Agenda

Minnetonka City Council

Regular Meeting, Monday, April 24, 2017

6:30 P.M.
Council Chambers

1. Call to Order
2. Pledge of Allegiance
3. Roll Call: Wagner-Ellingson-Allendorf-Acomb-Wiersum-Bergstedt-Schneider
4. Approval of Agenda
5. Approval of Minutes: March 6, March 27, and April 10, 2017 regular council meetings
6. Special Matters: None
7. Reports from City Manager & Council Members
8. Citizens Wishing to Discuss Matters Not on the Agenda
9. Bids and Purchases: None
10. Consent Agenda - Items Requiring a Majority Vote:
    A. Request to approve a five-year extension for Minnetonka Farmer’s Market temporary signs on the Civic Center Campus at 14600 Minnetonka Boulevard
    B. Ordinance amending park regulations
    C. Ordinance amending miscellaneous criminal offenses
11. Consent Agenda - Items Requiring Five Votes: None
12. Introduction of Ordinances:
    A. Ordinance amending City Code Section 525, concerning property maintenance

Recommendation: Introduce the ordinance (4 votes)
B. Items concerning Minnetonka Hills Apartments at 2800 and 2828 Jordan Avenue

1) Major amendment to an existing master development plan;
2) Site and building plan review, with a parking variance;
3) Preliminary and final plats; and
4) Vacation of easements.

Recommendation: Introduce the ordinance approving a major amendment to the existing master development plan and refer it to the planning commission (4 votes)

C. Ordinance amending fire code

Recommendation: Introduce the ordinance (4 votes)

13. Public Hearings:

A. Items concerning The Cheesecake Factory at Ridgedale Center:

1) Conditional use permit for a restaurant with outdoor seating area; Site and building plan review; and Sign plan amendment.
2) On-sale liquor licenses for The Cheesecake Factory Restaurants, Inc. (The Cheesecake Factory) at 12735 Wayzata Blvd (Ridgedale Mall)

Recommendation: 1) Adopt the resolution approving the conditional use permit and final site and building plans; and adopt the resolution denying the sign plan amendment. 2) Continue the public hearing and grant the licenses.

B. Off-sale liquor license for Target Corporation, 4848 Co Rd 101

Recommendation: Open the public hearing and continue to May 22, 2017 (4 votes)

14. Other Business:

A. Resolution approving an amendment to an existing conditional use permit for new recreational fields, scoreboards, and lighting at the Hopkins High School Campus at 2400 Lindbergh Drive

Recommendation: Adopt the resolution approving the conditional use permit amendment (4 votes)

B. Items concerning recreational facility improvements on the Minnetonka Civic Center Campus at 14600 Minnetonka Boulevard:

1) Conditional use permit, with wetland setback variance, for trails/boardwalks within required wetland buffers; and
2) Conditional use permit for installation of lighting on an existing recreational field.
Recommendation: Adopt the resolutions approving the conditional use permits (4 votes)

C. Continued concept plan review for the Shady Oak Redevelopment located at 4312 Shady Oak Road

Recommendation: Discuss concept plan with the applicant. No formal action required.

D. Resolution supporting an application for a grant from the Metropolitan Council’s Local Housing Incentive Account Program under the Tax Base Revitalization Account (TBRA)

Recommendation: Adopt the resolution supporting the application (4 votes)

E. Resolution establishing four “20-Minute Parking Only” signs along the north side of Minnetonka Boulevard in Minnetonka Mills

Recommendation: Adopt the resolution (4 votes)

15. Appointments and Reappointments: None

16. Adjournment
Minutes
Minnetonka City Council
Monday, March 6, 2017

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

4. **Approval of Agenda**

Wiersum moved, Bergstedt seconded a motion to accept the agenda with addenda to items 6C, 13E, 14A, and 14C. All voted “yes.” Motion carried.

5. **Approval of Minutes:** None

6. **Special Matters:**

   A. **Retirement recognition for Recreation Services Administrative Services Manager Lorry Mendez-Burns**

   Schneider read the recognition.

   Mendez-Burns said she was looking forward to her retirement and was grateful for her time with the city.

   B. **Presentation of 2017 Reflections Award**

   Schneider presented the award to Ron Kamps.

   Kamps thanked the city for the award. He said his philosophy in life was comprised of three things: first you learn; then you earn; and then you serve the community. He was thankful for the blessings in the community including the ICMA, the farmers market, the Williston Center, Tour de Tonka, Empty Bowls, Tonka Cares, Minnetonka Diamond Club, and Minnetonka High School's VANTAGE program. He said to be the best, one has to serve others.
C. Strategic Planning - Imagine Minnetonka summary and recommendations report

Assistant City Manager Perry Vetter provided a staff report. Consultant Rebecca Ryan presented the recommendations report.

Grace Sheely, 14325 Grenier Road, said Imagine Minnetonka was phenomenal work and asked that a printer friendly copy of the report be made available.

Wagner thanked the steering committee and asked staff to provide information about moving forward with the recommendations. Vetter said a more condensed version of the report was being worked on that could be handed out to new residents and at open houses and other events. A Powerpoint presentation to provide information about the process, and a small summary card that can be handed out to people are being worked on as well. He said the next step is for the council and staff to develop action steps.

Bergstedt said every year the council develops a strategic plan and so often it just gets filed away. He thought the Imagine Minnetonka process was totally different and the steering committee work was great. Looking at the trends and what the community wants, there is the potential to learn so many things that have not been previously discussed. He said a number of years out when the city looks back at this process, it will be amazed at the positive results that came out of Imagine Minnetonka.

Wiersum said it was a fantastic project and the thing that stood out was people are passionate about the community. At the same time the report identified some very challenging issues that will have to be confronted. Moving forward the city will have to look at things differently, creatively, to come up with unique solutions. He said change was inevitable but what kind of change was up to the people involved.

Schneider said when he sits on boards and committees outside the city he is often asked how Minnetonka does what it does, remaining low profile but doing everything right. He typically answers the city has an engaged and caring community. The community is willing to let the city take risks. He said this exercise was part of that process and how the city informs itself and its residents so when things are done, they are done in a thoughtful manner with some goal in mind. He said Imagine Minnetonka was one component of many that the city does in making decisions and that it would provide a meaningful foundation for a lot of future work. He noted he has heard from more people that want to get involved than he has in a long time.
7. Reports from City Manager & Council Members

   City Manager Geralyn Barone reported on upcoming meetings and city events.

8. Citizens Wishing to Discuss Matters not on the Agenda

9. Bids and Purchases: None

10. Consent Agenda – Items Requiring a Majority Vote:

    A. Resolution approving preliminary and final plats for a two-lot subdivision at 3900 Cottage Lane

        Allendorf moved, Acomb seconded a motion to adopt resolution 2017-020 approving preliminary and final plats for a two-lot subdivision at 3900 Cottage Lane. All voted “yes.” Motion carried.

    B. Resolution approving a conditional use permit for the expansion of a medical clinic at 10653 Wayzata Boulevard

        Allendorf moved, Acomb seconded a motion to adopt resolution 2017-021 approving a conditional use permit for a medical clinic at 10653 Wayzata Boulevard. All voted “yes.” Motion carried.

    C. Resolution amending the city’s Water Resource Management Plan for a wetland generally located at 1555 Linner Road

        Allendorf moved, Acomb seconded a motion to adopt resolution 2017-022 amending the city’s Water Resources Management Plan to reclassify the southerly wetland generally located at 1555 Linner Road as Manage 1 wetland. All voted “yes.” Motion carried.

    D. Labor agreement between the city of Minnetonka and Law Enforcement Labor Services, Inc. – Dispatchers

        Allendorf moved, Acomb seconded a motion to approve the 2017 labor agreement between the city of Minnetonka and the Law Enforcement Labor Services, Inc. – Dispatchers. All voted “yes.” Motion carried.
11. Consent Agenda – Items requiring Five Votes:

   A. Resolution approving a conditional use permit for accessory structures exceeding 1,000 square feet and 12 feet in height, and a variance to add a second curb cut, at 4142 Avondale Street

      Allendorf moved, Acomb seconded a motion to adopt resolution 2017-023 approving a conditional use permit for accessory structures exceeding 1,000 square feet and 12 feet in height, and a variance to add a second curb cut, at 4142 Avondale Street. All voted “yes.” Motion carried.

12. Introduction of Ordinances: None

13. Public Hearings:

   A. Resolution vacating a sump easement and drainage and utility easements located at 1555 Linner Road

      Barone gave the staff report.

      Schneider opened the public hearing at 7:22 p.m.

      Tom Bakritges, Homestead Partners/JMS Custom Homes, noted the change memo incorrectly noted the missing pages from the minutes were for item 13A, but instead they were for item 14A.

      Schneider closed the public hearing at 7:23 p.m.

      Wagner moved, Wiersum seconded a motion to adopt resolution 2017-024 vacating the easements on the property at 1555 Linner Road with the condition that the plat must be filed to enact the vacation of easements. All voted “yes.” Motion carried.

   B. Temporary on-sale liquor license for Bet Shalom Congregation, 13613 Orchard Road

      Barone gave the staff report.

      Anissa Gurstel, chair of Bet Shalom’s spring fundraiser, gave information about the event.

      Schneider opened the public hearing at 7:25 p.m. No one spoke. He closed the public hearing at 7:25 p.m.
Wiersum moved, Wagner seconded a motion to grant the license. All voted “yes.” Motion carried.

C. Temporary on-sale liquor license for The Mills Church, 13215 Minnetonka Drive

Barone gave the staff report.

Schneider opened the public hearing at 7:26 p.m. No one spoke. He closed the public hearing at 7:26 p.m.

Bergstedt moved, Allendorf seconded a motion to grant the license. All voted “yes.” Motion carried.

D. On-sale wine and on-sale 3.2% malt beverage liquor licenses for Greenfield Natural Kitchen, LLC, at 1700 Plymouth Road

Community Development Director Julie Wischnack gave the staff report.

Doug Sams, 3309 Red Fox Drive, Medina, said the goal and purpose of the business was to make it easy for people to eat better. It was a fast casual restaurant. He showed the ID tag that would be used to activate the tap. The beer and wine taps would be locked by default and cannot be unlocked unless the tag was held within six inches within the tap’s tablet. In order to become a registered user, the patron has to swipe a valid ID into the system.

Wiersum asked what would happen if the magnetic stripe on the back of his driver’s license could not be read by the system. Sam said the ambassador would have to call the manager over. The manager would age verify the patron using the ID.

Wagner asked if the ambassador would also be taking food orders. Sams said the ambassador’s area of operation was limited to her work station.

Wiersum said a resident who watched Sams speak at the previous council meeting noted that Sams said the staff that is busing the tables would also be responsible for monitoring those drinking wine and beer. Wiersum asked Sams if indeed the hourly staff would assist in monitoring or if it was the responsibility of the manager. Sams said that in addition to the ambassador who will be facing the patrons, there also would be a hostess taking the food orders, the manager and all the cooks will be customer facing. All the staff would have the shared responsibility to ensure that the only people consuming alcohol have a bracelet on.
Bergstedt said during the discussion on Imagine Minnetonka, Wiersum had commented on how change was inevitable. Bergstedt said this technology will be new to the area and to the state. At the previous discussion council identified some concerns. He said staff did a great job addressing the concerns.

Acomb said she was one of those who had some concerns about monitoring who was consuming beer and wine. She appreciated the team approach to monitoring compliance. She said she thought it was an innovative idea.

Schneider closed the public hearing at 7:34 p.m.

Wagner moved, Acomb seconded a motion to grant the licenses with the following conditions of approval: (1) Minnetonka Police staff will participate in pre-education of Greenfield Natural Kitchen employees to ensure understanding of liquor compliance, (2) the police department will conduct two unannounced compliance checks during the first year, (3) mandatory participation in the City of Minnetonka’s Best Practices Program the first year, and (4) staff will report any findings as part of the license renewal later this year as recommendations for changes if necessary. All voted “yes.” Motion carried.

E. Off-sale liquor licenses for Minnesota Fine Wine & Spirits, LLC, (DBA Total Wine) 14200 Wayzata Blvd.

Wischnack gave the staff report.

Ed Cooper, vice president of public affairs and community affairs for Total Wine, said the company was excited about coming to Minnetonka and had worked very hard to show its commitment to the community. The first application was to purchase the Big Top location. This was done for two reasons: to be sensitive to the city’s desire to limit the total number of liquor stores; and to compensate Big Top for its hard work and years spent building its business. The first application included paying for the traffic study and all improvements recommended by the traffic consultant to improve the traffic flow in the area. He said the current application was a response to concerns raised by some of the council members about the traffic flow, by finding a new site with marked improvement in terms of traffic flow. Again, Total Wine will pay for the traffic study to ensure there are no traffic issues. He noted this application addressed the desire by some of the council members to limit the number of stores in the city to twelve by reducing the number to ten.
Wagner noted in the first application there was a delayed opening because there was an existing occupant of the space. He asked if approved, when the target opening date for this proposal would be. Cooper said typically it takes a several months to build the store.

Schneider opened the public hearing at 7:44 p.m.

John Wallace, 1001 Horn Drive, said the new application was to replace U.S. Liquor and equated this with replacing a 7-11 with a Costco. He said the first application was turned down because of traffic concerns. The new proposed location was less accessible. He didn’t see how the intersection could handle the additional traffic Total Wine will generate.

Wischnack noted there was a pending lawsuit before the Court of Appeals related to the previous denial. She said staff would provide an update at the May 1 meeting.

Bergstedt clarified that although Cooper indicated Total Wine was paying for the traffic study, it was the city who selects the engineering firm that will do the study. Wischnack added the applicant is not allowed to talk with the traffic consultant.

Wiersum moved, Wagner seconded a motion to continue the public hearing to May 1, 2017. All voted “yes.” Motion carried.

14. Other Business:

A. Preliminary and final plats for a five-lot subdivision at 5325 County Road 101, 5311 Tracy Lynn Terrace, and 5320 Spring Lane

Barone clarified as noted earlier in the meeting, the change memo item related to this agenda item.

City Planner Loren Gordon gave the staff report.

Wiersum said during the planning commission hearing one of the commissioners stated it was reprehensible that the houses had been vacant and in disrepair for five years. Wiersum said this was not the first time the city has had nuisance issues with the developer. He suggested for future projects the city put in stipulations that would require the developer to address any nuisance conditions on existing properties before the current application was considered.

Bergstedt said he was thinking similarly to Wiersum. He said for a previous proposal in his ward on Williston Road as part of the
development approvals, it was going to take months if not years before the final project was finished. In both proposals there were vacant, abandoned houses that were falling into disrepair. Any new development is a big change for a neighborhood but to be living for months next to houses in disrepair was even a bigger challenge. The city relies on the neighbors to make a complaint and then the city goes to the developer to address the issues. He said it was tough on the neighborhood when the onus was on them to make the complaint. There was a pattern of abuse occurring. When the city grants approvals for the development there should be an obligation and expectation that properties that are eventually going to be torn down are kept in a state similar to neighboring properties. Somehow, the burden should be taken off the neighbors to be the ones who have to complain to the city.

Curt Fretham, 14525 Highway 7, said he would do a better job maintaining properties going forward. He said for the approval process for the first phase, he was asked not to be conversing with the neighborhood and the planning commission reprimanded him for doing so. The thought was he was trying to sell the neighborhood on a use the city did not support. Cutting off the communication line with the neighborhood led to his not being up to date about the nuisance conditions. He said neighbors have inquired what the plan was for the remaining four to five lots on the corner and were questioning why he wasn’t coming out to talk about it. He felt the approved plan for seven new single family homes was a good one.

Fretham said as things progressed the plan started to feel forced. The watershed provided feedback that the plans had to be modified. In the end there was a stormwater management plan that was close to $300,000. He had difficulty having to spend $47,000 per lot on just stormwater management. So he stepped back and looked at what was the right thing to do. Other ideas were looked at and one that surfaced was the Minnetonka Aquatics Club expressing an interest in putting in a regional swimming facility on the corner. He was asked to keep this a secret that led to more issues with the neighbors. He said all this opened his eyes to thinking maybe there was a better plan for the corner leading him to take a time out on the larger parcel.

Bergstedt asked for clarification on what the council was being asked to approve. Gordon said the application was for a replat that would include the five lots and the creation of three new rebuildable lots on Spring Lane. None of the previous approvals for the other lots are removed.

Bergstedt said if both the homes on Williston Road and the one house for this item remain vacant, no matter what proposal Fretham pursues, that the neighbors’ concerns are answered. Also, that they are kept up to date
with what was happening with the properties, and the properties are kept in an acceptable condition. He asked for an update on the properties on Williston Road. Fretham said the two homes were removed and the original intention had been to start construction last fall. During the grading permit process a question arose about the depth of the sewer. A revised grading plan had been submitted to staff. He said for the Saville home he has hired a contractor to do some work including painting and carpeting.

Wischnack clarified staff had not told Fretham he should not visit with the neighbors. Staff also were not the ones asking that he keep the swimming facility idea a secret but rather that came from being in negotiations about a property.

Roger Omlid, 5321 Tracy Lynn Terrace, asked why the house at 5311 Tracy Lynn Terrace had not been torn down. He said the house at 5330 Tracy Lynn Terrace was sold in March 2015 and was sold at 85 percent of the list price. Last summer he was going to refinance his second mortgage. He was told the house at 5311 Tracy Lynn Terrace would cost him 20 percent of the value of his house. He said the developer has not had any communication with the neighbors.

Allendorf noted the three lots met the city’s ordinance and therefore the council had to approve the request.

Wiersum asked if the city could add a stipulation that the approval was contingent that the house be removed within 60-90 days. The developer was going to have to remove the house at some point anyway so why not do it sooner rather than later so the neighborhood was not being penalized. City Attorney Corrine Heine said there was a provision in the city code stating that a city approval may only be granted to an applicant who has complied with all relevant statutory, ordinance, and charter requirements. She said if there were code violations that amount to nuisance requirements the council could withhold approval of this plat until the corrections were made and it was in conformance with city code. If the house was in conformance with city code and if the plat met all conditions required of the ordinance the council could not put on a condition to remove the house as long as it met all the code requirements.

Wagner said he has received complaints about a couple of properties in his ward related to incomplete paint jobs. He asked if the nuisance ordinance could be updated to include more stringent requirements to be in compliance. Heine said staff could look at other cities that have ordinances that address paint and other conditions. Wischnack said the current code includes provisions about paint. Schneider suggested a study session might be needed to have a broader discussion about maintenance
and upkeep. Wiersum said a developer clearly would not want to put in more money into what will become a vacant lot than what is needed. He said laying out the expectation that if someone wants to develop in Minnetonka and it involves property with a house that will likely be torn down, that it has to be maintained in a certain way. Bergstedt said the neighbor who spoke was frustrated with the outward appearance of the house. The house has been patched up to bring it into compliance but in a lot of ways it ends up looking worse. He hoped the developer would do a better job communicating with the neighbors and being a better neighbor.

Allendorf moved, Acomb seconded a motion to adopt resolution 2017-025 approving the preliminary and final plats for a five lot subdivision at 5325 County Road 101, 5311 Tracy Lynn Terrace, and 5320 Spring Lane. All voted “yes.” Motion carried.

B. Concept plan review for Newport Midwest at 10400, 10500 and 10550 Bren Road East

Gordon gave the staff report. Wischnack indicated there might be an affordable housing aspect to the proposal. This would be reviewed by the EDAC.

Allendorf said months back the council had approved the largest apartment building that had ever been approved in the city. He asked where that project was related to this development and a comparison of the height of both projects. Gordon said the RIZE at Opus was just east of this site. It was a five story building with two levels of covered parking. He said the height of the two would be fairly similar.

Becky Landon, with Newport Midwest, the plan was for around 240 units of multi-family housing with 55 units being affordable at 50 and 60 percent median income.

Pete Keeley, of Collage Architects, presented the site plans.

Wagner said parking was one of things that Keeley mentioned was challenging. He asked what the thinking was in terms of the number of stalls per unit given the proximity to the light rail. Keeley said that right now the plan was right around 1.35 per unit. The count was based on one stall per bedroom.

Wagner said the council likely would be open to the number being less given the proximity of the light rail. He said there was a great dialogue at the planning commission hearing about the affordable housing and the light rail that might make the units marketable. He noted this would be the
first development at the Shady Oak Station. One of the things discussed at the community works meetings was each station having a theme or a feel and having it feel like a place. Historically Minnetonka has not been a design standard community but he thought it might be beneficial to think about what the theme or the look of the area might be.

Acomb said during her time on the council there had been a lot of developments that have had both market rate and affordable units. She never recalled any of them separating the different units but rather they have always been integrated together. She asked if there were examples of developments where the two types were separated. She also asked if there had been consideration given with this plan integrating them together. Wischnack said a good example of a similar development was Westridge Market which has separate components. Landon said the reason the market rate and affordable units would be in separate buildings was primarily due to limitations in the types of financing that are available. The market has changed dramatically in the last six months with fewer buyers of the tax credits. She said this is something that is continually being looked at with the tax credit investors. As the developer her company would be involved in the ownership of both sides. There would be one management company and common ownership running between the two. The idea was to make it as integrated as possible.

Wiersum asked what the target market was for the two parts of the proposal. Keeley said a market study for the market rate units had just been received within the past few days. This would be a constant evaluation to try to understand what the market is. At the start of the planning the thought was it would be more family oriented. From the feedback received, it was more likely the market was people catching the train, more workers, more millennials. Wiersum said in general he thought the plan was interesting and attractive. Although there was a great trail system in the area, green space would be in short supply. Anything that could be done to enhance that would be important.

Allendorf said the units were labeled market rate and affordable because of the financing. He hoped it would be an integrated complex in terms of people not saying “that’s the affordable side…” Landon said there may be some differences in some of the interior finishes but from an exterior perspective they would be the same. Keeley said the challenge was not wanting it to look like one large project with a wall of buildings. Allendorf said he was intrigued with the townhouse part. He thought it was an innovative first level look. He said if the access issues could be figured out he thought this was a good location for this product.
Acomb said as far as the site plan and access issues she was concerned with not having any surface parking near the affordable units. She appreciated the look of the buildings and all the different outdoor spaces. She agreed with Wiersum’s comments about green space.

Schneider said the density was very warranted for this area. The city had focused on getting some high-density housing and this was truly high density housing. There had been other potential sites for high-density housing that went to institutional schools and other nonprofits. He acknowledged the challenge of not knowing what would happen to the property to the north but it would be nice to be able to tie into development of that property. A trail to the LRT station would be nice but it would be better to have a walkway with some landscaping, seating areas and gathering spaces somewhat coordinated between the properties. This would leverage the limited amount of green space to a more urban greenway. This type of thing is enjoyed by millennials more than a big park. He suggested keeping this possibility in mind. He said he was fine with the parking ratio given the light rail. There would be a challenge with the size of vehicles that could be accommodated by the underground parking. A garbage truck or a furniture truck would not be able to be accommodated. A pull off area off of one of the streets might be important.

