ridgedale area was so vibrant he would hate to put a moratorium on and possibly send a message to future developers that the city was not a friendly, welcoming place.

Acomb said she appreciated the improvements that had been made to the plan and she agreed that not much would change in six months if a moratorium was put in place. She said it was disappointing because everyone felt it would be better if there was higher density for this site.

Ellingson agreed with the comments about the improvements to the design. He thought the site was appropriate for retail and he did not support a moratorium.

Schneider said huge improvements to the plan had been made. When he made his critical comments about the first plan, he realized the challenge of getting a truly dense high to mid-rise building on this corner. His comments were based on this being the entryway into Ridgedale and the need for something the city could be proud of instead of embarrassed by. He thought he could be proud of the building in this plan. He said a great job had been done in taking a challenging design concept with a drive thru, and coming up with something that looks like it’s supposed to be there rather than looking like an afterthought. He said like Acomb, he had the idea of putting the front of the building to the north but the reality was the only way that could happen would be to put TCF on the back end. He did not support a moratorium. He thought it might be useful during the visioning/guide plan process to look at the entire Ridgedale Mall area and compare it with what was happening in the Southdale Mall area. The reality was the real prime developable property would become available when General Growth decided that structured parking made sense. Until that happened nothing would change significantly. Southdale has reached that point. He thought Ridgedale would eventually get to this point too and it would be better to spend energy looking at that rather than going through a moratorium process.

15. Appointments and Reappointments:

A. Appointment to the senior citizen advisory board

Schneider moved, Wagner seconded a motion to approve Robert Waddell to the senior citizen advisory board to serve a two-year term effective July 1, 2016 and expiring on May 31, 2019. All voted “yes.” Motion carried.

16. Adjournment
Wagner moved, Acomb seconded a motion to adjourn the meeting at 8:02 p.m. All voted “yes.” Motion carried.

Respectfully submitted,

David E. Maeda  
City Clerk