C. 2017 Assessment Report

City Assessor Colin Schmidt presented the report.

15. Appointments and Reappointments: None

16. Closed Session

A. Closed session regarding sale of properties at 4292 Oak Drive Lane and 4312 – 4342 Shady Oak Road, pursuant to Minn. Stat. § 13D.05, subd. 3(c)

Wiersum moved, Wagner seconded a motion to go into closed session regarding sale of properties at 4292 Oak Drive Lane and 4312 – 4342 Shady Oak Road, pursuant to Minn. Stat. § 13D.05, subd. 3(c) All voted “yes.” Motion carried. The council went into closed session at 9:12 p.m.

The council met in closed session at 9:20 p.m. and discussed the possible sale of properties at 4292 Oak Drive Lane and 4312 – 4342 Shady Oak Road Acomb, Wiersum, Bergstedt, Wagner, Ellingson, Allendorf, and Schneider were present.
Staff present: Barone, Vetter, Heine, Wischnack, Gordon, Finance Director Merrill King, and Economic Development and Housing Manager, Alisha Gray, City Engineer Will Manchester, and City Clerk David Maeda

The council adjourned the closed session at 10:15 p.m.

17. **Adjournment**

    Acomb moved, Wiersum seconded a motion to adjourn the meeting at 10:18 p.m.
    All voted “yes.” Motion carried.

Respectfully submitted,

David E. Maeda
City Clerk
Minutes
Minnetonka City Council
Monday, March 27, 2017

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

4. Approval of Agenda

Wiersum moved, Bergstedt seconded a motion to accept the agenda, as presented. All voted “yes.” Motion carried.

5. Approval of Minutes: February 6 and 27, 2017 regular council meetings

Wiersum moved, Bergstedt seconded a motion to approve the February 6, 2017 and February 27, 2017 meeting minutes, as presented. All voted “yes.” Motion carried.

6. Special Matters:

A. Recognition of former charter commission member Al Thomas

Schneider read the recognition.

B. Retirement recognition for Recreation Services Director Dave Johnson

Schneider read the recognition.

Johnson thanked the council, staff, members of the Recreation Services Department, and his family.

City Manager Geralyn Barone noted what a great role model Johnson was to all the children who participated in the recreation services programs over the years.
Schneider said Johnson’s passion, caring, and enthusiasm was contagious.

7. **Reports from City Manager & Council Members**

Barone reported on upcoming council meetings and city events.

Wiersum noted that he attended the League of Minnesota Cities Legislative Conference along with Barone and Assistant City Manager Perry Vetter. They were provided a legislative update and were able to meet with several of the city’s legislative members. He urged people to pay attention to what was going on this year and said there were many proposals that would limit local decision-making.

Schneider said he testified before the House Transportation Committee on the omnibus transportation bill. He said the bill would have a Draconian impact on transit in the region.

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

Robert Ashmun, 3529 Orchard Lane, thanked the city for the services it provides. He said eight years after moving into his home he received a letter from the city indicating he owed $40,000 for a hookup fee plus interest. Interest was at 7½ percent. He has spent three and a half years fighting this charge with the title company and the people who sold him the title insurance. He also has talked with city staff, met with the previous owner and his title company and closing company. He has just gotten denials. He has no recourse because the statute of limitations has run out. He asked the council to forgive the interest that was charged with no notification at all. Had he known the first year he could have gone to the seller and had recourse or would have paid the hookup fee.

Schneider said similar situations have occurred in the past. It was not within the council’s prerogative to waive the charges. He suggested Ashmun meet with city staff to see what the options might be.

Ashmun said he knew of no city, state, or country in the civilized world that could bill someone for something they had no idea they had or at least not put them on notice. He said the city bared some responsibility.

Barone said she would talk with staff and have the appropriate staff person contact Ashmun.

Schneider said the last time this came up staff identified the few people who were still in a similar situation. Notices were sent to those people. He
noted the charges were not recorded against the property because it was not an assessment to the property. He asked if the charges could be qualified as full liens on the property so they would be recorded and available when someone does the title work. City Attorney Corrine Heine noted this was not an assessment levied on the property. Under state law, when a city does an improvement it can levy the charges against property. If there was un-improved property the charge can be deferred until further improvements to the property are made. She said if and when, and only if the property was subdivided, would the charges need to be paid. There was nothing due and payable on Ashmun’s property until he decided to subdivide it.

Chris Aanestad, 4255 Oak Drive Lane, said the key strategies and major goals listed on the city’s website stated the city “would support a well-planned, responsible community development carefully balancing individual property rights with community-wide interests while respecting the unique character of Minnetonka’s neighborhoods.” It also stated “supporting business retention and expansion and attracting new businesses to help the private sector be economically competitive.” He said city’s plan to build a 54-unit apartment building on the Shady Oak Road property it purchased would differ from all the other one-story buildings along that stretch of Shady Oak Road and would be too massive. There would be a big loss of privacy and safety for residents in Minnetonka and Hopkins.

Geri Massengill, 4272 Oak Drive Lane, said the neighbors have been alarmed at how quickly the proposed multi-story, high-density apartment building was moving forward. She said the neighbors have been loud and clear that the apartment building did not fit into the neighborhood and was too big and tall. There already were excessive traffic problems due to the road reconstruction and the closure of multiple access points. Adding 50 to 100 more cars would not help. Natural resources were hurt by the Shady Oak Road reconstruction as hundreds of mature trees were removed. The site plan only shows a few trees along the parking lot. If it was meant for multi-family living, the place children would end up playing would be on Oak Drive Lane or they would cross four lanes of traffic to get to the park in Hopkins. She encouraged the planning commission to continue its objections to the plan and for staff to listen to the concerns. She asked that meetings not be held during business hours because it made it difficult for people to attend.

Rebecca Aspelund, 4237 Oak Drive Lane, said she moved into the neighborhood for the community, security, safety and beautiful nature that the city offers. Since the trees were removed for the road reconstruction she can now see all the traffic from her kitchen window. She used to hear
birds and now all she hears is traffic. It makes her sad that the whole neighborhood could be wrecked by adding the traffic from the apartment building.

Elizabeth Miller, 4408 Crawford Road, presented a petition and said as she had been going door to door to collect signatures she was hearing similar comments to those brought up by those who had spoken before her. She noted there were traffic issues on her side of the neighborhood as well. At all the meetings neighborhoods indicated they did not want a three story building.

Barone noted there was an upcoming open house to review the revised concept plan. She said the city had not received a formal application from the developer. Once a formal application is received it would go through the formal public hearing process.

Ann Aanestad, 4255 Oak Drive Lane, submitted additional petitions and noted the proposal had really brought the neighborhood together.

Ellen Cousins, 4531 Greenwood Drive, said a couple of things caught her eye reading the meeting notes from February 6. She noted Schneider had commented about liking the “urban feel” of another development. Similar comments were made about the Shady Oak project. She questioned when Minnetonka became a community with an urban feel. She also noted comments Schneider made during the February 6 meeting about petitions and sometimes there wasn’t a lot of meat behind the petition. She asked what kind of meat was needed for a petition to be meaningful. Schneider said when the city gets a petition signed by 100 people stating they were opposed to something because they didn’t like it, it was not that useful. What is meaningful is substantive information and specific facts. The neighbors who spoke earlier had brought up some factual concerns like traffic and view shed. He said his comments about urban feel were not that the city was going to become a city with an urban feel. There were certain sites around the city that would benefit from some urban feel.

Kyle Holm, 4234 Oak Drive Lane, said the emails received from the city’s development page on the website include just the neighborhood meetings and not planning commission and council meetings.

Schneider said there were several comments about the neighbors not knowing about the concept plan or wanting to have known sooner. He noted over a hundred residents have been involved and there wasn’t even a formal application yet. He was surprised by comments from residents saying they hadn’t been notified when so many people have turned out and been engaged already.
Wiersum said before the city started using the concept review process, a neighborhood typically would not know about a proposal until a formal application was submitted. The city has been very purposeful in increasing the engagement and awareness. There was no proposal. If people were opposed to something it was an idea being discussed. The city welcomed the engagement. The community was better when people got involved. A proposal for a 54-unit apartment building would probably be submitted but it wasn’t a certainty. All he knew was he had seen a concept plan and what came forward would be different than what he had seen. He said the city council agenda was posted on the website every week.

9. Bids and Purchases:

A. Bids for water treatment plant #12 electrical rehabilitation

Barone gave the staff report.

Bergstedt moved, Wiersum seconded a motion to award contract to Premier Electric Corporation in the amount of $255,800. All voted “yes.” Motion carried.

10. Consent Agenda – Items Requiring a Majority Vote:

A. Resolution for grant for Plymouth Road Trail

Bergstedt moved, Wiersum seconded a motion to adopt resolution 2017-026 of support for construction of a trail on Plymouth Road, from Hilloway Road to Amy Lane. All voted “yes.” Motion carried.

B. Resolution approving the final plat of WILSON RIDGE 6TH ADDITION at 4316 and 4328 Wilson Street

Bergstedt moved, Wiersum seconded a motion to adopt resolution 2017-027 approving the final plat of WILSON RIDGE 6TH ADDITION. All voted “yes.” Motion carried.

C. Resolution approving the final plat of WOODLANDS AT LINNER at 1555 Linner Road

Bergstedt moved, Wiersum seconded a motion to adopt resolution 2017-028 approving the final plat of WOODLANDS AT LINNER. All voted “yes.” Motion carried.
D. Cooperative Funding Agreement Hennepin County Consortium Fair Housing Activities

Bergstedt moved, Wiersum seconded a motion to adopt resolution 2017-029 approving the agreement. All voted “yes.” Motion carried.

11. Consent Agenda – Items requiring Five Votes: None

12. Introduction of Ordinances:

A. Introduction of ordinance amending park regulations

Streets and Parks Operations Manager Darin Ellingson gave the staff report.

Wiersum said he liked the provision about animals having to be on a six-foot leash but he asked the park board give consideration about dog leashes that extend. Many people have had experiences with dogs on those types of leashes and some like them and some do not. He thought the park board should give some consideration to language that explicitly states variable length leashes should not be extended beyond six feet. He said those types of leashes create a grey area that might create enforcement issues.

Schneider said he was pleased that over time there were gradual changes to be more inclusive and flexible so that people didn’t feel like they were being monitored all the time. There were some areas that allowed dogs to be off leash and there had been very few complaints. He said he would error on the side of being a little more flexible about the extending leashes. Requiring it to be no longer than six feet was micromanaging and he preferred allowing more flexibility.

Wiersum moved, Bergstedt seconded a motion to introduce the ordinance and refer it to the park board. All voted “yes.” Motion carried.

B. Introduction of ordinance amending miscellaneous criminal offenses

Heine gave the staff report.

Wiersum moved, Bergstedt seconded a motion to introduce the ordinance. All voted “yes.” Motion carried.
13. Public Hearings:

A. Resolutions approving items concerning LINNER ROAD ESTATES at 1911 and 1935 Linner Road

1) Resolution approving preliminary and final plats; and
2) Resolution vacating easements for drainage and utility public right-of-way purposes.

Planner Susan Thomas gave the staff report.

Schneider opened the public hearing at 7:35 p.m.

Lori Knudsen, 2330 Linner Road, said she was not objecting to the project but she objected to the construction traffic. There were two projects on Linner Road. Linner Road was redone and widened about 15 years ago but was still considered a neighborhood road. Even now when people have parties or events, the road is very narrow. She has called the police in the past because there wasn’t enough room for emergency vehicles to get through. Both the projects were on curves. She asked that an action plan be developed to address this issue.

Schneider said as part of the standard application review, a traffic management plan has to completed.

Thomas said the resolution included a provision requiring construction vehicles to be parked onsite.

Schneider closed the public hearing at 7:38 p.m.

Bergstedt moved, Wiersum seconded a motion to adopt resolution 2017-030 approving the preliminary and final plats of LINNER ROAD ESTATES at 1911 and 1935 Linner Road and resolution 2017-031 vacating easements for drainage and utility public right-of-way purposes. All voted "yes." Motion carried.

Wiersum said if there were instances when construction vehicles were causing issues Knudsen’s approach of contacting the city was the right one.

B. 2017 Community Development Block Grant Funds

Economic Development and Housing Manager Alisha Gray gave the staff report.
Schneider opened the public hearing at 7:47 p.m. No one spoke. He closed the public hearing at 7:47 p.m.

Schneider said he would like a bullet point added to the summary of actions. For many years the city has been worried about the potential of losing the CDBG funds. With what is happening at the federal level, there is the likelihood the entire program could be eliminated. The housing programs that have relied on receiving CDBG funds from the city also rely on other state and federal funding, and those other funding sources also might be cut. He said he thinks that there was a potential long-term opportunity for the philanthropic community and others to step up and make up the shortfall. If the worst case happens there would be a huge transition period. This would be a huge disservice to the city’s residents and to the community. The bullet point he suggested adding was for the city to look at what options might be available depending on what happens at the state and federal level to mitigate some of the impacts. Barone said the council could discuss this when it discusses the Economic Improvement Program at its April study session.

Wiersum said he agreed with Schneider’s suggestion. Regardless of what happens at the federal and state level, the needs will continue. How they get funded may change but the needs will not go away. He said it was time for the city to start thinking about being innovative to see what other solutions exist.

Bergstedt moved, Wiersum seconded a motion to adopt resolution 2017-032 allocating the CDBG funds, and approve funding HOME Line in the amount of $4,000 from the Development Account. All voted “yes.” Motion carried.

C. On-sale liquor licenses for The Cheesecake Factory Restaurants, Inc. (The Cheesecake Factory) at 12735 Wayzata Blvd. (Ridgedale Mall)

Barone gave the staff report.

Howard Roston, an attorney with Fredrikson and Byron, introduced himself and said he was representing the applicant. He said the Cheesecake Factory takes liquor license issues very seriously and will work with staff and the police department to do anything necessary to assure the city they will be a responsible and a good restaurant owner.

Schneider opened the public hearing at 7:54 p.m. No one spoke.

Wiersum moved, Bergstedt seconded a motion to continue the public hearing to April 24, 2017. All voted “yes.” Motion carried.
14. Other Business: None

15. Appointments and Reappointments: None

16. Adjournment

    Wiersum moved, Bergstedt seconded a motion to adjourn the meeting at 7:55 p.m. All voted "yes." Motion carried.

Respectfully submitted,

David E. Maeda
City Clerk
Minutes  
Minnetonka City Council  
Monday, April 10, 2017

1. Call to Order

Mayor Terry Schneider called the meeting to order at 6:41 p.m.

2. Pledge of Allegiance

All joined in the Pledge of Allegiance.

3. Roll Call

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

4. Approval of Agenda

Wiersum moved, Allendorf seconded a motion to accept the agenda with an addendum it item 14B. All voted “yes.” Motion carried.

5. Approval of Minutes: None

6. Special Matters:

   A. Proclamation declaring April 22, 2017 as Earth Day

      Wiersum read the proclamation.

   B. Proclamation declaring April 28, 2017 as Arbor Day

      Bergstedt read the proclamation.

7. Reports from City Manager & Council Members

   City Manager Geralyn Barone reported on upcoming meetings and city events.

8. Citizens Wishing to Discuss Matters not on the Agenda

   County Attorney Mike Freeman provided an update on his office’s activities.
Schneider said that people understood the impact of major crimes and drug use. He said the increase in white-collar crime and people taking advantage of senior citizens may not seem as earth shaking but was dramatic for the victims. He asked Freeman what efforts were being made in that area. Freeman agreed it was dramatic for seniors to be scammed by members of their family or a caregiver. He was working on a case earlier in the day involving a personal caregiver who stole her victim’s credit card and ran up a bunch of bills. He said this was really wrong and he was tough on this type of crime. It was difficult for someone to come forward when it was their own child ripping them off. There was the economic part and the physical violence part. The county attorneys went to the legislature to get an increased felony for physical violation of a senior citizen. Financial crimes were more difficult. He said that a lot of times the criminal justice system was not the answer to a lot of these situations. The answer was for people in the community and senior citizens groups helping to educate seniors on how to be careful with their money. Another important thing was helping seniors understand expressing concerns was not a bad thing.

9. Bids and Purchases:

A. Bids for the 2017 Crosby Road Rehabilitation Project

Barone gave the staff report.

Wiersum moved, Bergstedt seconded a motion to award contract to GMH Asphalt Corporation in the amount of $1,486,480.51 for the Crosby Road Rehabilitation Project No. 17401 and amend the CIP. All voted “yes.” Motion carried.

B. Bids for storage building

Barone gave the staff report.

Allendorf moved, Bergstedt seconded a motion to reject all bids. All voted “yes.” Motion carried.

C. Bids for diseased and miscellaneous tree maintenance and removal

Barone gave the staff report.

Wiersum moved, Allendorf seconded a motion to award contract to Davey Tree Expert Company, dba S&S Tree and Horticultural Specialists, Inc. All voted “yes.” Motion carried.
10. Consent Agenda – Items Requiring a Majority Vote:

A. Agreements from the Metropolitan Council Local Housing Incentive Account funds for Homes Within Reach

Allendorf moved, Bergstedt seconded a motion to approve the sub-recipient agreement with Homes Within Reach. All voted “yes.” Motion carried.

B. Resolution supporting local decision-making authority

Schneider pulled the item from the consent agenda. He said there were a number of proposals at the legislature that would restrict the city’s ability to do what it has done a good job managing for a number of years. He said it appears the legislature would like to micromanage cities way more than is appropriate. He read the resolution.

Barone said staff was following the proposed legislation closely and was working with local legislators to alert them to the impact. The proposals restrict things like some of the financial authority a city council has in making decisions for its community. Others give away rights to the private sector such as control over right-of-ways.

Wiersum said he strongly supported the resolution and it was a pretty big deal for residents. He said some of the proposals would really strip away local control. This would mean decisions historically made by the city would now be made at the Capitol. He said in a good business sense, the council was close to its customers. If a resident doesn’t like what the council is doing they can talk directly to the council members. This can happen at the state and federal levels but it happens much more easily at the local level. Good government is local. Stripping away local authority would cause the council to be less effective in representing Minnetonka residents. He said sometimes it makes sense for the state to be the decision-making authority but when in doubt, it should come to the local level. The council is uniquely equipped to deal with issues that are much tougher to deal with at the state level.

Schneider moved, Wiersum seconded a motion to adopt resolution 2017-033 supporting the local decision-making authority. All voted “yes.” Motion carried.

11. Consent Agenda – Items requiring Five Votes:

A. Change orders to contract for Trunk Forcemain Lining Project – Phase III and amendment to 2016 Capital Improvement Plan
Allendorf moved, Bergstedt seconded a motion to amend the 2016 CIP to $1,750,000 for the trunk forcemain lining project and ratify the two change orders to the Visu-Sewer, Inc. contract, in the amount of $359,192.45. All voted “yes.” Motion carried.

12. Introduction of Ordinances: None

13. Public Hearings:
   A. Temporary on-sale liquor license for ResourceWest, for use at 14600 Minnetonka Boulevard

      Barone gave the staff report.

      Tarrah Palm, executive director ResourceWest, provided details about the fundraising event.

      Schneider opened the public hearing at 7:20 p.m. No one spoke. He closed the public hearing at 7:20 p.m.

      Bergstedt moved, Wiersum seconded a motion to grant the license. All voted “yes.” Motion carried.

14. Other Business:
   A. Resolution amending loan documents executed in connection with the multifamily housing revenue obligations issued for the benefit of CHC Minnetonka Affordable Housing LLC; and authorizing the execution and delivery of an amendment document in connection with the request

      Community Development Director Julie Wischnack gave the staff report.

      Jay Jensen with Shelter Corporation said the tax credit market for the past five months had been in turmoil because no one knew what the federal corporate income tax rate was going to be. Fortunately, in U.S. Bank, there was a large tax credit purchaser with significant presence here. His company had done a number of projects with them before. U.S. Bank quoted him a tax credit price, and while it wasn’t what it was eight months ago, it was better than the alternatives out there, or doing nothing at all. He was optimistic about pulling things together by this summer.

      Bergstedt said this project started about three years ago. The council approved the proposal two years ago. Internally there had been the
extensions. He said the city and council is often criticized for not being transparent and a number of people have moved into Beachside over the past couple of years. Once everything was finally pulled together he thought it would be a neighborly thing to do to bring people up to date that were not previously involved in the process so they are not blindsided.

Jensen said that was a great idea and he would work with staff to send out notices to the area.

Wiersum asked had the tax credit market conditions existed when the project began, would Shelter Corporation have pursued the project. Jensen said the company had been doing affordable housing for 40 years. Back in 2006-2007 during the recession when the real estate market fell into a depression, the tax credit rates dropped into the 60’s and the company still did tax credit projects. They were harder to do and not as many were done. Historically, .89 cents was still really good. He said it was fortunate to be working with a nonprofit who had resources.

Schneider said this wasn’t the only one in this category. Everybody is trying to figure things out and the key was having a solid relationship with the tax purchaser.

Allendorf said when he has talked with residents about when this project would finally break ground he tried to focus on this was not just 27 units but rather was 81 units. This was a significant addition to the community. He suggested this should go out with the other communications Shelter Corporation sends out.

Wiersum moved, Bergstedt seconded a motion to adopt resolution 2017-034 authorizing the execution of related documents that include Second Master Amendment Agreement. All voted “yes.” Motion carried.

B. Preliminary and final plats, with front yard setback variances, and waiving the McMansion Policy, for THE ENCLAVE AT REGAL OAK at 3639 Shady Oak Road and 3627 Regal Oak Lane

Roger Anderson, the agent representing the owner requested that consideration of the item be postponed for approximately one month.

Bergstedt moved, Wiersum seconded a motion to table the item to a future date. All voted “yes.” Motion carried.

C. Approval of a new outdoor attraction at The Big Thrill Factory at 17501 State Highway 7
City Planner Loren Gordon gave the staff report.

Bergstedt said when the outdoor activities first were approved there were some concerns if there would be complaints from neighbors. There have not been any complaints.

Schneider said he has been inside a couple of times with his grandchildren but drives by every day and notices the parking lot is always full. He said the company was meeting a need in the city.

Wiersum said the city was a little careful with the original approvals but that it turned out to be a nice facility.

Bergstedt moved, Allendorf seconded a motion to approve the new outdoor attraction at The Big Thrill Factory at 17501 State Highway 7. All voted “yes.” Motion carried.

D. Resolution approving the subordination of a Contract for Private Redevelopment to HUD

Wischnack gave the staff report.

Wiersum moved, Bergstedt seconded a motion to adopt resolution 2017-035 approving the Subordination of Contract for Private Redevelopment and subordination of a Declaration of Restrictive Covenants to HUD between Glen Lake Senior Housing, LLC; the Minnetonka Economic Development Authority; and the city of Minnesota. All voted “yes.” Motion carried.

15. Appointments and Reappointments: None

16. Adjournment

Bergstedt moved, Wiersum seconded a motion to adjourn the meeting at 7:39 p.m. All voted “yes.” Motion carried.

Respectfully submitted,

David E. Maeda
City Clerk
City Council Agenda Item #10A
Meeting of April 24, 2017

Brief Description
Request to approve a five-year extension for Minnetonka Farmer’s Market temporary signs on the Civic Center Campus at 14600 Minnetonka Boulevard.

Recommendation
Approve the temporary signs

Background
By city code, temporary signs are permitted on public or institutional property only with city council approval. On any one property, the city council’s first approval of temporary signs may be associated with only one event. Subsequent council approvals may be for recurring use of the same signs for a period of up to five years.

In 2010, the council approved one-year display of three temporary signs on the civic center campus along Williston Road for the Minnetonka Farmer’s Market. The subsequent five-year approval was granted in 2011. This five-year approval expired at the end of the 2016 farmer’s market season.

In 2016, the city approved a one-year display of two additional A-frame signs along Minnetonka Boulevard.

Proposal
To direct visitors to the farmer’s market, staff is requesting a five-year extension to allow for continued display of the temporary A-frame signs on the civic center campus. The
extensions would be valid through 2021. While no significant changes are proposed, staff is proposing to relocate the sign previously displayed near the fire station entrance slightly west. The temporary signs would be put up each Tuesday prior to 3:00 p.m. and would be removed after 7:00 p.m. that same day.

**Staff Recommendation**

Approve by motion, five temporary signs associated with the Minnetonka Farmer’s Market to be displayed on the Minnetonka Civic Center Campus. Signs may be displayed every Tuesday during the Minnetonka Farmer’s Market season through 2021.

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

Originator:  
Ashley Cauley, Senior Planner
City Council Agenda Item #10B  
Meeting of April 24, 2017

**Brief Description:** Ordinance amending park regulations

**Recommended Action:** Adopt the ordinance

**Background**

The city takes pride in its public parks, which are valued by the community as a significant asset for leisure, recreation and enjoyment of the natural environment. To ensure that the parks and its regulations continue to meet public needs, the city staff recently completed a review of the park regulations ordinance. The staff’s goals were to eliminate obsolete provisions, conform the regulations to current practices, add regulations where experience indicated a need, and improve reader-friendliness of the ordinance.

The ordinance was introduced at the March 27, 2017 council meeting, and referred to the park board to receive public comment at the April 5, 2017 park board meeting. One item the council wanted the park board to discuss further was the length of leashes and the use of retractable leashes.

**Park Board Hearing and Recommendation**

During the April 5 park board meeting, the length of leashes was discussed. As the proposed ordinance is written, any style of leash can be used but the length is limited to 6 feet; and when leashed, pets may be on maintained turf (except for athletic fields), unmaintained areas, trails, and parking lots. A particular area of concern with longer leashes is the potential conflict with users of the trail system as walkers, runners, and bicyclists use the bi-modal trail system. A faster moving bicyclist can pass someone walking a dog much quicker than they can reel in a fully extended retractable leash, which is a hazard for both the bicyclist and the dog. After discussion, the board supported keeping the length of leashes limited to six feet as proposed, without a restriction on the type of leash used.

The meeting was opened for public comment, and no individuals were present to provide feedback on the proposed changes to the ordinance. On a 7-0 vote, the park board recommended the regulations to be approved as written.

**Recommendation**

Adopt the ordinance.
Submitted through:
   Geralyn Barone, City Manager
   Kelly O’Dea, Recreation Director
   Brian Wagstrom, Public Works Director

Originated by:
   Corrine Heine, City Attorney
   Darin Ellingson, Street and Parks Operations Manager
Ordinance No. 2017-

An Ordinance amending sections 1135.010, 1135.015, 1135.020, 1135.025, 1135.030 and 1135.035 of the Minnetonka City Code, relating to park regulations

The City of Minnetonka Ordains:

Section 1. Section 1135.010, subdivision 3 of the Minnetonka City Code, relating to definitions, is amended to read as follows:

1135.010. Definitions.

For the purpose of this section, the following terms have the meanings given below.

1. “Director” means the department director to whom the specific duties have been assigned by the city manager.

2. “Domestic animal” means any animal that would be allowed by this code to reside in a residential dwelling of the city.

23. “Park facility” means any area owned or operated by the city of Minnetonka as a public park, beach, recreational trail, athletic field, skating rink, or other outdoor recreational facility, excluding indoor ice arenas.

34. “Picnic shelter area” means that portion of a park facility containing a picnic shelter and picnic tables and all area within 50 feet of the shelter and tables.

45. “Public swimming beach” means any public land adjoining public waters, which has been or may be used in connection with swimming in the adjacent water.

5. “Sexual conduct” means human masturbation, sexual intercourse, or any touching of the genitals, pubic areas or buttocks of the human male or female, or the breasts of the female, whether alone or between members of the same or opposite sex or between humans and animals in an act of apparent sexual stimulation or gratification.

The stricken language is deleted; the underlined language is inserted.
6. "Watercraft" means any device designed or used to transport a person on water, whether motorized or not. It does not include a device which is designed to have a portion of the person in the water at all times during use.

Section 2. Section 1135.015, subdivision 1 of the Minnetonka City Code, relating to park hours of operation, is amended to read as follows:

1. Public parks will be open for public use only between 5:00 a.m. and 10:00 p.m. of each day, except that Big Willow Park athletic fields may remain open to the extent provided in city council policy 11.10 lighted athletic fields and adjacent areas may remain open 20 minutes after the final inning or quarter of a scheduled game.

Section 3. Section 1135.020 of the Minnetonka City Code is amended to read as follows:


The following rules apply in and on all park facilities.

Animals
1. Horses are permitted only in areas designated for their use. Horses must be maintained under control at all times and cannot be ridden in a manner which endangers the safety or property of any person.

12. Except as allowed in this subdivision, a person may not transport any animal to or be accompanied by any animal at any park.

a. Domestic animals are allowed in the following areas only, subject to the restrictions in this subdivision:
   (1) improved trails;
   (2) maintained turf areas other than athletic fields;
   (3) unimproved and unmaintained areas; and
   (4) parking lots as necessary to transport the animal to and from the park areas specified above.

b. At all times while present in the park, a domestic animal must be accompanied by a competent person in the immediate vicinity of the animal, who is responsible for the animal.

c. When on improved trails, maintained turf areas other than athletic fields, or parking lots, domestic animals must be either kept in a secure container from which the animal cannot escape or must be kept on a
leash no longer than six feet in length. Tethering animals is not permitted.

d. Unless otherwise signed, dogs may be off-leash within areas of a park that are unimproved and unmaintained, provided the following conditions are met:
(1) the person responsible for the dog must maintain sight of the dog at all times;
(2) the maximum number of dogs that any person may accompany off-leash at any time is two;
(3) the person must be able to demonstrate that the dog will respond to the person’s voice command on the first command given.

e. No person may allow a domestic animal under his or her responsibility to disturb, harass, or interfere with any park visitor, a park visitor’s property or a park employee.

f. A person may not have custody or control of any domestic animal in a park without possessing an appropriate device for cleaning up the animal’s feces and disposing of the feces in a sanitary manner.

g. Paragraphs a. and b. above do not apply to service animals as defined by the federal Americans with Disabilities Act, or to law enforcement animals. With the exception of seeing-eye and police dogs, dogs and cats are not permitted within a beach area, nature center area, refuge area, picnic area, and park building, and on any developed, improved or maintained area of turf, asphalt, and hard surface, and in any other unauthorized area. In areas that are not improved and not maintained, a dog or cat must be kept under human control either by a leash or voice command. On all trails, a dog or cat must be maintained on a leash no longer than six feet in length.

23. Wild animals including birds may not be fed, except pursuant to a city sponsored program.

34. Wild animals may not be killed, trapped, pursued, caught, or removed, except when necessary to protect the immediate safety of a person or domestic animal. This prohibition does not apply to a law enforcement officer, or other person authorized by the director, who is performing official duties.

**Damage to Park Property**

45. A person must not plant, cut, burn, damage, disturb, or remove any vegetation, except as permitted by the city.
56. A person must not start or maintain a fire, except in grills, fire slabs, or fire rings provided as part of the park facility. A person responsible for a fire must safely and completely extinguish the fire before leaving. The smoking of cigarettes, cigars and pipes is regulated elsewhere in does not constitute a fire-regulated by this section.

67. A person must not deposit or discard upon land or water any bottles, glass, cans, paper, ashes, garbage, trash, rubbish, litter, snow or other substance that would mar the appearance, create a stench or a nuisance, adversely affect the cleanliness or safety of the land, or be likely to injure any person, property, or animal. A person must not discard large items and items unrelated to use of the park facilities into dumpsters or other garbage containers located at the park facilities.

78. A person must not distribute leaflets or other written or printed materials without first notifying the director of the proposed activity and depositing an amount determined by the director to be sufficient to reimburse the city for any cleanup costs resulting from the activity.

**Vehicles**

89. Only motorized vehicles that are currently licensed to travel on public streets may be in or on a park facility, and those are permitted allowed only on parking lots and roadways that provide access to the park facilities. The following vehicles are excepted from the provisions of this subdivision: Exceptions to this prohibition are:

   a. (a) city-authorized maintenance and public safety vehicles;
   b. (b) electric-powered wheelchairs and small electric carts operated by physically handicapped people wherever this can be done, safely electric-assisted bicycles as defined by state law; and
   c. (c) wheelchairs and “other power driven mobility devices” as defined by the Americans with Disabilities Act and associated regulations, to the extent necessary to accommodate reasonable and safe use of trails by persons with disabilities dependent on motorized transport.

9. A person must not operate a snowmobile, all-terrain vehicle, or motorized trail bike anywhere within a park.

The stricken language is deleted; the underlined language is inserted.
10. A person must park motorized vehicles only within designated parking stalls in parking lots. If parking is allowed by permit only, the city permit must be conspicuously displayed on the vehicle at all times while it is parked.

11. A person must not operate a motorized vehicle at a speed in excess of 15 miles per hour or other posted speed limit.

12. Non-motorized bicycles are allowed only on parking lots, roadways, and trails established and maintained by the city and in areas designated and signed for bicycle use. A person must not ride a bicycle in other areas of a park.

Specific Activities

13. A person must not use recreational equipment, including but not limited to such as frisbees, flying discs, snowboards or skateboards, on parking lots and driveways. Skateboards may be used only on improved trails and designated skateboard areas.

14. A person must not use a golf club to hit, drive, or otherwise propel a golf ball or other object.

15. A person must not camp in, erect, a tent or other structure, except as part of a city-sponsored program or as authorized by a permit issued by the director.

16. A person must not use a sled, toboggan, snowboard or other means of sliding on snow and ice only in areas where this activity is prohibited-designated by signs.

17. A person must not sell or offer for sale any item or service, except as authorized by the director.

18. A person must not engage in sexual conduct or commit the offense of public indecency as provided in city code section 1045.015. Use of tobacco-related products, as defined at section 625.005 of this code, is prohibited within 50 feet of park areas designated for use by youth, including playgrounds, youth athletic fields, skating rinks, tennis courts, basketball courts, multipurpose courts and informal ball fields.

19. A person must not have any glass container in a park facility.

The stricken language is deleted; the underlined language is inserted.
Noise

2019. A person must not use or operate a radio, musical instrument, phonograph, stereo, or other device used for reproduction of sound, in a manner to disturb the peace or comfort of others in its vicinity. Prima facie evidence of a violation of this provision exists when the device is operated so that it is plainly audible 50 feet away in any direction.

20. A person must not use loudspeakers or other amplifying systems without obtaining and being in compliance with a permit from the city, as provided below in section 1135.030.

Permit Required

21. A person must not possess, consume, or serve any alcoholic beverage without obtaining and being in compliance with a permit from the city, as provided below in section 1135.030.

22. A group of 25 people or more must not gather for any reason without obtaining and being in compliance with a permit from the city, as provided below in section 1135.030.

23. Non-motorized bicycles are permitted only on parking lots, roadways, and trails established and maintained by the city and in areas designated and signed for bicycle use. A person must not ride a bicycle in other areas of a park.

Section 4. Section 1135.025 of the Minnetonka City Code is amended to read as follows:

1135.025. Special Rules.

In addition to the general rules, the following special rules are applicable to the areas designated.

1. In or on Shady Oak Lake Park and Libbs Lake Park, a person must not engage in the following conduct:
a. be in water within 50 feet of the shoreline that is not specifically designated for swimming;

b. be in the designated swimming area adjacent to a public swimming beach when the beach is closed to public use or when a lifeguard is not on duty or outside of posted “no lifeguard on duty” hours;

c. be in the designated swimming area adjacent to the Shady Oak Lake Park public swimming beach when no lifeguard is on duty or after written or verbal notice that the lifeguard is going off duty;

d. use floatation devices beyond the areas designated for their use;

e. fish in water designated as a swimming area or no fishing area;

f. take cans, bottles or glass objects of any kind other than eyeglasses onto a public swimming beach;

g. possess, use, or launch a watercraft on any land within the parks, except as part of a city-sponsored program or by authorized city personnel in the performance of life-saving or law enforcement duties; and

h. occupy a watercraft in the designated swimming area adjacent to a public swimming beach or in water up to 50 feet away from that area, except authorized city personnel in the performance of life-saving or law enforcement duties.

2. On any recreational trail, each person must:

a. provide sufficient room for other trail users traveling in the opposite direction;

b. use caution when passing another user traveling in the same direction;

c. stay on the improved portion of the trail;

d. when riding a bicycle, yield the right of way to pedestrians and comply with state laws governing the use of bicycles on public roads;

e. obey all official signs and traffic control markings and signals;

The stricken language is deleted; the underlined language is inserted.
f. yield to motor vehicle traffic at intersections with roadways;

g. comply with the following prohibitions:

(1) no lurking and loitering in violation of section 508 of the city code;

(2) no horses in areas which are not designated for their use;

(3) no dogs unless each is on a leash no longer than six feet in length and unless the person in control of the dog cleans up the dog's feces; and

(4) no motorized vehicles except those permitted in section 1135.020.

3. Use of Minnetonka Mills park and the Burwell site must comply with city council policy 11.6.

Section 5. Section 1135.030 of the Minnetonka City Code is amended to read as follows:

1135.030. Permits.

1. Applications for permits for alcoholic beverages, large group events, and sound amplification must be submitted to the city in accordance with procedures and fees prescribed by the director. The director may deny a permit application when the proposed activity may adversely affect the public health, safety, or welfare, or the condition of the park facility. The director may add conditions to any permit to mitigate potential adverse effects or to ensure the quiet and orderly use and enjoyment of the park facility. Any person aggrieved by action of the director may appeal to the city council by submitting a request in writing to the director within 10 days after notice of the action.

2. Permits for alcoholic beverages are subject to the following requirements.

a. Permits will be only for beer and wine in non-glass containers.

b. Permits will be issued only to groups of 25 people or more and for parks that have facilities available for large group picnics for use at a picnic shelter for which a reservation has been made.
c. Permitted alcoholic beverages may be possessed and consumed only in picnic shelter areas. Alcoholic beverages are not permitted on any athletic field, tennis court, skating rink, or adjacent areas and not in any parking lot.

d. The person responsible for the gathering must remain within the area for which the permit was issued park premises at all times that alcoholic beverages are being served, must have the permit in possession, and must display it upon the request of authorized city personnel.

e. Alcoholic beverages are not permitted between 10:00 a.m. or after 9:00 p.m. and 10:00 a.m.

Section 6. Section 1135.035, subdivision 1 of the Minnetonka City Code, relating to park administration, is amended to read as follows:

1. The director may regulate the use of recreational facilities such as picnic shelter areas and ballfields within a park facility. This includes the authority to require advance reservations.

Section 7. This ordinance is effective 30 days after publication.

Adopted by the city council of the City of Minnetonka, Minnesota, on /

Terry Schneider, Mayor

Attest:

David E. Maeda, City Clerk

The stricken language is deleted; the underlined language is inserted.
Action on this Ordinance:

Date of introduction: March 27, 2017
Date of adoption:
Motion for adoption:
Seconded by:
Voted in favor of:
Voted against:
Abstained:
Absent:
Ordinance adopted.

Date of publication:

I certify that the foregoing is a true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota, at a meeting held on

David E. Maeda, City Clerk

The stricken language is deleted; the underlined language is inserted.
Brief Description: Ordinance amending miscellaneous criminal offenses

Recommended Action: Adopt the ordinance

Background

While conducting a review of the city’s ordinances governing parks, city staff determined the need to revise provisions in Section 1045 of the city code, relating to miscellaneous criminal offenses.

In a separate ordinance, city staff has recommended that the offense of engaging in sexual conduct in a public park be removed from the park regulations in Section 1135 of the city code and be addressed in Section 1045. Violations of section 1045 are misdemeanor offenses, while violations of park regulations are generally only petty misdemeanor offenses. The proposed ordinance amends section 1045 to include a definition of “sexual conduct” and to remove obsolete cross-references to the park regulations. The ordinance was introduced on March 27, 2017.

Recommendation

Adopt the ordinance.

Submitted through:
  Geralyn Barone, City Manager
  Scott Boerboom, Police Chief
  Dave Johnson, Recreation Director

Originated by:
  Corrine Heine, City Attorney
  Andy Gardner, Police Captain
  Kelly O’Dea, Williston Center Manager
Ordinance No. 2017-

An Ordinance amending sections 1045.020 and 1045.025 of the Minnetonka City Code, relating to miscellaneous criminal offenses

The City of Minnetonka Ordains:

Section 1. Section 1045.020 of the Minnetonka City Code is amended to read as follows:

1045.020. Sexual Conduct.
A person must not, in any place open to the public, engage in or attempt to engage in sexual conduct as defined in this section 1045.020. For purposes of this section, "sexual conduct" means human masturbation, sexual intercourse, or any touching of the genitals, pubic areas or buttocks of the human male or female, or the breasts of the female, whether alone or between members of the same or opposite sex or between humans and animals in an act of apparent sexual stimulation or gratification.

Section 2. Section 1045.025 of the Minnetonka City Code is amended to read as follows:

1045.025. Indecent Solicitation.
A person must not, in any public place, solicit or attempt to solicit another to engage in sexual conduct as defined in section 1045.020 or conduct that involves the touching of the genitals, buttocks or female breast for the purpose of sexual arousal, gratification, annoyance or offense. This section is not applicable if the proposed sexual conduct is consensual and is to occur in a private place and the solicitation does not occur in the presence of a minor. For purposes of this section, a "public restroom" and a "public changing area" as defined in city code section 1045.16 are not private places.

Section 3. This ordinance is effective 30 days after publication.

Adopted by the city council of the City of Minnetonka, Minnesota, on

/ 

Terry Schneider, Mayor

The stricken language is deleted; the underlined language is inserted.
Attest:

__________________________________________
David E. Maeda, City Clerk

**Action on this Ordinance:**

Date of introduction:  March 27, 2017
Date of adoption:  
Motion for adoption:  
Seconded by:  
Voted in favor of:  
Voted against:  
Abstained:  
Absent:  
Ordinance adopted.

Date of publication:

I certify that the foregoing is a true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota, at a meeting held on

__________________________________________
David E. Maeda, City Clerk

The stricken language is deleted; the underlined language is inserted.
City Council Agenda Item #12A  
Meeting of April 24, 2017

Brief Description  Ordinance amending City Code Section 525, concerning property maintenance

Recommendation  Introduce the ordinance

Proposed Ordinance
By city ordinance, the 1997 edition of the Uniform Housing Code (UHC) serves as the community’s housing and building maintenance regulations. Unfortunately, the UHC includes many references to construction methods, materials, and practices that are no longer relevant 20 years after its publication. Conversely, the 2015 edition of the International Property Maintenance Code (IPMC) is an up-to-date document based on the International Building Codes, a group of codes that are recognized worldwide. In addition, the IPMC recognizes energy conservation efforts. Some examples of differences between UHF and IPMC:

<table>
<thead>
<tr>
<th></th>
<th>UHC</th>
<th>IPMC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Structure Focus</td>
<td>Residential</td>
<td>Residential, Commercial, and Industrial</td>
</tr>
<tr>
<td>Energy Conservation</td>
<td>Hot Temperature Required = 120 degrees</td>
<td>Hot Temperature Required = 110 degrees</td>
</tr>
<tr>
<td></td>
<td>Minimum Room Temperature Requirement = 70 degrees</td>
<td>Minimum Room Temperature Requirement = 70 degrees</td>
</tr>
</tbody>
</table>

Staff is proposing an ordinance replacing reference to the UHC with reference to the IPMC.

Staff Recommendation
The purpose of introducing an ordinance is to give the city council the opportunity to review the ordinance prior to its final reading and adoption. Introducing an ordinance does not constitute an approval. Staff recommends the council introduce the proposed ordinance.

Submitted through:
Geralyn Barone, City Manager
Julie Wischnack, AICP, Community Development Director

Originated by:
Susan Thomas, AICP, Assistant City Planner
Ordinance No. 2017-

An ordinance amending Chapter 5, Section 525 of the Minnetonka Code of Ordinance, concerning property maintenance

The City Of Minnetonka Ordains:

Section 1. Chapter 5, Section 525, is amended to read as follows:

525.005. Adoption by Reference.

The 1997 edition of the uniform housing code—2015 International Property Maintenance Code published by the international conference of building officials International Code Conference, Inc., including the appendix, is adopted by reference as the housing code for the city. One copy of the code will be kept on file in the city clerk’s office.

525.010. Housing Advisory and Appeals Board.

Until it appoints a housing advisory and appeals board, the city council will have the duties of that board as described in section H-203 of the uniform housing code 111 of the International Property Maintenance Board.

Section 2. This ordinance is effective 30 days after its publication.

Adopted by the city council of the City of Minnetonka, Minnesota, on May 8, 2017.

__________________________________________
Terry Schneider, Mayor

The stricken language is deleted; the single-underlined language is inserted.
Attest:

David E. Maeda, City Clerk

**Action on this ordinance:**

Date of introduction: April 24, 2017  
Date of adoption:  
Motion for adoption:  
Seconded by:  
Voted in favor of:  
Voted against:  
Abstained:  
Absent:  
Ordinance adopted.

Date of publication: May 8, 2017

I certify that the foregoing is a true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota at a regular meeting held on May 8, 2017.

David E. Maeda, City Clerk

The stricken language is deleted; the _single-underlined_ language is inserted.
City Council Agenda Item #12B  
Meeting of April 24, 2017

Brief Description  
Items concerning Minnetonka Hills Apartments at 2800 and 2828 Jordan Avenue

1) Major amendment to an existing master development plan;

2) Site and building plan review, with a parking variance;

3) Preliminary and final plats; and

4) Vacation of easements.

Recommendation  
Introduce the ordinance approving a major amendment to the existing master development plan and refer it to the planning commission

Background

The Minnetonka Hills Apartment complex is just over 13 acres in size and was approved in 1986. The complex is comprised of three, four-story, apartment buildings served by underground parking and two surface parking lots. The complex surrounds a half-acre residential property, located at 2800 Jordan Avenue, which contains a vacant single-family home. The property has been held in common ownership with the apartment complex for almost 10 years. While the residential property is currently zoned PUD and guided for high-density residential by the 2030 Comprehensive Guide Plan, it was not originally included in the original master development plan for the complex.

In July 2016, the city council reviewed a concept plan presented by CSM Corporation, which contemplated the removal of the single family home in order to accommodate a new 75-unit apartment building east of Jordan Avenue and the existing apartment building. The council commented that the high-density use of the site seemed reasonable. However, members expressed concerns related to the natural features of the site. The council ultimately encouraged the developer to add architectural character to the building and minimize the amount of required grading and tree loss.

Proposal

CSM Corporation has now submitted formal applications and plans for redevelopment. The plans are generally consistent with the concept plans presented to the council in July 2016 (see attached minutes). As submitted, the single-family residential home would be removed and a new 78-unit apartment building would be constructed. The building would consist of underground parking and five-stories of apartments above.
The proposal requires:

1. **Major Amendment to the Existing Master Development Plan.** By city code, any change to an approved master development plan that “substantially alters the location of buildings, parking areas or roads” is considered a “major” amendment that can only be approved by ordinance.

2. **Final Site and Building Plan, with a Parking Variance.** By city code, site and building plan review is required for construction of any multi-family residential building.

3. **Preliminary and final plat.** Platting of the new site will allow the new apartment building and associated parking lot be located on a separate parcel.

4. **Vacation.** The periphery of the existing residential property is encumbered by drainage and utility easements. The proposal includes a request to vacate the existing easements and re-dedicate easements as part of the plat.

**Issue Identification**

The purpose of introducing an ordinance is to give the city council the opportunity to review a new application before sending it to the planning commission for a recommendation. Introducing an ordinance does not constitute an approval. The tentative planning commission date is May 4, 2017.

Based on preliminary review of the proposal, staff has identified the following issues for further analysis and discussion:

1. **Site and Building Design.** Since the concept plan review, the applicant has added architectural character to the building through design and material choice. Significant consideration will be given to the amount of site impacts required to accommodate the proposed building and parking lot.

2. **Parking, Traffic and Access.** A traffic study will be conducted to determine the proposal’s anticipated traffic generation and impacts on existing levels of service. In addition, the traffic consultant will analyze current and proposed parking conditions.

3. **Stormwater Management.** The proposal requires implementation of stormwater management techniques. The proposed techniques will be analyzed for conformance with the city’s water resources management plan.
Staff Recommendation

1) Introduce the ordinance and refer it to the planning commission.

2) Approve or modify the proposed notification area. This is the same notification area used for the 2016 concept plan.

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

Originated by:
   Ashley Cauley, Senior Planner
Project: Minnetonka Hills Apartment 2nd Addn
Applicant: Alliant Engineering
Address: 2800/2828 Jordan Ave
Project No. 86157.17a

This map is for illustrative purposes only.
July 2016 Concept Plan
A. Concept plan for a 75-unit apartment building at 2828 and 2800 Jordan Avenue

Gordon gave the staff report.

John Ferrier, with CSM Corporation, applicant, thanked staff for the opportunity to receive comments on the concept plan. The house on the site is currently vacant. There is a need in the market for the proposal. The new building would have studio apartments with an open floor plan. He agreed that there is a need to complete a traffic study. The slopes would be optimized. As many trees as possible would be saved. There would be tree replacement. Some of the scrub trees would be replaced with quality landscaping. The floor plan would be as compact as possible. That is one reason for the flat roof. Similar colored brick with a contemporary style would attract a different market. He has heard from residents requesting to be on a waiting list. He is excited about the site.

Wagner noted that the area has a lot of high-density housing, but there is no playground at any of the surrounding buildings. The proposal would match what is in the area, but would stick out of the view from Highway 169. He will wait until he sees the engineering plans before commenting on the number of units. He did not have a massive aversion to the proposal.

Schneider agreed with Gordon that one and a half parking stalls for each apartment may be appropriate considering the studio apartments. An apartment building would fit the site. The five-story height does not scare him, but the block nature of the front caused him to pause. He sees a benefit to underground parking, scaling back the number of units, and adding some variety to the appearance. A third of the outside parking may be able to be eliminated. Hopefully some trees and green space could be preserved with a reduction of the parking surface.

Bergstedt concurred with Schneider. He was very comfortable with an apartment building. There would be massive grading and tree loss, but everything possible should be done to minimize it. The building looks like an uninteresting block building. Designing the building to give it more architectural character would be beneficial.

Allendorf liked how the Applewood Pointe building ended up looking. He concurred with Schneider and Bergstedt.
Current Application
Lot 1, Block 2, Minnetonka Hills Apartments, Hennepin County, Minnesota, EXCEPT that part of Lot 1, Block 2, Minnetonka Hills Apartments, lying North of the North line of Outlot C, said Addition and its Westerly extension.

And,

That part of Lot 1, Block 2, Minnetonka Hills Apartments, lying North of the North line of Outlot C, said Addition and its Westerly extension, Hennepin County, Minnesota.

And,

Outlot C, Minnetonka Hills Apartments, Hennepin County, Minnesota.

And,

Township 117, Range 22, in Hennepin County, Minnesota, EXCEPT that part lying Easterly of a line parallel with and distant 25 feet Westerly of the following described line: Commencing at the Southeast corner of Section 12, Township 117, Range 22; thence North along the East line thereof 784.96 feet; thence deflect to the left at an angle of 90 degrees, a distance of 60 feet to the actual point of beginning of the line to be described; thence deflect to the right at an angle of 90 degrees, a distance of 136.28 feet; thence deflect to the left along a 26 degree 16 minutes 46 seconds curve (delta angle 49 degrees 16 minutes 15 seconds, tangent distance 99.98 feet), a distance of 150 feet and there terminating.

1. This survey was prepared from legal descriptions supplied and our in house records and may not depict all easements, appurtenances or encumbrances affecting the property.

2. The survey was determined with Dumpy Level and with a combination of available maps, proposed plans or city records and field locations which may not be exact. Verify all utilities critical to construction or design.

3. The orientation of this bearing system is based on the Hennepin County Coordinate System NAD83. Coordinates are Hennepin County ground feet, based on the Minnesota Coordinate System, Southern Zone, NAD83, 1986 (non HARN values). Coordinate values dated January, 2005.

4. All distances are in feet.

5. The area of the above described property is 342,105 square feet or 7.850 acres.

6. There are 79 regular striped parking stalls and 2 handicapped parking stalls.

7. The property lies within Zone X (unshaded - areas determined to be outside the 0.2% annual chance floodplain) Zone X (shaded - areas of 0.2% annual chance flood) of Federal Emergency Management Agency (FEMA) Flood Insurance Community Panel No. 27053C0334E, effective September 2, 2004.

8. Bench Mark: City of Saint Louis Benchmark No. P 117 A, is a bench mark disc located on 2.0 miles north of Hopkins, in the southeast corner of County Road 16 (Cedar Lake Road) bridge number 27517 over trunk highway 169. Has an elevation of 945.25 feet NAD83.

9. Bench Mark: TNH located along Jordon Avenue South with a elevation of 929.02 feet NAD83.
<table>
<thead>
<tr>
<th>No.</th>
<th>Landscape Component</th>
<th>Quantity</th>
<th>Size/Type</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Evergreen Trees</td>
<td>10</td>
<td>10m</td>
<td>Insert current evergreen trees.</td>
</tr>
<tr>
<td>2</td>
<td>Deciduous Trees</td>
<td>20</td>
<td>12m</td>
<td>Insert deciduous trees for seasonal interest.</td>
</tr>
<tr>
<td>3</td>
<td>Shrub</td>
<td>50</td>
<td>0.5m</td>
<td>Mixed variety for varied textures.</td>
</tr>
<tr>
<td>4</td>
<td>Ground Cover</td>
<td>150</td>
<td>0.3m</td>
<td>Native grasses and ground covers.</td>
</tr>
<tr>
<td>5</td>
<td>Fencing</td>
<td>30m</td>
<td>Steel</td>
<td>Use low-maintenance material.</td>
</tr>
<tr>
<td>6</td>
<td>Irrigation System</td>
<td>4</td>
<td>12V</td>
<td>Water efficient design.</td>
</tr>
<tr>
<td>7</td>
<td>Pathway</td>
<td>100</td>
<td>Concrete</td>
<td>Easy access for maintenance.</td>
</tr>
</tbody>
</table>

**Legend:**
- **Evergreen Trees**: Insert current evergreen trees.
- **Deciduous Trees**: Insert deciduous trees for seasonal interest.
- **Shrub**: Mixed variety for varied textures.
- **Ground Cover**: Native grasses and ground covers.
- **Fencing**: Use low-maintenance material.
- **Irrigation System**: Water efficient design.
- **Pathway**: Easy access for maintenance.
PROPOSED UNDERGROUND PARKING
60 STALLS
GFE 933
Ordinance No. 2017-

An ordinance amending an existing master development plan for a five-story, 78-unit apartment building at 2800 and 2828 Jordan Avenue

The City Of Minnetonka Ordains:

Section 1.

1.01 The subject property is located at 2800 and 2828 Jordan Avenue. These properties are legally described on Exhibit A of this ordinance.

1.02 In 1986, the city approved plans for Minnetonka Hills Apartments. The approved plan included three, 4-story, apartment buildings and two surface lots.

1.03 CSM Corporation, has presented a proposal to remove the single family residential home at 2800 Jordan Avenue and construct a new, five-story, 78-unit apartment building with underground parking.

1.04 This ordinance hereby amends the existing master development plan for the site to allow the construction of the new apartment building.

Section 2.

2.01 This ordinance is based on the findings that the proposed development would not negatively impact public health, safety or welfare.

2.02 This ordinance is subject to the following conditions:

1. The site must be developed and maintained in substantial conformance with the following plans, which constitute the master development plan for the subject property:
   - Site plan, dated March 17, 2017
• Grading, drainage and erosion plan, dated March 17, 2017
• Utility plan, dated March 17, 2017
• Tree preservation plan, dated March 17, 2017
• Landscape plan, dated March 17, 2017

2. The development must further comply with all conditions outlined in City Council Resolution No. 2017-xx, adopted by the Minnetonka City Council on ________________, 2017.

Section 3. A violation of this ordinance is subject to the penalties and provisions of Chapter XIII of the city code.

Section 4. This ordinance is effective immediately.

Adopted by the city council of the City of Minnetonka, Minnesota, on ________________, 2017.

Terry Schneider, Mayor

ATTEST:

David E. Maeda, City Clerk

Action on this ordinance:

Date of introduction: April 24, 2017
Date of adoption:
Motion for adoption:
Seconded by:
Voted in favor of:
Voted against:
Abstained:
Absent:
Ordinance adopted.
Date of publication:
I certify that the foregoing is a correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota at a regular meeting held on ________________, 2017.

David E. Maeda, City Clerk
Exhibit A

Lot 1, Block 2, Minnetonka Hills Apartments, Hennepin County, Minnesota, EXCEPT that part of Lot 1, Block 2, Minnetonka Hills Apartments, lying North of the North line of Outlot C, said Addition and its Westerly extension.
(Abstract Property)

And,

That part of Lot 1, Block 2, Minnetonka Hills Apartments, lying North line of Outlot C, said Addition and its Westerly extension, Hennepin County, Minnesota.
(Torrens property: Certificate of Title No. 1075439)

And,

Outlot C, Minnetonka Hills Apartments, Hennepin County, Minnesota.
(Abstract Property)

And,

The South 170 feet of the North 450 feet of the East 265 feet of the Southeast Quarter of the Southeast Quarter (SE ¼ of SE ¼) of Section 12, Township 117, Range 22, in Hennepin County, Minnesota.
EXCEPT that part lying Easterly of a line parallel with an distant 25 feet Westerly of the following described line: Commencing at the Southeast corner of Section 12, Township 117, Range 22; thence North along the East line thereof 784.96 feet; thence deflect to the left at an angle of 90 degrees, a distance of 60 feet to the actual point of beginning of the line to be described; thence deflect to the right at an angle of 90 degrees, a distance of 138.28 feet; thence deflect to the left along a 26 degree 16 minutes 46 seconds curve (delta angle 49 degrees 16 minutes 15 seconds, tangent distance 99.98 feet), a distance of 150 feet and there terminating.
(Abstract Property)
Brief Description: Ordinance amending fire code

Recommended Action: Introduce the ordinance

Background

The city is authorized by law to enforce the Minnesota State Fire Code, to adopt the state fire code by reference, and, within limits, to adopt requirements that are equal to, in addition to, or more stringent than the requirements of the state fire code. The Minnesota Department of Public Safety has updated fire code provisions and has adopted the 2015 Minnesota State Fire Code, which incorporates provisions of the 2012 International Fire Code.

The fire marshal and city attorney have prepared an ordinance that adopts the revised state fire code, including several appendices to the state fire code that may be adopted at the option of the local unit of government. The ordinance does not propose any significant changes to the fire code from what has existed in the past. Two provisions merit discussion, however – not because they are new to the city fire code, but because renewed enforcement efforts have called attention to those provisions.

Open flames on balconies

The state fire code contains several appendices that cities may adopt or not, at their option. One of those appendices relates to “Fires or Barbecues on Balconies or Patios”; in general, it prohibits open flames on balconies for multi-unit buildings, with the exception of permanently mounted and wired or plumbed electric or gas-fired grills. For simplicity, this report refers to the appendix as the “balcony regulation.”

The city first adopted the balcony regulation in 2008, when the appendix was known as Appendix H. Due to reductions in staff and changes in staff, the Fire Department’s enforcement of the balcony regulation has been intermittent.

The balcony regulation is now contained in Appendix K to the state fire code. As with the last update to the city fire code, this ordinance also proposes to adopt the balcony regulation. Although the state fire code applies to all structures with three or more units, the proposed ordinance limits the application of the balcony regulation to apartment or condominium buildings that are two or more stories in height. Townhomes are excepted from the regulation, because those structures typically do not have the shared hallways found in apartment and condominium buildings, where fire egress can be more hazardous.
Since the summer of 2016, the fire department staff has been informing condominium and apartment managers of the department’s intent to revive proactive enforcement of the balcony regulation. Although there have been isolated complaints from individual unit owner or occupants, the homeowner associations and building managers have generally indicated support for the regulation.

**Open burning and recreational fires**

The proposed ordinance amends the city fire code provisions related to burning permits, but does not represent a material change in the city's practices. With specified exceptions, the current code requires a permit for setting any combustible material on fire in the city. In actuality, the city issues permits only for recreational fires, and the Minnesota Department of Natural Resources issues permits for “open burning” – fires not contained by a fire pit or stove, or fires more than three feet in height or diameter. The proposed ordinance adds a definition of “recreational fire” to the city fire code and incorporates into the city code certain requirements for a city burning permit that previously had only been listed on the burning permit application website.

**Recommendation**

Introduce the ordinance.

Submitted through:
- Geralyn Barone, City Manager
- John Vance, Fire Chief

Originated by:
- Luke Berscheit, Fire Marshal
- Corrine Heine, City Attorney
Ordinance No. 2017-

An Ordinance amending sections 910.005, 910.010, 910.015 and 910.020 of the Minnetonka City Code, relating to the city fire code

The City of Minnetonka Ordains:

Section 1. Section 910.005 of the Minnetonka City Code is amended to read as follows:

910.005. Definitions. Unless the context clearly indicates otherwise, certain words are defined for the purpose of this section as follows.

1. “Municipality” means the city of Minnetonka.

2. “Corporation counsel” means the city attorney.

3. “Chief of the bureau of fire prevention” means the fire marshal.

4. “City fire code” means the fire code adopted in sections 910.005 through 910.035.

5. “Portable outdoor fireplace” means a portable, outdoor, solid-fuel-burning fireplace that may be constructed of steel, concrete, clay or other noncombustible material. A portable outdoor fireplace may be open in design, or may be equipped with a small hearth opening and a short chimney or chimney opening in the top.

6. “Recreational fire” means an outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of 3 feet or less in diameter and 2 feet or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

Section 2. Section 910.010 of the Minnetonka City Code is amended to read as follows:

The stricken language is deleted; the underlined language is inserted.
910.010. Adoption of Minnesota State Fire Code.
The following are adopted and incorporated by reference as the city fire code:

1. State code. The 2015 state fire code, promulgated by the state department of public safety, as published in Minnesota Rules chapter 7511, subject to the amendments specified below, the 2007 Minnesota state fire code (MSFC) is adopted by reference as the city fire code for the city of Minnetonka.


3. Appendices. The following appendices of Minnesota Rules subpart 7511.7900, amendments to the appendices of the IFC, is adopted as part of this code: B (Fire Flow Requirements for Buildings), C (Fire Hydrant Locations and Distribution), D (Fire Apparatus Access Roads), F (Hazard Ranking), H (Hazardous Materials Management Plan [HMMP] and Hazardous Materials Inventory Statements [HMIS] Instructions), I (Fire Protection Systems-Noncompliant Conditions), and K (Fires or Barbecues on Balconies or Patios).

One copy of the MSFC state fire code and the IFC will be retained on file in the city clerk's office.

Section 3. Section 910.015 of the Minnetonka City Code is amended to read as follows:

1. The limits referred to in MSFC section 3404 In accordance with section 5704.2.9.6.1 of the state fire code, in which storage of flammable or combustible liquids in outside aboveground tanks is prohibited in the following zoning districts, are as follows: zoning districts R-1, R-2, R-3, R-4, R-5, B-1, B-2, B-3, PUD, and PID.

2. The limits referred to in NFPA Standard No.158, as adopted by MSFC section 3801.1, in which storage of liquefied petroleum gases is restricted, are as follows: zoning districts R-1, R-2, R-3, R-4, R-5, B-1, B-2, B-3, PUD, and PID.
3. The limits referred to in MSFC section 3304, in which storage of explosives and blasting agents are prohibited, are as follows: zoning districts R-1, R-2, R-3, R-4, R-5, B-1, B-2, B-3, PUD, and PID.

Section 4. Section 901.020 of the Minnetonka City Code is amended to read as follows:

910.020. Amendments to the MSFC Minnesota state fire code.

The Minnesota state fire code is amended as follows:

1. Section 307, “Open Burning and Recreational Fires,” is amended to read as follows to include the following section:

307.1. General. A person must not kindle or maintain or authorize to be kindled or maintained a recreational fire unless conducted and approved in accordance with this section.

307.2. Burning Permit required. The person who will be responsible for the recreational fire must obtain a permit from the fire department prior to kindling a recreational fire. The permit holder is responsible for conducting, controlling and extinguishing the fire in compliance with the city fire code.

307.3. Extinguishment authority. The fire chief or designee has the authority to order extinguishment of any fire if: the fire creates or adds to a hazardous situation; the fire chief or designee determines that the smoke from the fire is unreasonably offensive or injurious to others; or, a required permit has not been obtained.

307.4.2. Recreational fires. Recreational fires must not be conducted within 25 feet (7620 mm) of a structure or combustible material. Conditions which could cause a fire to spread within 25 feet (97620 mm) of a structure must be eliminated prior to ignition. Fire pits must be located a minimum of 10 feet from any property line.

307.4.3. Portable outdoor fireplaces. Portable outdoor fireplaces must be used in accordance with the manufacturer’s instructions and must not be operated within 15 feet (3048 mm) of a structure or combustible material.
307.4.4. Materials burned. Wood burned in a recreational fire or portable outdoor fireplace must be a minimum of 3 inches in diameter. No trash, brush, leaves or treated lumber may be burned.

307.5. Attendance. Permitted fires must be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 of the state fire code with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, must be available for immediate utilization.

   (1) Except as provided below, a person must not set on fire, or cause or permit to be set on fire, any combustible material within the city, including grass, weeds, trees, other vegetation, wood, building materials or any structure, without first obtaining a burning permit from the fire marshal. An application for a permit must include a description of the material to be burned, the purpose of the burning, the area where the burning will take place, the time of the proposed burning, and the name and address of the person(s) who will be conducting the burning and who will be responsible for its control and extinguishing. If the purpose is other than a small recreational fire, the application must also contain justification for the burning.

   (2) The fire marshal should generally grant an application for a small recreational fire but is not required to grant a permit for any other purpose. The fire marshal may deny any permit application, including one for a small recreational fire, when in the best interests of the public health, safety, and welfare. The fire marshal may consider such factors as atmospheric conditions, proximity of structures and other combustibles, the potential of fire spreading, and air quality. Any permit may be subject to conditions which, in the opinion of the fire marshal, are appropriate to protect the public health, safety, and welfare.

   (3) A burning permit is not required for woodburning fireplaces and stoves that are located in buildings or for charcoal fires used solely for the preparation of food. A burning permit is also not required for the burning of tobacco in cigars, cigarettes, and pipes.

   (4) A burning permit granted by the fire marshal does not relieve the permittee from any liability because of damage resulting from the fire.

2. Appendix K (Fires or Barbecues on Balconies or Patios) of the state fire code is amended to read as follows:

1.1 **Open flame prohibited.** In any apartment or condominium building two or more stories in height, no person may kindle, maintain, or cause any fire or open...
flame on any balcony above ground level, or on any ground floor patio within 15 feet of the structure.

1.2 Fuel storage prohibited. No person may store or use any fuel, barbecue, torch, or other similar heating or lighting chemical or device in any apartment or condominium building two or more stories in height, except as provided in this section 1.2. The following devices are allowed under the circumstances specified, provided that all devices must maintain an 18-inch clearance on all sides to combustibles:

1.2.1 Listed electric barbecue grills are allowed on balconies and patios provided they are permanently mounted and hardwired to the building’s electrical system.

1.2.2 Listed natural gas fueled barbecue grills are allowed on balconies and patios provided they are permanently mounted and plumbed to the building’s natural gas supply.

1.2.3 Listed propane fueled barbecue grills are allowed only on ground level. Propane cylinder storage is prohibited within 15 feet of the building.

1.2.4 Listed charcoal barbecue grills are allowed only on ground level and may not be used or stored within 15 feet of the building.

Section 3301.1.3 is amended to read:
The chief may seize, take, remove or cause to be removed and destroyed at the expense of the owner all stocks of fireworks offered or exposed for sale, stored or held in violation of this section.

6. Subpart 1 is amended to read:
Appendices A, B, C, D, E, F, G, H, I, and J of the Minnesota state fire code are deemed a part of this code and may be enforced as such.

Section 5. A violation of this ordinance is subject to the penalties and provisions of Chapter XIII of the city code.

Section 6. This ordinance is effective 30 days after publication.
Adopted by the city council of the City of Minnetonka, Minnesota, on

Terry Schneider, Mayor

Attest:

David E. Maeda, City Clerk

Action on this Ordinance:

Date of introduction:
Date of adoption:
Motion for adoption:
Seconded by:
Voted in favor of:
Voted against:
Abstained:
Absent:
Ordinance adopted.

Date of publication:

I certify that the foregoing is a true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota, at a meeting held on

David E. Maeda, City Clerk

The stricken language is deleted; the underlined language is inserted.
City Council Agenda Item #13A1  
Meeting of April 24, 2017

Brief Description
Items concerning The Cheesecake Factory at Ridgedale Center:

1) Conditional use permit for a restaurant with outdoor seating area;

2) Site and building plan review; and

3) Sign plan amendment.

Recommendation
Adopt the resolutions:

1) Approving the conditional use permit and final site and building plans; and

2) Denying the sign plan amendment.

Proposal
The Cheesecake Factory Restaurants, Inc. is proposing to operate a Cheesecake Factory restaurant within Ridgedale Center. To accommodate the restaurant, changes would be made to the mall's southwest entrance and façade. The changes, including installation of two wall signs, would generally provide Cheesecake Factory “trade dress” design, giving the restaurant a visual presence on the outside of the mall.

Planning Commission Hearing
The planning commission considered the proposal on April 6, 2017. The commission report and associated plans are attached. Staff recommended approval of the conditional use permit and final site and building plans, but denial of a sign plan amendment requested to accommodate increased number and size of wall signs. Staff noted:

- The proposed restaurant would increase dining options at the shopping center and add vibrancy to the surrounding area.

- The proposed site and building changes would provide the restaurant with recognizable “trade dress,” while complementing façade work done on other areas of the mall.

- There is nothing inherently unique about the proposed Cheesecake Factory that would justify signs in greater number and area than is allowed elsewhere at the mall or in the community.
A public hearing was opened to take comment, but no comments were received. The commission discussed the requested sign plan amendment. Commissioners noted:

- The mall entrance, mall identification “tower,” and proposed Cheesecake Factory entrance would be competing with one another for visibility.
- The elevation of the parking lot and surrounding ring road could make wall signage difficult to see.

Planning Commission Recommendation

On a 7-0 vote, the commission recommended the city council approve:

1) The conditional use permit and final site and building plans; and

2) A sign plan amendment to allow two walls signs. Maximum allowed height would remain at 42 inches.

Since Planning Commission Hearing

There have been no changes to the proposal or recommendations since the planning commission hearing.

Staff Recommendation

Staff recommends the city council adopt the following resolutions for The Cheesecake Factory at Ridgedale Center:

1) Approving the conditional use permit, and final site and building plans, for a restaurant with outdoor seating area; and

2) Denying the sign plan amendment.

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

Originator: Susan Thomas, AICP, Assistant City Planner
Introduction

The Cheesecake Factory Restaurants, Inc. is proposing to operate a Cheesecake Factory restaurant within Ridgedale Center. The new tenant space would be generally located near the southeast entrance to the mall, adjacent to Sears.

Summary Information

The following is intended to summarize the Cheesecake Factory proposal. Additional information associated with the proposal can be found in the “Supporting Information” and attachments sections of this report.

- **General Restaurant Information**

  The Cheesecake Factory is a full-service, sit-down restaurant operating nearly 200 locations throughout United States and throughout the world. The proposed Ridgedale Center location would be the second Cheesecake Factory in Minnesota. As proposed, the restaurant would accommodate seating for 340 customers in three separate dining areas:

<table>
<thead>
<tr>
<th>Dining Area</th>
<th>Size*</th>
<th>Seating</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restaurant</td>
<td>8,425 sq.ft.</td>
<td>224</td>
</tr>
<tr>
<td>Indoor Patio</td>
<td>1,030 sq.ft.</td>
<td>64</td>
</tr>
<tr>
<td>Outdoor Patio</td>
<td>990 sq.ft.</td>
<td>52</td>
</tr>
</tbody>
</table>

* rounded down to nearest 5 sq.ft.
• **Building Changes.** To accommodate the proposed restaurant, three primary changes would be made to the mall itself.

1. The vestibule at the mall’s southeast entrance would be reduced in size by roughly 85 square feet. Two existing doors would be removed, leaving three sets of doors and a vestibule width of roughly 23 feet.

2. A new exterior entrance would be constructed for the restaurant. The proposed design includes a new “tower feature” above the entrance. The tower, which would be just four feet taller than the adjacent mall, would not add square footage to the restaurant space itself. Rather, it would function as a covered entryway and visual element for the restaurant façade. A secondary entrance would be provided from the interior of the mall.

3. An outdoor seating area would be added east of the indoor restaurant space. The area, which would be used for seasonal dining, would be covered by a new roof structure and enclosed with a combination of fencing and landscaping.

• **Façade Changes.** Cheesecake Factory would provide “trade dress” design on the existing and proposed façade to give the restaurant a visual presence on the outside of the mall. Materials would include black granite, mosaic tiles, Venetian plaster, and copper finishes.

• **Signs.** Two wall signs are proposed on the exterior of the mall. The larger of the signs would have a maximum height of 57.5 inches (or 4 feet 9.5 inches) and total area of approximately 100 square feet. The smaller sign would be 24.5 inches in height and 38 square feet in total area.

**Primary Questions and 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 proposal and staff’s findings.

• **Is the restaurant use appropriate?**

  Yes. The proposed restaurant would increase dining options at the shopping center and add vibrancy to the surrounding area.

• **Are the proposed site and building changes reasonable?**

  Yes. The proposed site and building changes represent a collaboration between Cheesecake Factory representatives and city planning staff. The changes would
provide the restaurant with recognizable “trade dress” design and a visual presence, while complementing façade work done on other areas of the mall.

- Is the sign plan amendment reasonable?

No. Under the existing Ridgedale Center sign plan, restaurants with exterior access are allowed to display one wall sign with a maximum height of 42 inches. The city approved this covenant, which allows for wall signs significantly larger than permitted under the city’s sign ordinance, in conjunction with review of the Redstone and Kona Grill restaurants now located on the north side of the mall. There is nothing inherently unique about the proposed Cheesecake Factory that would justify signs in greater number and area than is allowed elsewhere at the mall or in the community.

Summary Comments

The proposed Cheesecake Factory represents a continuation of the revitalization of Ridgedale Center and its surrounding area. In generally supporting such revitalization, staff recommends approval of the proposed restaurant use and its associated site and building plan changes, but denial of the amendment to the existing sign plan.

Staff Recommendation

Recommend the city council adopt the following resolutions associated with the Cheesecake Factory at 12735 Wayzata Blvd.

Originator: Susan Thomas, AICP, Assistant City Planner
## Supporting Information

### Surrounding Uses

The subject property is surrounded by commercial and service commercial uses.

### Planning

- **Guide Plan designation:** mixed use  
- **Existing Zoning:** PID, planned I-394 development

### Parking

With the addition of Nordstrom and restriping of associated parking lots, there are currently 5,145 parking stalls at Ridgedale Center. The Institute of Transportation Engineering suggests that parking demand for the mall (roughly 1.17 million square feet) would range from 3,919 to 5,102 parking stalls January through November. Parking demand would increase during December.

In staff’s opinion, the proposed Cheesecake Factory does not warrant a completion of a formal parking study for several reasons:

1. Given the ITE estimates, the existing number of parking stalls would satisfy mall parking demand, with the exception of the holiday season;

2. The Cheesecake Factory, in and of itself, would not cause a parking deficit during the holiday season; and

3. Historically, the parking field between Nordstrom and Sears has been the most underutilized parking area at the mall.

### CUP Standards

City Code §300.31 Subd. 4(b)2(o) lists the following specific standards that must be met for granting a conditional use permit for restaurants located on property designated for retail use. The proposal would meet these standards.

1. Must be in retail multiple tenant centers only and conform to the architecture of a specific center;

   **Finding:** The proposed restaurant would be located within Ridgedale Center. The façade has been designed to complement recent improvements at the mall.

2. Will not be permitted when traffic studies indicate significant impacts on the levels of service as defined by the Institute of Traffic Engineers on the roadway system;
Finding: Staff does not anticipate that the proposed restaurant, in and of itself, would significantly impact levels of service at surrounding roadway systems.

3. Outdoor seating areas will be approved only subject to the following:

a) Must be located in a controlled or cordoned area with at least one opening to an acceptable pedestrian walk. When a liquor license is involved, an enclosure is required and the enclosure shall not be interrupted; access must be only through the principal building;

Finding: This condition is met.

b) Must be set back at least 200 feet and screened from any adjacent property designated in the comprehensive plan for residential use;

Finding: The closest residential use is located across Ridgedale Drive, over 1,000 feet from the proposed outdoor seating area.

c) Must be located and designed so as not to interfere with pedestrian and vehicular circulation;

Finding: The outdoor seating area would not impact on-site circulation.

d) Must be located next to an entrance to the main use;

Finding: This condition is met.

e) Must be equipped with refuse containers and periodically patrolled for litter pick-up;

Finding: This has been included as a condition of approval.

f) Must not have speakers or audio equipment that is audible from adjacent residential parcels; and

Finding: This has been included as a condition of approval.

g) Must meet building setback requirements.
Finding: The outdoor area would exceed all minimum building setback requirements.

4. Drive-up windows and related stacking spaces will be approved only subject to the following:

   a) public address systems must not be audible from any residential parcel; and

   b) stacking for a minimum of six cars per aisle must be provided subject to applicable parking lot setbacks.

   c) must be set back at least 100 feet and screened from any adjacent property designated in the comprehensive plan for residential use.

Finding: No drive-up window is proposed.

5. Restaurants or fast-food restaurants with less than 1,200 square feet gross floor area, designed seating capacity not exceeding 25, having no drive-up window and located in retail multiple tenant centers are exempt from the requirements of this section and are considered to be a standard retail use. For tenants with accessory fast-food restaurants, the 1,200-square-foot calculation will include the total gross area of all restaurants and fast-food restaurants within the tenant space.

SBP Standards

City Code §300.27 Subd. 5, outlines several items that must be considered in the evaluation of site and building plans. The proposed Cheesecake Factory would comply with these standards.

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

   Finding: Members of the city's community development, engineering, finance, fire, and public works staff have reviewed the proposal and find that it is generally consistent with the city's development guides.

2. Consistency with this ordinance;

   Finding: The proposal would meet all 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 restaurant would be located within an existing shopping center. No tree or soil removal would occur.

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 restaurant would be located within an existing shopping center. It would not impact the existing or future relationship between buildings and open space.

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.

**Finding:** The proposed site and building changes would complement and continue recent additions and renovations at Ridgedale Center.

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 proposed restaurant must be constructed consistent with current building and energy codes.

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: The restaurant would not negatively impact adjacent properties or the neighboring area.

Pyramid of Discretion

Motion Options

The planning commission has three options:

1. Concur with the staff recommendation. In this case a motion should be made recommending the city council adopt the resolutions as presented.

2. Disagree with staff’s recommendation. In this case, a motion should be made recommending the city council either: (1) deny both the conditional use permit and sign plan requests; or (2) approve both the conditional use permit and sign plan requests.

3. Table the requests. 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.
<table>
<thead>
<tr>
<th>Neighborhood Comment</th>
<th>The city sent notices to 354 area property owners. No written comments have been received.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deadline for Action</td>
<td>May 22, 2017</td>
</tr>
</tbody>
</table>
Location Map

Project: Cheesecake Factory Restaurant
Address: 12401 Wayzata Blvd
Project No. 03046.17a

This map is for illustrative purposes only.
OVERALL SITE PLAN

THE CHEESECAKE FACTORY
F.F.E.: $6.70

SEE SHEET SP1.1 FOR DETAILED SITE PLAN - THIS AREA

WAYZATA BOULEVARD

RIDGEDALE CENTER

RIDGE

DELIVERY / TRASH AREA

PATIO

PATIO

THE CHEESECAKE FACTORY

SP1.0

OVERALL SITE PLAN

DRAWN BY: SP1.0

SCALE: 1" = 50'

DATE: NOV 16 2017

ISSUED FOR CUP SUBMITTAL

JOB NUMBER: 12401

SHEET NUMBER: AS NOTED

SPACE #2220 · MINNETONKA, MN 55305 · RIDGEDALE CENTER

REMARKS:

ALL REPORTS, PLANS, SPECIFICATIONS, FIELD DATA & NOTES AND OTHER DOCUMENTS, INCLUDING ALL DOCUMENTS ON ELECTRONIC MEDIA, PREPARED BY TRM ARCHITECTURE, DESIGN & PLANNING, P.C. AS INSTRUMENTS OF SERVICE SHALL REMAIN THE PROPERTY OF TRM ARCHITECTURE, DESIGN & PLANNING, P.C. TRM ARCHITECTURE, DESIGN & PLANNING, P.C. SHALL RETAIN ALL COMMON LAW, STATUTORY, AND OTHER RIGHTS, INCLUDING THE COPYRIGHT THERETO.
Main Entrance Elevation
Side Exterior Elevation
Calvert moved, second by Schack, to recommend that the city council adopt the resolution approving an amendment to an existing conditional use permit for recreational facility improvements at the Hopkins High School Campus at 2400 Lindbergh Drive.

Schack, Sewall, Calvert, Knight, O'Connell, Powers, and Kirk voted yes. Motion carried.

The city council is tentatively scheduled to review this item April 24, 2017.

C. Items concerning The Cheesecake Factory at Ridgedale Center.

Chair Kirk 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.

In response to Sewall's question, Thomas explained that the 57 inches in vertical height measurement includes the empty space between copy lines.

Powers asked if there would be an entrance to the proposed restaurant from inside the mall. Thomas answered affirmatively.

O'Connell asked if the proposal would replace an existing tenant. Thomas answered affirmatively. It would replace a few fast-food restaurants.

Knight asked if the indoor eating area could have access from the outside. Thomas answered in the negative. A patron would have to go inside the restaurant and be seated by a host. The gates in the patio area provide an emergency exit, which is required by the fire marshal. The only access to enter the outdoor seating area is from within the restaurant.

Brian MacKellar, Cheesecake Factory Senior Vice President, representing the applicant, stated that he is excited to work with staff to create a terrific design. The sign request would allow their logo with a large “C” and “F” which would be 42 inches tall. The rest of the letters would be 1-foot, two-inches tall. There are similar restaurants at the mall that have a similar tag line. It would mark the entrance and provide a little excitement to the façade. The applicant would comply with the city’s decision.
Schack asked if he knew the size of the Cheesecake Factory sign at Southdale Center. Mr. MacKellar was unsure. From looking at Google Maps, Gordon guessed that it is five or six feet tall which is taller than the proposed sign.

Powers noted that the sign above the door would not have the tag line. Mr. MacKellar stated that the tag line could not be above the door for practical reasons.

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

Calvert confirmed with Thomas that allowing the use to have two signs and the two letters 42-inches in height would be violations of the sign plan for Ridgedale Center.

Schack noted that the signs for Kona and Redstone do not exceed 42 inches in height, but asked if any other sign on Ridgedale Center is at least 42 inches tall. Thomas was unsure. She noted that the Kona tag line is in line with “Kona Grill,” but due to the length of the Cheesecake Factory façade, it would not be possible for the applicant to include the tag line in line with the name.

Chair Kirk confirmed with Thomas that approval of the proposal would not need a variance, but would require an amendment to the sign plan. Macy’s requested a sign plan amendment which allowed a letter to be 11 feet in height. Staff recommended denial of that request. Staff is currently recommending approval of the proposal with the exception of the second sign above the door and the tag line.

Chair Kirk noted that the top of the sign would be visible to a driver on the Ridgedale Drive loop around Ridgedale Center. The door to the Cheesecake Factory would be right on top of the door to Ridgedale Center in the tower.

Calvert noted that the tower feels a lot closer to the mall entrance in person. The sign for the mall needs to be there.

Powers had no problem allowing both signs. He wants the restaurant to succeed. He likes the big sign. It is a reasonable request.

O’Connell noted that the Cheesecake Factory has dealt with this issue multiple times. He appreciated that the sign would not be very visible. The city is lucky to have a popular mall in the community. He did not want a sign issue to hold up expansion into this market.
Calvert read the same article as O'Connell describing how malls are struggling. The entrance needs something of architectural interest, so this is exciting to see. She struggled with the visibility of the sign from the road and the concentration of signs and doors at that location. It verged on being too much for one spot. Dropping the tag line would help the area look less “busy.”

Powers thought that the “Ridgedale” sign is the one that looks unattractive. Calvert agreed that the Cheesecake sign is more attractive than the Ridgedale sign, but the mall identification serves a greater purpose.

Schack looked at images of different Cheesecake signs. She agreed that there would be a lot going on in the one space. She favored either allowing both signs or only one sign with the tag line.

Chair Kirk agreed that the city is fortunate to have a thriving mall.

O'Connell recommended that the applicant work with staff to provide the city council with a couple options.

Gordon noted that a sign could be located inside a window visible from the outside of the building and have the same effect without needing a sign permit.

Chair Kirk suggested removal of the tag line, keeping the two letters 42-inches tall, and leaving the sign above the door. Calvert agreed. She thought that would remove some clutter, but provide for the company’s identity.

Powers supported keeping the tag line. Calvert understood the need for the larger letters to be visible from the road.

Calvert was excited about the restaurant. She did not want the signage to hold up the project, but the tag line would create clutter.

O’Connell moved, second by Sewall, to recommend that the city council adopt the following resolutions associated with the Cheesecake Factory at 12735 Wayzata Boulevard with a modification to allow two signs no taller than 42 inches.

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

The city council is tentatively scheduled to review this item April 24, 2017.
Resolution No. 2017-

Resolution approving a conditional use permit, and final site and building plans, for a restaurant with an outdoor seating area in Ridgedale Center at 12735 Wayzata Boulevard

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

Section 1. Background.

1.01 The Cheesecake Factory Restaurants, Inc. is proposing to operate a Cheesecake Factory restaurant within Ridgedale Center. The new tenant space would be generally located near the southeast entrance to the mall. The company has requested approval of a conditional use permit and final site and building plans.

1.02 The property is located at 12735 Wayzata Boulevard. It is legally described as: TRACT A, REGISTERED LAND SURVEY NO. 1826.

1.03 On April 6, 2017 the planning commission held a public hearing on the proposed restaurant. The applicant was provided the opportunity to present information to the planning commission. The planning 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 conditional use permit and final site and building plans.

Section 2. Standards.

2.01 City Code §300.21 Subd. 2 lists the following general standards that must be met for granting a conditional use permit:

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

4. The use is consistent with the city's water resources management plan;

5. The use is in compliance with the performance standards specified in §300.28 of the ordinance; and

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

2.02 City Code §300.31 Subd. 4(b)2(o) lists the following specific standards that must be met for granting a conditional use permit for restaurants located on property designated for retail use:

1. Must be in retail multiple tenant centers only and conform to the architecture of a specific center;

2. Will not be permitted when traffic studies indicate significant impacts on the levels of service as defined by the Institute of Traffic Engineers on the roadway system;

3. Outdoor seating areas will be approved only subject to the following:
   a) must be located in a controlled or cordoned area with at least one opening to an acceptable pedestrian walk. When a liquor license is involved, an enclosure is required and the enclosure shall not be interrupted; access must be only through the principal building;
   b) must be set back at least 200 feet and screened from any adjacent property designated in the comprehensive plan for residential use;
   c) must be located and designed so as not to interfere with pedestrian and vehicular circulation;
   d) must be located next to an entrance to the main use;
   e) must be equipped with refuse containers and periodically patrolled for litter pick-up;
   f) must not have speakers or audio equipment that is audible
from adjacent residential parcels; and

  g) must meet building setback requirements.

4. Drive-up windows and related stacking spaces will be approved only subject to the following:

  a) public address systems must not be audible from any residential parcel; and

  b) stacking for a minimum of six cars per aisle must be provided subject to applicable parking lot setbacks.

  c) must be set back at least 100 feet and screened from any adjacent property designated in the comprehensive plan for residential use.

5. Restaurants or fast-food restaurants with less than 1,200 square feet gross floor area, designed seating capacity not exceeding 25, having no drive-up window and located in retail multiple tenant centers are exempt from the requirements of this section and are considered to be a standard retail use. For tenants with accessory fast-food restaurants, the 1,200-square-foot calculation will include the total gross area of all restaurants and fast-food restaurants within the tenant space.

2.03 City Code §300.27 Subd. 5, outlines several items that must be considered in the evaluation of site and building plans.

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 proposed restaurant would meet the general conditional use permit standards as outlined in City Code §300.21 Subd. 2.

3.02 The proposed restaurant would meet the specific conditional use permit standards as outlined in City Code §300.31 Subd. 4(b)2(o).

1. The proposed restaurant would be located within Ridgedale Center. The façade has been designed to complement recent improvements at the mall.

2. The city does not anticipate that the proposed restaurant, in and of
itself, would significantly impact levels of service at surrounding roadway systems.

3. The outdoor seating area would:
   a) Be located in an enclosed area with access only through the restaurant.
   b) Be set back over 1,000 feet from the closed residential property.
   c) Not impact on-site circulation.
   d) Be equipped with refuse containers and periodically patrolled for litter pick-up;
   e) Not have speakers or audio equipment that is audible from residential parcels.
   f) Exceed all minimum building setback requirements.

4. No drive-up window is proposed.

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

1. Members of the city’s community development, engineering, finance, fire, and public works staff have reviewed the proposal and find that it is generally consistent with the city’s development guides.

2. The proposal would meet all ordinance standards.

3. The proposed restaurant would be located with an existing shopping center. No tree or soil removal would occur.

4. The proposed restaurant would not impact the existing or future relationship between buildings and open space.

5. The proposed site and building changes would complement and continue recent additions and renovations at Ridgedale Center.

6. The proposed restaurant would be constructed consistent with current building and energy codes.
7. The proposed restaurant would not negatively impact adjacent properties or the neighboring area.


4.01 The above-described conditional use permit and final site and building plans are approved, subject to the following conditions:

1. Subject to staff approval, the property must be developed and maintained in substantial conformance with the following plans, except as modified below.
   - Floor Plan, dated March 17, 2017
   - Building Elevations, dated March 15, 2017

2. This resolution must be recorded with Hennepin County prior to issuance of a building permit.

3. This resolution does not approve any wall signs.

4. The outdoor seating area must be equipped with refuse containers and periodically patrolled for litter pick-up.

5. The city council may reasonably add or revise conditions to address any future unforeseen problems.

6. Any change to the approved use that results in a significant increase in traffic or a significant change in character would require a revised conditional use permit.

Adopted by the City Council of the City of Minnetonka, Minnesota, on April 24, 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 April 24, 2017.

__________________________________
David E. Maeda, City Clerk
Resolution No. 2017-
Resolution denying an amendment to the existing sign plan for
Ridgedale Center at 12735 Wayzata Boulevard

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

Section 1. Background.

1.01 Under the existing Ridgedale Center sign plan, restaurants with frontage on
the mall exterior are allowed one wall sign not exceeding 42 inches in
height.

1.02 The Cheesecake Factory Restaurants, Inc. is requesting an amendment to
the sign plan to allow for display of two wall signs. The larger of the signs
would have a maximum height of 57.5 inches. The smaller sign would have
a maximum height of 24.5 inches.

1.03 On April 6, 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 the city council deny the sign plan amendment.

Section 2. Findings.

2.01 The existing Ridgedale Center sign plan allows restaurants to display wall
signs significantly larger than would be allowed elsewhere in the
community.

2.02 There is nothing inherently unique about the Cheesecake Factory
restaurant that would justify signs in greater number and area than is
allowed elsewhere at the shopping center or in the community.
Section 3. City Council Action.

3.01 The requested sign plan amendment is hereby denied.

Adopted by the City Council of the City of Minnetonka, Minnesota, on April 24, 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 April 24, 2017.

David E. Maeda, City Clerk
Brief Description
On-sale liquor licenses for The Cheesecake Factory Restaurants, Inc. (The Cheesecake Factory) at 12735 Wayzata Blvd (Ridgedale Mall)

Recommendation
Continue the public hearing and grant the licenses

Background
The city has received an application from The Cheesecake Factory Restaurants, Inc. DBA The Cheesecake Factory, requesting on-sale and Sunday on-sale intoxicating liquor licenses for a new restaurant within Ridgedale Mall. The new tenant space will generally be located in the southeast corner of the mall, between Sears and Nordstrom.

Business Ownership
The Cheesecake Factory Restaurants, Inc. is owned 100 percent by The Cheesecake Factory Incorporated, which is a publicly traded company. The applicant has provided the minutes certifying the officers of the company.

Business Operations
Cheesecake Factory is proposing to open a full-service restaurant and bar. The restaurant will occupy 9,700 square feet and will include an outdoor patio. Indoor seating will be for approximately 250 guests and the patio will have seating for 52. The restaurant will be open for lunch and dinner with the following hours:

<table>
<thead>
<tr>
<th>Dining Room &amp; Patio Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday - Thursday</td>
</tr>
<tr>
<td>Friday and Saturday</td>
</tr>
<tr>
<td>Sunday</td>
</tr>
</tbody>
</table>

The Cheesecake Factory anticipates that they will hire and train approximately 275 employees. Servers and bartenders are trained and provided materials on how to responsibly serve alcohol and the best ways to avoid overserving or serving a minor. Additionally, employees are trained using the SERVSAFE Responsible Alcohol Training.

Projected food to liquor ratio will be 90% food and 10% alcohol.

The general manager has not been hired, but will be required to complete the police background check as required by city ordinance.
Applicant Information

Application information and license fees have been submitted. The police department's investigative report is complete on this application and has been forwarded to the council separately.

Recommendation

Staff recommends that the city council continue the public hearing from March 27 and grant the licenses.

Submitted through:
  Geralyn Barone, City Manager
  Julie Wischnack, AICP, Community Development Director

Originated by:
  Kathy Leervig, Community Development Coordinator
Location Map

Project: Cheesecake Factory Restaurant
Address: 12401  Wayzata Blvd
City Council Agenda Item #13B  
Meeting of April 24, 2017

**Brief Description**
Off-sale liquor licenses for Target Corporation, 4848 Co Rd 101

**Recommendation**
Open the public hearing and continue to May 22, 2017

**Background**

The city has received an application from Target Corporation for an off-sale intoxicating liquor license, for use at 4848 Co Rd 101. SuperTarget opened in 2001 and currently holds a 3.2% malt beverage liquor license.

Target requested a full off-sale liquor license in 2015. The council considered the application and determined that it was important to review the liquor license policy. The policy was slightly modified but overall considered to be adequate for the city. Following the study sessions and modification to the city council policy 6.1, the council did not approve the request for an off-sale liquor license for Target.

Target is requesting that the council re-consider their application as part of the national effort to revamp grocery offerings to their guests. The store was remodeled in 2015 except for the café area in the front of the store. The proposed liquor store would be located in this space which would include a separate entrance with no direct access to the retail store.

**Business Ownership**

Target Corporation is a publicly held company. No police background check will be performed as the corporation has already been approved for a liquor license. (Currently they hold a 3.2 license.)

**Business Operations**

The proposed hours of operation for the liquor store will be Monday to Friday, 9am-10pm, and Saturday, 8am-10pm. Liquor sales on Sunday will be allowed effective July 2 of this year between the hours of 11am-6pm. Target has not had a violation of selling to minors at the Minnetonka location. The original license was issued in 2002. Statewide, Target has not had any violations since 2008. Target does not participate in the Minnetonka Best Practices Program, but they have their own in-house program focusing on preventing underage sales. In addition, the point of sale (POS) system has three verification processes in place to determine if the transaction is appropriate.
City Council Policy 6.1

The city council has established a policy that will consider the following criteria prior to issuing liquor licenses:

- Off-sale establishments provide intoxicating liquor that will be consumed in environments that are not monitored. An increase in the number of those outlets increases the access to liquor, contributes to public safety concerns, and detracts from the desired image of the city. Accordingly, the city council determines that the 12 off-sale intoxicating liquor licenses existing as of March 22, 2010 are generally adequate to serve the city. However, the council reserves the right not to issue any license even if the number falls below 12. Despite this maximum number, the council will consider, but not necessarily approve, additional off sale intoxicating liquor licenses only if the council finds in its sole discretion that the business:
  a. offers a distinctive specialty service, or  
  b. is a complementary part of a business that would add positively to the experience of living and working in the city; or  
  c. is part of a village center that is not currently served.

Currently, the council has approved 14 off-sale liquor licenses. Eleven of those licenses are stand-alone liquor stores and two are for 3.2% malt beverage licenses (Target on Co Rd 101 & Glenn’s 1-stop on Minnetonka Blvd). The additional off-sale license was issued to Unmapped Brewing LLC in October 2016 for an off-sale license for growlers. Unmapped Brewing is still in the process of building out the site.

Recommendation

Application information and license fees have been submitted. Staff recommends that the city council open the public hearing and continue the hearing to May 22, 2017.

Submitted through:
  Geralyn Barone, City Manager  
  Julie Wischnack, AICP, Community Development Director

Originated by:
  Kathy Leervig, Community Development Coordinator
April 12th, 2017

Members of the Minnetonka City Council
City of Minnetonka
14600 Minnetonka Boulevard
Minnetonka, MN 55345

Dear Members of the City Council:

Target Corp. has applied for an off-sale liquor license at our Target store located at 4848 County Road 101 in Minnetonka. Our potential alcohol offering at this location is part of Target’s ongoing efforts to deliver a convenient, one-stop shopping experience for our guests. We appreciate your consideration of our application and welcome your input.

While still relatively new to Minnesota, Target’s alcohol business is established and growing. As a company, we have sold alcohol across the country in our stores since 1996, and we currently have nearly 1,400 stores that sell alcohol in 38 states. Target has sold beer in Minnesota for 15 years and now has seven stores in Minnesota with separate-entrance liquor stores. We have had zero violations at our County Road 101 store since we began selling beer in 2002. Statewide, Target has not had any liquor violations since 2008.

The 2015 remodel of our Minnetonka SuperTarget was the first of what is now a national effort to revamp our grocery offering for our guests. The learnings from this store were used to help inform the overall chain-wide grocery strategy. The feedback from our guests at our subsequent test stores showed that alcohol is an important part of our grocery and broader entertaining and seasonal offerings. We’ve found that that 66% of our guests purchase adult beverages on a regular basis. Investments like our proposed 2,000 square foot liquor store provide a safe, enjoyable, and convenient location where our guests can discover unique products at a great value.

Target takes the responsibility that comes with selling alcohol very seriously. Team members and store executives are required to complete a comprehensive internal alcohol training program, with a focus on preventing underage sales, verifying valid identification, handling intoxicated guests, and cashier liability for illegal sales. Target’s Point of Sale system has programmed controls to assist cashiers when processing alcohol transactions. The system verifies cashier age, local legal selling times, and requires the cashier to either scan appropriate identification or enter in a birthdate. Target policy is to request an ID from the purchaser regardless of age.

Target is a proud member of this community since and is committed to continuing to be a good corporate citizen and community partner. Please feel free to contact me with concerns or suggestions regarding this application.

Sincerely,

Jonathan Redberg
Senior Analyst
Target Corporation
(612) 761-5959
jonathan.redberg@target.com
T1356 Minnetonka, MN\ Proposed Plan

Capacity Summary:
- 2835 Total SF
- 240 Total LF
- 300 SF Beer Cave
- 9 beer doors
Minnetonka exterior is not finalized, but will be similar to other locations.
13. **Public Hearings:**

C. **Off-sale liquor license for Target Corporation, 4848 County Road 101**

Community Development Director Julie Wischnack gave the staff report.

Wiersum asked if there was anything about the liquor store, other than it being in a Target that would make it unique. Brittany Kasson, executive team leader at the Target Superstore, said given the store’s size, staff would have to be particularly careful about what was being put on the shelves. This would mean being really localized and catering to Minnetonka. Wiersum noted the store would be different compared to other Target locations but asked if there would be a difference compared with other liquor stores in Minnetonka. Kasson said the size would be the biggest distinction. She said it was likely there would be more shelf space per square foot for craft beers than other stores in the city.

Schneider closed the public hearing at 7:08 p.m.

Wiersum said he supported the liquor policy. He likely was the most outspoken council member and he thought the city had plenty of liquor stores. Given his view of the policy he was not going to support Target’s application for a liquor license. The Highway 7/County Road 101 area was adequately served from a liquor store perspective. MGM was less than 200 feet away from Target. Tonka Bottle Shop and the Wine Shop were within two miles of the proposed location as was Team Liquors in
Shorewood. The area was not void of liquor stores. He didn’t see anything unique about the proposed liquor store and it was not part of a village center that was underserved. He said it was generally understood that increased access to any commodity likely increased use of that commodity. He quoted a provision in the liquor license policy that states, “An increase in the number of those outlets increases the access to liquor, contributes to public safety concerns, and detracts from the desired image of the city.” He said any benefit of supporting the application was outweighed by the negatives associated with increasing access to liquor in the community.

Allendorf said a lot of time was spent looking at the liquor policy and wordsmithing the 2010 policy to allow the council to look at any application against the policy to determine if it met the policy. He noted one of the words pointed out during the discussion was “or.” The provisions state “offers a distinctive specialty service” or “is a complementary part of a business that would add positively to the experience of living and working in the city,” or “was part of a village center that is not currently served.” He noted it wasn’t “and” but it was “or.” He saw the application for a 2,800 square foot liquor store to be a convenience in an 180,000 square foot store. Therefore it was a complementary part of the business. Aside from the policy, he noted Target already had a 3.2 liquor license and to go to a full liquor license was not a huge jump. He said he would be hard pressed to see any other application come in that more closely fit the policy.

Acomb said she wasn’t on the council for the 2010 policy discussion. She said what she thought the council wanted to come out with during the recent discussion to modify the policy was flexibility in the policy. The council wanted flexibility to approve licenses that they felt were appropriate and also deny an application even if the city did not have 12 approved licenses. She thought the city was adequately served with the current number of liquor stores. She believed an increase in the number of liquor outlets influenced underage substance use and other public safety issues. She said because she didn’t feel the village center was underserved, and because she didn’t feel the application was for something unique enough, she couldn’t vote to approve it.

Bergstedt said he agreed with Allendorf’s comments. The policy had been worked on quite a bit and it allowed for flexibility in evaluating liquor license applications. He said Target’s proposal would provide a complementary use within an existing establishment. Target held a malt beverage liquor license since 2002 and there were no violations. If it were a new free standing store, he might look at it differently. He thought the store could enhance the experience for customers with busy lives. To have a small store within a larger store was an enhancement. He noted
that people might think that if this Target store got a liquor license that the
other location in the city might then also get a license. State law only
allows one license per license holder in a city. He said because the policy
states that 12 was the number of licenses that was generally adequate to
serve the city and currently there were only 11 approved licenses, and
because Target had no violations with their current malt beverage liquor
license, he would be supportive of granting this license.

Wagner said even with the great amount of time discussing the policy, he
felt the dialogue had been worthwhile and had been a good public policy
discussion. The policy likely would have to be looked at every three to four
years as the council changes. He tended to be more aligned with Allendorf
and Bergstedt's position. He felt there was an element of convenience that
was not distinct but tied to the policy. He also thought it was relevant there
was an existing 3.2 license even though that license did not allow the sale
of hard liquor. He said he balanced that with liking a consistency in the
message. The item required five votes for approval, and given the
discussion, with Ellingson’s absence, the vote appeared to be 2-2, so he
was going to vote against granting the license.

Schneider said he was pretty liberal in his belief that liquor establishments
should be market driven. There was a point the character of the
community would be changed by approving another one or two liquor
stores but he felt the city was a long way away from that. The struggle he
had with the Target concept was not about the number of stores in the
city, but about the idea of fairness. He looked at the proposed store as
being strictly about convenience. He would have generally been
supportive if the council had decided to allocate in the policy a certain
number of licenses for accessory type establishments that were small in
size and were for convenience for customers, and made this available to
stores like Cub or Whole Foods. It was decided not to go that route. While
the wording included “or” there was different weights to different parts of
the policy. For him the convenience or accessory part didn’t carry a lot of
weight because the council did not formally adopt that as a position. He
didn’t see this application as matching that provision. He said the main
reason to control the number of licenses was to ensure there were not
underage drinking violations. Target had a great record with not having
any violations. The overall concept of how many small stores the city
should have or could support and where the line should be drawn about
giving it to one business but not giving it to an almost identical operation
because of the number of licenses, made him lean toward deciding this
was not the right time for this type of a license. He said he could go either
way but since it looked like there were not enough votes for approval he,
like Wagner, was likely to vote against granting the license.
Allendorf moved, Bergstedt seconded a motion to grant the license. Allendorf and Bergstedt voted “yes.” Acomb, Wiersum, Wagner, and Schneider voted “no.” Motion failed.
City Council Agenda Item #14A  
Meeting of April 24, 2017

Brief Description  
Resolution approving an amendment to an existing conditional use permit for new recreational fields, scoreboards, and lighting at the Hopkins High School Campus at 2400 Lindbergh Drive.

Recommendation  
Adopt the resolution approving the conditional use permit amendment.

Background  
Throughout the 1980s and 1990s the city approved conditional use permits for a variety of recreational areas on the Hopkins High School Campus. On May 22, 1995, the city council approved a “blanket” conditional use permit for the three schools – Tanglen Elementary, Hopkins Junior, and Hopkins High Schools.

It has been the practice of the city to require new conditional use permits or amendments to existing permits when conditionally-permitted uses are expanded.

Proposal  
At this time, the Hopkins School District is proposing recreational improvements to the high school campus. Items requiring only grading or building permits (administrative approval) include:

- converting athletic fields from grass to synthetic turf;
- grading work;
- fences;
- ramps;
- sidewalks; and
- retaining walls.

Items requiring an amendment to the conditional use permit (city council approval), which may also require a building or sign permits, include:

- **New Recreational Fields (with structures)** – The applicant proposes to add a new softball field just north of the existing baseball field. This field would be synthetic turf, as would the existing baseball field. The softball field would have a temporary fence that could be moved to allow the east portion of the field to be used as a soccer or lacrosse field. The softball field would have two, 8-foot by 40-foot dugouts for players and a 30-foot-by-30-foot concrete pad for a 10-row bleacher structure.
• **Scoreboards** – The applicant proposes four new scoreboards for the soccer, softball and baseball fields. These scoreboards would be located on top of a retaining wall between the baseball field and an existing parking lot and on the south side of the softball field. The scoreboards would both be approximately 20 feet tall and would be 48 square feet (soccer) and 130 square feet (softball and baseball) in area, respectively.

• **Lighting** – The applicant proposes to add 15 light poles that would vary from 30 feet to 90 feet in height. The taller light poles would be similar in height to the existing football stadium lights. The light poles would be set back over 25 feet from the northern property line and approximately 90 feet from the closest residential property. LED illumination would be used, which would have reduced glare in comparison to older field lighting equipment. Surface lighting would be virtually absent at the northern property line and within Hillside Lane West. The proposal shows no spillover light onto nearby residential properties. (See attached.)

Hopkins School District representatives have informed staff that the school plans to use field lighting for 6-10 baseball games and 0-2 softball games each year. These games would typically start at approximately 6:30 pm and a typical game would end at 9 pm at the latest. Lacrosse or soccer practices may also use the proposed lighting. Currently, these teams practice during day light hours, but future coaching availability could require later practices. These practices would most likely run from 5 pm to 8 pm and could potentially request to use lighting.

Lindbergh Center representatives have informed staff that the field lighting may be used for their programming on Sundays, Mondays, Tuesdays and Thursdays when there is not snow on the ground (spring through fall). These programs would not extend past 10 pm.

To ensure consistency with city-owned lighted fields, staff is recommending a condition of approval that would allow spring through fall field lighting for the site (weather depending), but not past 9:45 pm.

**Planning Commission Hearing**

The planning commission considered the proposed improvements on April 6, 2017. The commission report and associated plans are attached. Staff recommended approval of the improvements, noting:

• The Hopkins School District currently uses the subject site for recreational purposes. The modification of the recreational fields and addition of scoreboards and field lighting is consistent with the existing use of the site.

• The Hopkins School District has an existing conditional use permit for an educational institution and facilities. This conditional use permit allows recreational areas designed for group outdoor activities with field lighting. The current proposal
would increase the potential use of the existing recreational fields, but it is within the standards outlined in city ordinance.

- City ordinance requires recreational areas designed for group outdoor activities to be set back at least 25 feet from residential property and appropriately buffered. The subject field would be located approximately 75 feet from the nearest residential property, across Hillside Lane West. Staff finds that this distance and buffering would appropriately mitigate potential adverse impacts.

- The proposed LED lighting at the existing athletic field would visually impact the immediate area when the lighting is in use. However, current technology minimizes “spill-over” lighting and the staff suggested 9:45 p.m. limitation on lighting would further reduce nighttime impacts. (See attached.) The closest home to the new fields is located approximately 125 feet to the north, across Hillside Lane West. With the exception of two other homes, there are no other homes within 250 feet of the lighted field.

A public hearing was opened to take comment. Multiple residents addressed the commission, voicing their concerns regarding the proposed project. The concerns included: (1) fence heights and appearance; (2) increased field use and vehicle traffic/parking; (3) construction timing and enforcement of ordinance; (4) disturbance of the neighborhood from the new lighting; and (5) recreational area design.

The commission then asked questions and discussed the proposal. Ultimately, the commission concurred with the staff recommendation.

**Planning Commission Recommendation**

On a 7-0 vote, the commission recommended the city council approve the conditional use permit amendment. Meeting minutes are attached.

**Since Planning Commission Hearing**

Since the planning commission hearing, staff has received a revised plan from the applicant that displays the proposed location of the signage and fences. (See attached). The applicant originally proposed two new scoreboards for the proposed site; however, the revised plan displays four new scoreboards (one for baseball (existing), one for softball (new) and two for soccer (new). The four scoreboards would meet city ordinance requirements.

**Staff Recommendation**

Staff recommends the city council adopt the resolution with conditions, approving an amendment to the existing conditional use permit for new recreational fields, scoreboards, and lighting at the Hopkins High School Campus at 2400 Lindbergh Drive.
Through: Geralyn Barone, City Manager
        Julie Wischnack, AICP, Community Development Director
        Loren Gordon, AICP, City Planner

Originator: Drew Ingvalson, Planner
MINNETONKA PLANNING COMMISSION
April 6, 2017

Brief Description  Amendment to an existing conditional use permit for recreational facility improvements at the Hopkins High School Campus at 2400 Lindbergh Drive.

Recommendation  Recommend the city council adopt the resolutions approving the amendment to the conditional use permit.

Background

Throughout the 1980s and 1990s the city approved conditional use permits for a variety of recreational areas on the Hopkins High School Campus. On May 22, 1995, the city council approved a “blanket” conditional use permit for the three school – Tanglen Elementary, Hopkins Junior, and Hopkins High School – site.

It has been the practice of the city to require new conditional use permits or amendments to existing permits when conditionally-permitted uses are expanded.

Proposal Summary

Neil Tessier of SAFEEngineering, on behalf of Hopkins School District, is proposing changes to the Hopkins High School Campus at 2400 Lindbergh Drive. The changes to the existing site can be organized into items requiring only a grading, sign, or building permits – which require only administrative approval – and items that require an amendment to the existing conditional use permit – which require city council approval.

Items requiring only grading, sign, or building permits (administrative approval) include:

- converting athletic fields from grass to synthetic turf;
- grading work;
- fences;
- ramps;
- sidewalks; and
- retaining walls.

Items requiring an amendment to the conditional use permit (city council approval), which may also require a building permit, include:

- new recreational fields with structures;
- scoreboards; and
- light poles.
Subject: Hopkins High School Recreational Facility Improvements

Please see attachments for proposed plans.

Proposed Plan

The applicant has proposed several different items for the High School Campus, including new fields with structures, scoreboards, and field lighting. These items would increase the potential use of the school’s existing recreational area, requiring an amendment to the existing conditional use permit for the property. Please note, only items requiring an amendment to the conditional use permit (needing city council approval) will be discussed below. The proposal has been condensed into three different sections.

- **New Recreational Fields (with structures)** – The applicant proposes to add a new softball field just north of the existing baseball field. This field would be synthetic turf, as would the existing baseball field. The softball field would have a temporary fence that could be moved to allow the east portion of the field to be used as a soccer or lacrosse field. The softball field would have two, 8-foot by 40-foot dugouts for players and a 30-foot-by-30-foot concrete pad for a 10-row bleacher structure.

- **Scoreboards** – The applicant proposes two new scoreboards for the soccer and baseball fields. These scoreboards would be located on top of a retaining wall between the baseball field and an existing parking lot. The scoreboards would both be approximately 20 feet tall and would be 48 square feet and 130 square feet in area respectively.

- **Lighting** – The applicant proposes to add 15 light poles that would vary from 30 feet to 90 feet in height; the taller light poles would be similar in height to the existing football stadium lights. The light poles would be set back over 25 feet from the northern property line and approximately 90 feet from the closest residential property. LED illumination would be used, which would have reduced glare in comparison to older field lighting equipment. Surface lighting would be virtually absent at the northern property line and within Hillside Lane West. The proposal shows no spillover light onto nearby residential properties. (See attached.)

Hopkins School District representatives have informed staff that the school plans to use field lighting for 6-10 baseball games and 0-2 softball games each year. These games would typically start at approximately 6:30 pm and a typical game would end at 9 pm at the latest. Lacrosse or soccer practices may also use the proposed lighting. Currently, these teams practice during day light hours, but future coaching availability could require later practices. These practices would most likely run from 5 pm to 8 pm and could potentially request to use lighting.

Lindbergh Center representatives have informed staff that the field lighting may be used for their programming on Sundays, Mondays, Tuesdays and Thursdays when there is not snow on the ground (spring through fall). These programs would not extend past 10 pm.
To ensure consistency with city-owned lighted fields, staff is recommending a condition of approval that would allow spring through fall field lighting for the site (weather depending), but not past 9:45 pm.

Primary Questions and Analysis

The commission’s charge is to review proposed land uses and determine whether they are appropriate given zoning ordinance standards and land use policy. The following outlines the primary land use questions associated with the proposed recreational improvements and staff’s findings.

1. **Are the proposed improvements appropriate?**

   Yes. The new recreational fields, scoreboards, and field lighting are appropriate for several reasons:

   - The proposed improvements would enhance the use of the Hopkins High School campus.
   - The Hopkins School District currently uses the subject site for recreational purposes. The modification of the recreational fields and addition of scoreboards and field lighting is consistent with the existing use of the site.
   - The Hopkins School District has an existing conditional use permit for an educational institution and facilities. This conditional use permit allows recreational areas designed for group outdoor activities with field lighting. The current proposal would increase the potential use of the existing recreational fields, but it is within the standards outlined in city ordinance.

2. **Are the anticipated impacts acceptable?**

   Yes. The new recreational fields would serve as a flexible space that would increase the use of the site. The field lighting would increase the dates and times of field use. However, the impacts associated with the increase in potential use are acceptable.

   - City ordinance requires recreational areas designed for group outdoor activities to be set back at least 25 feet from residential property and appropriately buffered. The subject field would be located approximately 75 feet from the nearest residential property, across Hillside Lane West. Staff finds that this distance and buffering would appropriately mitigate potential adverse impacts.

   - The proposed LED lighting at the existing athletic field would visually impact the immediate area when the lighting is in use. However, current technology minimizes “spill-over” lighting and the staff suggested 9:45 p.m. limitation on lighting would further reduce nighttime impacts. (See attached.) The closest
home to the new fields is located approximately 125 feet to the north, across Hillside Lane West. With the exception of two other homes, there are no other homes within 250 feet of the lighted field.

**Staff Recommendation**

Recommend the city council adopt the resolution approving an amendment to an existing conditional use permit for recreational facility improvements at the Hopkins High School Campus at 2400 Lindbergh Drive.

Originator: Drew Ingvalson, Planner
Through: Susan Thomas, AICP, Assistant City Planner
Supporting Information

**Project No.** 96079.17a

**Property** 2400 Lindbergh Drive

**Applicant** Neil Tessier, SAFEngineering, PLLC

**Owner** Hopkins School District, ISD #270 (Patrick Poquette, Director of Facilities)

**Surrounding Land Uses**
- Northerly: single-family homes
- Easterly: single-family homes
- Southerly: Hopkins School District, ISD 270 - Lindbergh Center
- Westerly: Hopkins School District, ISD 270 – Hopkins High School tennis courts and football stadium

**Planning**
- Existing Zoning: R-1
- Guide Plan designation: Institutional

**History**
On March 3, 1988, the planning commission approved a conditional use permit for grading/filling activities at the Hopkins School Campus for reconstruction of athletic fields.

On May 6, 1991, the city council approved a site plan with variance and conditional use permit for the expansion and lighting of an athletic field and associated scoreboard at Hopkins High School. The city council also reviewed a preliminary stadium management plan.

On April 6, 1992, the city council approved the Hopkins High School stadium management plan as required by the 1991 conditional use permit.

On May 22, 1995, the city council approved conditional use permits for Tanglen Elementary School, North Junior High School, and Hopkins Senior High School.

On July 31, 2014, the planning commission approved a site and building plan for a storage building used to store the school’s track and field related equipment, as well as some lawn and snow equipment.
### General CUP Standards

The proposed recreational fields, scoreboards, and field lighting would meet the general conditional use permit standards for educational institutions and facilities.

1. The use is consistent with the intent of the 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.

### Specific CUP Standards

The proposed recreational fields, scoreboards and field lighting would meet the specific conditional use permit standards for educational and institutions and facilities.

1. 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; the use is not permitted on property that has access only by way of private or driveway that is used by more than one lot.

**Finding:** No access changes are proposed.

2. Buildings set back 50 feet from all property lines and parking setbacks subject to section 300.28 of this ordinance;

**Finding:** No buildings are proposed.

3. School bus pick-up and drop-off areas located outside of the public right-of-way and designed to enhance vehicular and pedestrian safety;

**Finding:** No changes to school bus drop-off and pick-up routes have been proposed.

4. Recreational areas designed for group outdoor activities setback 25 feet from residential property, suitable buffering provided to protect neighboring properties from noise and adverse visual impacts, and lighted playing fields permitted
only upon demonstration that off-site impacts can be mitigated substantially;

**Finding:** The proposed recreational areas would be located nearly 75 feet from the nearest residential property and would be located across Hillside Lane West. The setback distance combined with the street should provide adequate setback and buffer from residential properties.

5. No more than 60 percent of the site to be covered with impervious surface and the remainder to be suitably landscaped;

**Finding:** The proposed lighting would not increase the site’s impervious surface by more than the diameter of the fifteen poles and the proposed fields would be permeable. The proposed bleachers and dugouts would not cause the site to exceed 60 percent impervious coverage.

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

**Finding:** See the following section of this report.

7. Not connected to, or part of, any residential dwelling.

**Finding:** The fields would not be connected to, or part of, any residential dwelling.

**SBP Standards:** The proposed field lighting 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:** Members of the city’s community development, engineering, and public works staff have reviewed the proposed project and find that it is generally consistent with the city’s development guides.

2. Consistency with this ordinance;

**Finding:** The proposal would meet all 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 existing recreational area is not in a “natural state.” While grading would be required for conversion to synthetic turf, the other proposed improvements would not necessitate any significant soil removal. A grading permit would be required for all earthwork on the site and removed trees would be subject to mitigation requirements.

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 Hopkins High School campus contains a variety of recreational uses and public buildings. The proposed recreational fields, scoreboards, and lighting of existing and proposed fields would not detract from the relationship between existing and future uses and buildings.

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.

**Finding:** The proposed field, scoreboards, and lighting of the existing and proposed fields would not impact the internal
order, circulation, landscaping, or open space on the Hopkins High School campus.

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:** LED fixtures would be used.

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:** The proposal would allow for extended recreational use of a site that has long been used for recreational purposes. The closest residential home, located north of the existing field, is 125 feet away from the proposed field. The residential neighborhood is separated from the existing recreational area by Hillside Lane West.

The applicant has proposed to use LED lighting, which would have reduced glare in comparison to older field lighting equipment. Surface lighting would be virtually absent at the northern property line and within Hillside Lane West. The proposal shows no spillover light onto nearly by residential properties.

### Neighborhood Comments

The city has sent notice to 950 area property owners and has received three written comments to date. (See attached.)

### Pyramid of Discretion

![Pyramid Diagram](image)

This Proposal

### Motion Options

The planning commission has three options:
1. Concur with the staff recommendation. In this case a motion should be made recommending the city council adopt the resolutions approving the amendment to the existing conditional use permit.

2. Disagree with staff’s recommendation. In this case, a motion should be made recommending the city council deny the amendment. This motion must include a statement as to why denial is recommended.

3. Table the request. In this case, a motion should be made to table the items. The motion should include a statement as to why the requests are 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 Decision**

May 22, 2017
Location Map

Project: Hopkins HS Ballfield
Applicant: SAFEngineering, PLLC
Address: 2400 Lindbergh Dr
Project No. 96079.17a

This map is for illustrative purposes only.
GENERAL NOTES:

A. TOPOGRAPHIC BOUNDARY SURVEY, INCLUDING PROPERTY LINES, LEGAL DESCRIPTION, EXISTING UTILITIES, SITE TOPOGRAPHY WITH SPOT ELEVATIONS, OUTSTANDING PHYSICAL FEATURES AND EXISTING STRUCTURE LOCATION WERE PROVIDED BY THE FOLLOWING COMPANIES, AS A CONTRACTOR TO THE SELLER/OWNER:

CORNERSTONE LAND SURVEYING, INC.
6750 STILLWATER BLVD. N., SUITE #1
STILLWATER, MN 55082
PHONE 651.275.8969
FAX 651.275.8976
DAN@CSSURVEY.NET

CEI ENGINEERING AND ITS ASSOCIATES WILL NOT BE HELD RESPONSIBLE FOR THE ACCURACY OF THE SURVEY OR FOR DESIGN ERRORS OR OMISSIONS RESULTING FROM SURVEY INACCURACIES.

B. ALL PHASES OF SITE WORK FOR THIS PROJECT SHALL MEET OR EXCEED THE OWNER SITE WORK SPECIFICATIONS.

C. CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF EXISTING STRUCTURES, RELATED UTILITIES, PAVING, AND ANY OTHER EXISTING IMPROVEMENTS AS NOTED. SEE SITE WORK SPECIFICATIONS.

D. CONTRACTOR IS TO REMOVE AND DISPOSE OF ALL DEBRIS, RUBBISH AND OTHER MATERIALS RESULTING FROM CURRENT DEMOLITION OPERATIONS. DISPOSAL WILL BE IN ACCORDANCE WITH ALL LOCAL, STATE AND/OR FEDERAL REGULATIONS GOVERNING SUCH OPERATIONS.

E. THE GENERAL CONTRACTOR WILL BE HELD SOLELY RESPONSIBLE FOR AND SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASES OF THIS PROJECT.

F. WARRANTY/DISCLAIMER:

THE DESIGNS REPRESENTED IN THESE PLANS ARE IN ACCORDANCE WITH ESTABLISHED PRACTICES OF CIVIL ENGINEERING FOR THE DESIGN FUNCTIONS AND USES INTENDED BY THE OWNER AT THIS TIME. HOWEVER, NEITHER THE ENGINEER NOR ITS PERSONNEL CAN OR DO WARRANT THESE DESIGNS OR PLANS AS CONSTRUCTED EXCEPT IN THE SPECIFIC CASES WHERE THE ENGINEER INSPECTS AND CONTROLS THE PHYSICAL CONSTRUCTION ON A CONTEMPORANEOUS BASIS AT THE SITE.

G. SAFETY NOTICE TO CONTRACTOR:

IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. ANY CONSTRUCTION OBSERVATION BY THE ENGINEER OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES, IN, ON OR NEAR THE CONSTRUCTION SITE.

H. ALL CONSTRUCTION IN RIGHT-OF-WAY SHALL BE COORDINATED WITH THE GOVERNING AGENCY.

I. WETLANDS NOTE:

ANY DEVELOPMENT, EXCAVATION, CONSTRUCTION, OR FILLING IN A U.S. CORPS OF ENGINEERS DESIGNATED WETLAND IS SUBJECT TO LOCAL, STATE AND FEDERAL APPROVALS. THE CONTRACTOR SHALL COMPLY WITH ALL PERMIT REQUIREMENTS AND/OR RESTRICTIONS AND ANY VIOLATION WILL BE SUBJECT TO FEDERAL PENALTY. THE CONTRACTOR SHALL HOLD THE OWNER/DEVELOPER, THE ENGINEER AND THE LOCAL GOVERNING AGENCIES HARMLESS AGAINST SUCH VIOLATION.
Existing Site
HILLSIDE LANE WEST

CONTACT:
EASTERLY EXTENTS
OF 2010 SURVEY

NEIL TESSIER
SAFEngineering, PLLC
6574 Sioux Lane
Lino Lakes, MN 55014
Phone: 612-213-9859

COUNTY/CITY:

EXTENT OF
2010 SURVEY

STORM MANHOLE

AIR CONDITIONER

FIRE DEPT. CONNECTION

ELECTRIC MANHOLE

HYDRANT

ELECTRIC METER

CURB STOP

ELECTRIC PEDESTAL

WATER VALVE

ELECTRIC TRANSFORMER

BOLLARD

LIGHT POLE

FLAG POLE

GUY WIRE

TRAFFIC SIGN

POWER POLE

UNKNOWN MANHOLE

GAS METER

SPOT ELEVATION

(NOT TO SCALE)

REVISIONS:

EXTENT OF
2010 SURVEY

DATE
03-04-15
11-11-16

REVISION
INITIAL ISSUE
REV. STORM

CERTIFICATION:
I hereby certify that this plan was prepared by
me, or under my direct supervision, and that I am
a duly Licensed Land Surveyor under the laws of
the state of Minnesota.

EXTENT OF
2010 SURVEY

TELEPHONE PEDESTAL
CONIFEROUS TREE

SANITARY MANHOLE

SITE

EXTENT OF
2010 SURVEY

LEGEND
CABLE TV PEDESTAL

VICINITY MAP
NORTH

LINDBERGH DRIVE

EASTERLY EXTENTS
OF 2010 SURVEY

CATCH BASIN
DECIDUOUS TREE

FLARED END SECTION
ROOF DRAIN

Daniel L. Thurmes Registration Number: 25718

UNDERGROUND ELECTRIC
UNDERGROUND CABLE TV
UNDERGROUND FIBER OPTIC

EASTERLY EXTENTS
OF 2010 SURVEY

03-04-15
Date:__________________

UNDERGROUND TELEPHONE
OVERHEAD UTILITY

PROJECT LOCATION:

UNDERGROUND GAS
SANITARY SEWER
STORM SEWER
WATERMAIN
FENCE
CURB [TYPICAL]
CONTOURS
TREE LINE

LEGAL DESCRIPTION:

UNDERGROUND UTILITIES NOTES:

The following description is as shown on Hennepin County Certificate of Title number 1200845

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD
SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO
GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPROMISE ALL
SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE
SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES
SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY
THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE
INFORMATION AVAILABLE. THIS SURVEY HAS NOT PHYSICALLY LOCATED THE
UNDERGROUND UTILITIES. GOPHER STATE ONE CALL LOCATE TICKET
NUMBER(S) 150480771. SOME MAPS WERE RECEIVED, WHILE OTHER UTILITIES
DID NOT RESPOND TO THE LOCATE REQUEST. ADDITIONAL UTILITIES OF
WHICH WE ARE UNAWARE MAY EXIST.

Par
Par
Par
Par

1:
2:
3:
4:

Lots 1, 2 and 3, Block 3, Westview Hills
The West 175 feet of Tract A, Registered Land Survey No. 1194, County of Hennepin.
The Southeast Quarter of the Northwest Quarter of Section 12, Township 117, Range 22, except that part thereof embrace within the plat of Birchview.
That part of the Southwest Quarter of the Northwest Quarter of Section 12, Township 117, Range 22, described as beginning at the Northeast corner thereof;
thence West along the North line of the Southwest Quarter of the Northwest Quarter to a point 755.2 feet East of the Northwest corner thereof; thence
deflecting to the left 94 degrees, 20 minutes, a distance of 439 feet; thence Southerly to a point in a line drawn parallel to and 660 feet North of the South line
of said Southwest Quarter of the Northwest Quarter; distant 726 feet East of the West line of the Southwest Quarter of the Northwest Quarter; thence South
parallel to said West line to the South line of the Southwest Quarter of the Northwest Quarter; thence East to the Southeast corner thereof; thence North to the
point of beginning except the West 210 feet of the most Southerly 150 feet thereof.
Par 5: That part of the following described property:
Tract F, Registered Land Survey No. 1194, Hennepin County, Minnesota, except that part thereof embraced within the plat of Birchview.
That part of the Northeast Quarter of the Southwest Quarter of Section 12, Township 117, Range 22, lying North of County Road No 16 and West of Registered
Land Survey No. 1194, except that part thereof lying West of the East 165 feet of the West 1/4 of said Northeast Quarter of the Southwest Quarter and South of
the North 460 feet of said Northeast Quarter of the Southwest Quarter which lies Northwesterly of a line drawn parallel with and distant 33.00 feet
Northwesterly of the following described line:
Commencing at the Southwest corner of Section 12, Township 117, Range 22; thence Northerly 978.40 feet along the West line of said Section 12 to the
actual point of beginning of the line to be herein described; thence deflecting right 86 degrees 25 minutes, as measured North to East, a distance of
306.61 feet; thence Easterly 360.61 feet along a tangential curve concave to the North having a radius of 1432.39 feet and a central angle of 14 degrees
25 minutes 27.8 seconds; thence Northeasterly, tangent to said curve, a distance of 1185.74 feet; thence Northeasterly 1000.19 feet along a tangential
curve concave to the Northwest having a radius of 1909.86 feet and a central angle of 30 degrees 00 minutes 21 seconds; thence Northeasterly tangent
to said last described curve a distance of 376.92 feet and said line there terminating.

BENCHMARKS
ELEVATIONS BASED ON INFORMATION AS SHOWN ON THE
MNDOT GEODETIC WEBSITE. SURVEY DISK 2789 AN WITH
AN ELEVATION OF 948.91 WAS USED TO ESTABLISH
VERTICAL CONTROL FOR THIS SURVEY (NAVD 88)

Suite #1
6750 Stillwater Blvd. N.
Stillwater, MN 55082
Phone 651.275.8969
Fax 651.275.8976
dan@
cssurvey
.net

SURVEY NOTES:

NORTH
0

80

160

1. THE PURPOSE OF THIS SURVEY IS TO SHOW CERTAIN
TOPOGRAPHICAL FEATURES OF THE SUBJECT PROPERTY AS
REQUESTED BY THE CLIENT. THIS SURVEY IS NOT A
BOUNDARY SURVEY. ANY BOUNDARY LINES SHOWN ON
THE SURVEY ARE APPROXIMATE AND BASED SOLELY ON
THE LEGAL DESCRIPTION SHOWN ON THIS SURVEY.
2. UNDERGROUND UTILITIES SHOWN PER GOPHER ONE
LOCATES AND AS-BUILTS PLANS.
3. THERE MAY SOME UNDERGROUND UTILITIES, GAS,
ELECTRIC, ETC. NOT SHOWN OR LOCATED.
4. FIELD WORK PERFORMED ON FEBRUARY 24-26, 2015, AND
NOVEMBER 7, 2016.
5. ELEVATIONS SHOWN ALONG CURB LINES ARE TO THE FLOW
LINE UNLESS OTHERWISE NOTED.

FILE NAME
PROJECT NO.

SURVSAF18
SAF15018

Subject to utility and drainage easements as shown on plat; (as to Par 1);
A part of the West boundary of the Northeast Quarter of the Southwest Quarter, Section 12, Township 117, Range 22, has been marked by Judicial Landmarks set
pursuant to Torrens Case No. 14066; (See Order Doc. No. 614213);
Subject to a 25.00 foot wide perpetual easement for the installation and maintenance of storm sewer over part of land in Par 5 as shown in deed Doc. No. 1576368;

TOPOGRAPHIC

SURVEY
SHEET 1 OF 2


Exsiting Site
2.5" O.D. POST

18" x 60" GATE POST WITH SONO TUBE

6 GAUGE ALUMINUM COATED FABRIC

600 PSI PC CONCRETE (TYP.)

CHAIN LINK FENCE WITH DOUBLE GATE

CHAIN LINK FENCE WITH 6' GATE

FENCE POSTS 18" O.D., 60" SONO TUBES DEEP CONCRETE FOOTINGS

ALL FENCE RAILS 1 5/8" O.D.

BLACK 1"x1" HEAVY WEIGHT BLACK NETTING FOR TOP 16' BEACON ATHLETICS ENGINEERED NET BACKSTOP SYSTEMS OR APPROVED EQUAL

6 GAUGE ALUMINUM COATED MESH FOR BOTTOM 8 FEET

BASEBALL BACKSTOP ONLY NEEDS TOP 16' NETTING

NOTE:

6 GAUGE ALUMINUM COATED MESH

SOFTBALL BACKSTOP

HOPKINS HIGH SCHOOL

PRELIMINARY
NOT FOR CONSTRUCTION

ENGINEERING ASSOCIATES, INC.

BENTONVILLE, AR 72712

3108 S.W. REGENCY PARKWAY, SUITE 2

FAX (479) 273-0844

(479) 273-9472

2/9/17

C7

REV-0

HOPKINS HIGH SCHOOL

20' 25'

8' 8'

4' 4'

XX

XX

2500 LADERBROOK DR

MINNETONKA

DETAIL SHEET II
Base Bid, Baseball, Soccer 1, Soccer 2:
Poles: A1, A2, B1, B2, B4, C1, C2, S1.
(Poles B4 and C1 have setups for future fixtures)

Alternate Bid, Softball, Lacrosse, Soccer 3:
Poles: A3, A4, B3, S2, S3.
(Poles P1, P2 Walkway Lighting)
EQUIPMENT LIST FOR AREAS SHOWN

| Pole | Location | Location | Grade | Elevation | Mounting | Height | Luminaire Type | Qty | Pole
|------|----------|----------|-------|-----------|----------|-------|----------------|-----|------
| A3-A4 | A3-A4 | 60' | TLC-LED-1150 | 1 | 3 | 6 | 1 |
| B3-B4 | B3-B4 | 80' | TLC-LED-1150 | 2 | 5 | 4 | 9 |

TOTALS 28 16 12

GRID SUMMARY

Name: Softball
Size: 200'/200'/200' - basepath 60'
Spacing: 20.0' x 20.0'
Height: 3.0' above grade

ILIUMINATION SUMMARY

MAINTAINED HORIZONTAL FOOTCANDLES
In-field Out-field
Guaranteed Average: 50 30
Scan Average: 50.07 32.23
Minimum: 38 21
Maximum: 58 46
Avg / Min: 1.33 1.55
Guaranteed Max / Min: 2 2.5

No. of Points: 25 71

LUMINAIRE INFORMATION

Color / CRI: 5700K - 75 CRI
Luminaire Output: 121,000 lumens
No. of Luminaires: 16
Total Load: 18.4 kW
Lumen Maintenance
Luminaire Type L90 hrs L80 hrs L70 hrs
TLC-LED-1150 >51,000 >51,000 >51,000

Reported per TM-21-11. See luminaire datasheet for details.

Guaranteed Performance: The ILLUMINATION described above is guaranteed per your Musco Warranty document and includes a 0.95 dirt depreciation factor.

Field Measurements: Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume ±3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

NOTES:
- Integrated new field layout.
- Converted to TLC-1150
- Added walkway lighting.
- Verify all pole locations.
- Poles A3, B2 and B4 are in a glare zone for soccer.
**EQUIPMENT LIST FOR AREAS SHOWN**

<table>
<thead>
<tr>
<th>QTY</th>
<th>LOCATION</th>
<th>Elevation</th>
<th>Size</th>
<th>Pole Luminaires</th>
<th>Warranty document and includes a 0.95 dirt depreciation factor.</th>
</tr>
</thead>
<tbody>
<tr>
<td>64</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**GRID SUMMARY**

- Name: Soccer 1
- Size: 330' x 165'
- Spacing: 30.0' x 30.0'
- Height: 3.0' above grade

**Guaranteed Average:**
- Scan Average: 38.75
- Maximum: 59
- Minimum: 29
- Avg / Min: 3.32

**Guaranteed Max / Min:**
- Max / Min: 2.00
- US (adjacent pts): 1.39
- CU: 0.34
- No. of Points: 72

**Guaranteed Performance:** The ILLUMINATION described above is guaranteed per your Musco Warranty document. **Guaranteed Average** is guaranteed per your Musco Warranty document and includes a 0.95 dirt depreciation factor. **Guaranteed Maximum** and **Guaranteed Minimum** are also guaranteed per your Musco Warranty document.

**Electrical System Requirements:** Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

**Installation Requirements:** Results assume ±3% normal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

**ILLUMINATION SUMMARY**

- Grid Summary:
  - Entire Grid

- Guaranteed Average:
  - Scan Average: 38.75
  - Maximum: 59
  - Minimum: 29
  - Avg / Min: 3.32

- Guaranteed Max / Min:
  - Max / Min: 2.00
  - US (adjacent pts): 1.39
  - CU: 0.34
  - No. of Points: 72

- Guaranteed Performance:
  - The ILLUMINATION described above is guaranteed per your Musco WARRANTY document. **Guaranteed Average** is guaranteed per your Musco WARRANTY document and includes a 0.95 dirt depreciation factor.

- Field Measurements:
  - Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with RIAA RP-6-16.

- Electrical System Requirements:
  - Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

- Installation Requirements:
  - Results assume ±3% normal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.
**ENGINEERED DESIGN**

By: Will Hartl  •  File #182203-r1  •  16-Dec-16

---

**GRID SUMMARY**

- **Name:** Soccer 2
- **Size:** 330' x 165'
- **Spacing:** 30.0' x 30.0'
- **Height:** 3.0' above grade

---

**ILLUMINATION SUMMARY**

- **Guaranteed Average:** 33.64
- **Scan Average:** 33.64
- **Maximum:** 52
- **Minimum:** 27
- **Avg / Min:** 1.26
- **Guaranteed Max / Min:** 1.93
- **HL (adjacent pts):** 1.43
- **CL:** 0.30
- **No. of Points:** 72

---

**SUMMARY INFORMATION**

- **Color / CRI:** 5700K - 75 CRI
- **Luminous Output:** 121,000 / 40,600 lumens
- **No. of Luminaires:** 64
- **Total Load:** 70.36 kW
- **Certification Type:** TLC-LED-1150
- **LM As Measured:** 51,000
- **LM At 80%:** 1.26
- **LM At 90%:** 1.93
- **LM At 100%:** 33.64

---

**Guaranteed Performance:** The ILLUMINATION described above is guaranteed per your Musco Warranty document and includes a 0.95 dirt depreciation factor.

**Field Measurements:** Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

**Electrical System Requirements:** Refer to Ampere Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

**Installation Requirements:** Results assume ±3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

---

**HOPKINS, MINNESOTA**

Sports Lighting, LLC. ©1981, 2016 Musco Sports Lighting, LLC.

Not to be reproduced in whole or part without the written consent of Musco Sports Lighting, LLC.
**EQUIPMENT LIST FOR AREAS SHOWN**

<table>
<thead>
<tr>
<th>Pole</th>
<th>Luminaire</th>
<th>Location</th>
<th>Grade</th>
<th>Elevation</th>
<th>Mounting Height</th>
<th>Luminaires</th>
<th>QTY / Pole</th>
<th>THIS GRID</th>
<th>OTHER GRIDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>B3</td>
<td>TLC-LED-1150</td>
<td>80'</td>
<td>33'</td>
<td>25'</td>
<td>80'</td>
<td>TLC-LED-1150</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>C1</td>
<td>TLC-LED-1150</td>
<td>90'</td>
<td>33'</td>
<td>25'</td>
<td>75'</td>
<td>TLC-LED-1150</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>S2-S3</td>
<td>TLC-LED-1150</td>
<td>70'</td>
<td>32'</td>
<td>70'</td>
<td>70'</td>
<td>TLC-LED-1150</td>
<td>6</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

*This dimension shows a side view measuring configuration.*

---

**GRID SUMMARY**

- **Name:** Soccer 3
- **Size:** 360' x 200'
- **Spacing:** 30.0' x 30.0'
- **Height:** 3.0' above grade

**ILLUMINATION SUMMARY**

- **Guaranteed Average:** 30
- **Scan Average:** 34.88
- **Maximum:** 52
- **Minimum:** 26
- **Max / Min:** 1.99
- **UG (adjacent pts):** 1.41
- **CU:** 0.78
- **No. of Points:** 84

**LUMINAIRE INFORMATION**

- **Color / CRI:** 5700K - 75 CRI
- **Luminaire Output:** 121,000 lumens
- **No. of Luminaires:** 28
- **Total Load:** 32.2 kW

**Lumen Maintenance**

- **Luminaire Type L90 hrs**
  - TLC-LED-1150 >51,000
- **L80 hrs**
  - TLC-LED-1150 >51,000
- **L70 hrs**
  - TLC-LED-1150 >51,000

*Reported per TM-21-11. See luminaire datasheet for details.*

**Guaranteed Performance:** The ILLUMINATION described above is guaranteed per your Musco Warranty document and includes a 0.95 dirt depreciation factor.

**Field Measurements:** Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

**Electrical System Requirements:** Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

**Installation Requirements:** Results assume ±3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.
**ILLUMINATION SUMMARY**

**EQUIPMENT LIST FOR AREAS SHOWN**

<table>
<thead>
<tr>
<th>Pole</th>
<th>Location</th>
<th>Grade</th>
<th>Elevation</th>
<th>Mounting Height</th>
<th>Luminaires</th>
<th>QTY / Pole</th>
<th>This Grid</th>
<th>Other Grids</th>
</tr>
</thead>
<tbody>
<tr>
<td>B3</td>
<td>80'</td>
<td>-</td>
<td>25'</td>
<td>80'</td>
<td>TLC-LED-1150</td>
<td>1</td>
<td>9</td>
<td>0</td>
</tr>
<tr>
<td>C1</td>
<td>90'</td>
<td>-</td>
<td>25'</td>
<td>75'</td>
<td>TLC-LED-1150</td>
<td>1</td>
<td>1/1*</td>
<td>8/7*</td>
</tr>
<tr>
<td>S2-S3</td>
<td>70'</td>
<td>-</td>
<td>70'</td>
<td>75'</td>
<td>TLC-LED-1150</td>
<td>6</td>
<td>6</td>
<td>0</td>
</tr>
</tbody>
</table>

---

**GRID SUMMARY**

- **Name:** Lacrosse
- **Size:** 330' x 200'
- **Spacing:** 30.0' x 30.0'
- **Height:** 3.0' above grade

**ILLUMINATION SUMMARY**

**MAINTAINED HORIZONTAL FOOTCANDLES**

| En tire Grid | Guaranteed Average: 30 | Scan Average: 34.94 | Maximum: 46 | Minimum: 27 | Avg / Min: 1.28 |

**Guaranteed Max / Min:** 2.5

**UG (adjacent pts):** 1.43

**CU:** 0.67

**No. of Points:** 72

**LUMINAIRE INFORMATION**

- **Color / CRI:** 5700K - 75 CRI
- **Luminaire Output:** 121,000 lumens
- **No. of Luminaires:** 28
- **Total Load:** 32.2 kW

**Lumen Maintenance**

- **TLC-LED-1150:** >51,000

Reported per TM-21-11. See luminaire datasheet for details.

**Guaranteed Performance:** The ILLUMINATION described above is guaranteed per your Musco Warranty document and includes a 0.95 dirt depreciation factor.

**Field Measurements:** Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

**Electrical System Requirements:** Refer to Amperage Draw Chart and/or the “Musco Control System Summary” for electrical sizing.

**Installation Requirements:** Results assume ± 3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

---

**NOTES:**

- -r1: Integrated new field layout.
- -r1: Converted to TLC-1150
- -r1: Added walkway lighting.
- -r1: Verify all pole locations.
- -r1: Poles A2, B2 and B4 are in a glare zone for soccer.

---

**ENGINEERED DESIGN**

By: Will Hartl • File #182203-r1 • 16-Dec-16

---

**We Make It Happen.**

Not to be reproduced in whole or part without the written consent of Musco Sports Lighting, LLC. ©1981, 2016 Musco Sports Lighting, LLC.
EQUIPMENT LIST FOR AREAS SHOWN

<table>
<thead>
<tr>
<th>Pole</th>
<th>Location</th>
<th>Equipment</th>
<th>Type</th>
<th>Qty</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>-20</td>
<td>TLC-LED-1150</td>
<td>1.5K</td>
<td>3</td>
</tr>
<tr>
<td>2</td>
<td>-20</td>
<td>TLC-LED-1150</td>
<td>2.0K</td>
<td>3</td>
</tr>
<tr>
<td>3</td>
<td>-20</td>
<td>TLC-LED-1150</td>
<td>3.0K</td>
<td>3</td>
</tr>
</tbody>
</table>

NOTES:

- New Light Pole
- New Light Pole
- New Light Pole
- New Light Pole
- New Light Pole
- New Light Pole
- New Light Pole
- New Light Pole

LOCATION

P1-P2

ELEVATION

60'

- Con

MOUNTING

80'

BATTING CAGE

GRID SUMMARY

Name: Walkway Area

Spacing: 25.0' x 25.0'

Height: 3.0' above grade

ILLUMINATION SUMMARY

LUMINAIRE INFORMATION

Scan Average: 1.99

Minimum: 7

Maximum: 0

Avg / Min: 122.90

UG (adjacent pts): 3.53

CRI: 0.55

No. of Points: 154

MAINTAINED HORIZONTAL FOOTCANDLES

Entire Grid

Luminaire Type L90 hrs

Cree OSQ --

Total Load: 1.01 kW

Minimum: 0

Maximum: 1.00 kW

Scan Average:

CU: 0.55

EX. CB

LENS=

10" PVC

10.000 Lumens

109

Pole location(s) and dimensions are relative to (0,0) reference point(s).

Guaranteed Performance: The ILLUMINATION described above is guaranteed per your Musco Warranty document and includes a 0.35 dirt depreciation factor.

Field Measurements: Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with BSRA RP-6-11.

Electrical System Requirements: Refer to the “Musco Control System Summary” for electrical sizing.

Installation Requirements: Results assume ±1.5% nominal voltage at line side of the driver and structures located within 3 feet (3m) of design locations. 0

Draw Chart and/or the computer-calculated prediction above is guaranteed per your Musco Warranty document and includes a 0.35 dirt depreciation factor.

Field Measurements: Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with BSRA RP-6-11.

Electrical System Requirements: Refer to the “Musco Control System Summary” for electrical sizing.

Installation Requirements: Results assume ±1.5% nominal voltage at line side of the driver and structures located within 3 feet (3m) of design locations.


**EQUIPMENT LIST FOR AREAS SHOWN**

<table>
<thead>
<tr>
<th>Pole</th>
<th>Quantity</th>
<th>Equipment Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1-A3</td>
<td>2</td>
<td>TLC-LED-1150</td>
</tr>
<tr>
<td>B1-B3</td>
<td>2</td>
<td>TLC-LED-1150</td>
</tr>
<tr>
<td>B3-B5</td>
<td>2</td>
<td>TLC-LED-1150</td>
</tr>
<tr>
<td>C1-C3</td>
<td>2</td>
<td>TLC-LED-1150</td>
</tr>
<tr>
<td>D1-D3</td>
<td>2</td>
<td>TLC-LED-1150</td>
</tr>
</tbody>
</table>

**GRID SUMMARY**

- **Name:** Total Field Area (Fence)
- **Spacing:** 30' x 40'
- **Height:** 3.5' above grade

---

**ILLUMINATION SUMMARY**

- **Scan Average:** 14.49
- **Maximum:** 60
- **Minimum:** 0
- **Avg / Min:** 242.50
- **Max / Min:** 423.50
- **UG (adjacent pts):** 14.33
- **Cl:** 0.88

**GUARANTEED PERFORMANCE**

- **Luminous Flux:** 121,000 / 40,000 lumens
- **No. of Luminaires:** 103
- **Total Load:** 115.21 kW
- **Lumen Maintenance:** Guaranteed per your Musco Warranty document and includes a 0.03 dirt depreciation factor.

**FIELD MEASUREMENTS**

- **Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with E4NA RP-6-11**

**ELECTRICAL SYSTEM REQUIREMENTS**

- **Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.**

**INSTALLATION REQUIREMENTS**

- **Results assume ±3% nominal voltage at line side of the driver and structures placed within 3 feet (2m) of design locations.**

---

**NOTE:**

- Int'l Standard
- Converted to TLC-1150
- Added accessory lighting
- Verify pole locations
- Pole A2, B2 and B4 are in a glare zone for soccer
EQUIPMENT LIST FOR AREAS SHOWN

<table>
<thead>
<tr>
<th>Pole</th>
<th>Luminaire</th>
<th>Type</th>
<th>Qty</th>
<th>Location Elevation</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1-A2</td>
<td>TLC-LED-1150</td>
<td>0'</td>
<td>1</td>
<td>70'</td>
</tr>
<tr>
<td>A3-A4</td>
<td>TLC-LED-1150</td>
<td>0'</td>
<td>1</td>
<td>70'</td>
</tr>
<tr>
<td>C1-C2</td>
<td>TLC-LED-1150</td>
<td>0'</td>
<td>1</td>
<td>70'</td>
</tr>
<tr>
<td>B1-B2</td>
<td>TLC-LED-1150</td>
<td>0'</td>
<td>1</td>
<td>70'</td>
</tr>
<tr>
<td>B3-B4</td>
<td>TLC-LED-1150</td>
<td>0'</td>
<td>1</td>
<td>70'</td>
</tr>
</tbody>
</table>

**GRID SUMMARY**

- **Name:** Blanket Grid
- **Spacing:** 30'x 30'07"
- **Height:** 3.0' above grade

**ILLUMINATION SUMMARY**

- **No. of Points:** 109
- **UG (adjacent pts):** 38.89
- **Color / CRI:** 5700K - 75 CRI / 5700K - 70 CRI
- **Total Load:** 116.22 kW
- **Avg / Min:** 2248 402.50

Guaranteed Performance: The ILLUMINATION described above is guaranteed per your Musco Warranty document and includes a 0.95 dirt depreciation factor.

Field Measurements: Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with ESHA RP-6-15.

Electrical System Requirements: Refer to Amparage

Draw Chart and/or the "Muscov Control System Summary" for electrical sizing.

Installation Requirements: Results assume a 3% normal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.
ENGINEERED DESIGN
By: Will Hart
File #182203-r1
16-Dec-16

EQUIPMENT LIST FOR AREAS SHOWN

<table>
<thead>
<tr>
<th>Pole</th>
<th>Location</th>
<th>MIN</th>
<th>MAX</th>
<th>BRKT. DESCRT.</th>
<th>TILT</th>
<th>FLAM.</th>
<th>ANSI</th>
<th>RATING</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3-A2</td>
<td>B3</td>
<td>35'</td>
<td>60'</td>
<td>TLC-LED-1150</td>
<td>0</td>
<td>5</td>
<td>0.00</td>
<td>1</td>
</tr>
<tr>
<td>A3-A1</td>
<td>B7</td>
<td>35'</td>
<td>60'</td>
<td>TLC-LED-1150</td>
<td>0</td>
<td>3</td>
<td>0.00</td>
<td>1</td>
</tr>
<tr>
<td>A2-B2</td>
<td>B7</td>
<td>35'</td>
<td>60'</td>
<td>TLC-LED-1150</td>
<td>0</td>
<td>3</td>
<td>0.00</td>
<td>1</td>
</tr>
<tr>
<td>B3-A1</td>
<td>B7</td>
<td>35'</td>
<td>60'</td>
<td>TLC-LED-1150</td>
<td>0</td>
<td>3</td>
<td>0.00</td>
<td>1</td>
</tr>
<tr>
<td>C2-6</td>
<td>B7</td>
<td>35'</td>
<td>60'</td>
<td>TLC-LED-1150</td>
<td>0</td>
<td>3</td>
<td>0.00</td>
<td>1</td>
</tr>
<tr>
<td>C1-7</td>
<td>B7</td>
<td>35'</td>
<td>60'</td>
<td>TLC-LED-1150</td>
<td>0</td>
<td>3</td>
<td>0.00</td>
<td>1</td>
</tr>
<tr>
<td>C1-6</td>
<td>B7</td>
<td>35'</td>
<td>60'</td>
<td>TLC-LED-1150</td>
<td>0</td>
<td>3</td>
<td>0.00</td>
<td>1</td>
</tr>
<tr>
<td>C1-5</td>
<td>B7</td>
<td>35'</td>
<td>60'</td>
<td>TLC-LED-1150</td>
<td>0</td>
<td>3</td>
<td>0.00</td>
<td>1</td>
</tr>
<tr>
<td>C1-4</td>
<td>B7</td>
<td>35'</td>
<td>60'</td>
<td>TLC-LED-1150</td>
<td>0</td>
<td>3</td>
<td>0.00</td>
<td>1</td>
</tr>
</tbody>
</table>

Note: * - Dimensions are relative to 0.5 reference point(s)

Hopkins High School Baseball, Soccer, Lacrosse
Hopkins, MN

GRID SUMMARY
Name: Spill
Spacing: 30.0' above grade

ILLUMINATION SUMMARY

MOUNTED DECK LUMINAIRES TYPE:

<table>
<thead>
<tr>
<th>No. of Luminaires</th>
<th>Total Lumen(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>103</td>
<td>121,000</td>
</tr>
</tbody>
</table>

ILLUMINATION SUMMARY:

Guaranteed Performance: The ILLUMINATION described above is guaranteed per your Musco Warranty Document and includes a 0.95 dirt depreciation factor.

Field Measurements: Individual field measurements may vary from computer calculated predictions and should be taken in accordance with IESNA RP-6-15.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume ± 3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

NOTE: -1) Integrated new field layout
-2) Converted to TLC-1150
-3) Added roadway lighting
-4) Verify all pole locations.
-5) Pilots A2, A3, and B4 are in a glow zone for soccer

We Make It Happen.
Not to be reproduced in whole or part without the written consent of Musco Sports Lighting, LLC. 01/18/16 Musco Sports Lighting, LLC.
ENGINEERED DESIGN

- Pole locations (a) dimensions are relative to (b) reference point(s)

Notes:
- A2, B2, and B4 are in a glare zone for soccer
- Verify all pole locations.
- Integrated new field layout.

Scale in feet 1 : 120

**EQUIPMENT LAYOUT**

**INCLUDES:**
- Baseball
- Lacrosse
- Soccer 1
- Soccer 2
- Soccer 3
- Softball

**Electrical System Requirements:** Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

**Installation Requirements:** Results assume ± 3% nominal voltage at line side of the driver and structures located within 3 feet [1m] of design locations.

**EQUIPMENT LIST FOR AREAS SHOWN**

<table>
<thead>
<tr>
<th>Room</th>
<th>Luminaries</th>
<th>Model</th>
<th>Qty.</th>
<th>Included</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1</td>
<td>TLC-LED-1150</td>
<td>300</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>A2</td>
<td>TLC-LED-1150</td>
<td>300</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>A3</td>
<td>TLC-LED-1150</td>
<td>300</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>A4</td>
<td>TLC-LED-1150</td>
<td>300</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

**Single Phase Voltage**

<table>
<thead>
<tr>
<th>Ballast Specifications</th>
<th>Line Amperage Per Luminaire</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Phase Voltage</td>
<td>208</td>
</tr>
<tr>
<td>208</td>
<td>120</td>
</tr>
</tbody>
</table>

**Musco Lighting**

We Make It Happen.

Not to be reproduced in whole or part without the written consent of Musco Sparks Lighting, LLC. ©2018. 2018 Musco Sparks Lighting, LLC.
GLARE IMPACT

Map indicates the maximum candela an observer would see when facing the brightest light source from any direction.

A well-designed lighting system controls light to provide maximum useful on-field illumination with minimal destructive off-site glare.

GLARE

Candela Levels:
- **High Glare: 150,000 or more candela**
  - Should only occur on or very near the lit area where the light source is in direct view. Care must be taken to minimize high glare zones.
- **Significant Glare: 25,000 to 75,000 candela**
  - Equivalent to high beam headlights of a car.
- **Minimal to No Glare: 500 or less candela**
  - Equivalent to 100W incandescent light bulb.

Candelas:

<table>
<thead>
<tr>
<th>Candela Levels</th>
<th>Candela Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>+</td>
<td>&gt;150,000</td>
</tr>
<tr>
<td>100,000</td>
<td></td>
</tr>
<tr>
<td>50,000</td>
<td></td>
</tr>
<tr>
<td>25,000</td>
<td></td>
</tr>
<tr>
<td>5,000</td>
<td></td>
</tr>
<tr>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>500</td>
<td></td>
</tr>
<tr>
<td>250</td>
<td></td>
</tr>
</tbody>
</table>

Hopkins High School Baseball Soccer Softball Lacrosse
Hopkins, MN

We Make It Happen.
Not to be reproduced in whole or part without the written consent of Musco Sports Lighting, LLC.
©1981, 2016 Musco Sports Lighting, LLC.
I HEREBY CERTIFY THAT THIS SET OF PLANS AND SPECIFICATIONS WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

NEIL TESSIER, PE.                                          DATE                                    REGISTRATION NO.
2/6/17                                                   26364

SAFEngineering, PLLC
Site and Athletic Facility Engineering
6574 Sioux Lane
Lino Lakes, MN 55014
612-213-9859
nrtessier@gmail.com

INITIAL DATE

PRELIMINARY
NOT FOR CONSTRUCTION

JOB # 28788
DRAWING: 28788-PROJ.dwg
LAST SAVED BY: AREINISCH
2/8/17

BLEACHER DETAIL 1
FAX (479)273-0844
(479)273-9472
Bentonville, AR 72712
3108 S.W. REGENCY PARKWAY, SUITE 2

HOPKINS HIGH SCHOOL
INTERIOR VIEW @ SINGLE WHEELCHAIR AREA
30" ELEVATED EXIT STEP
20'-0" 1:20 RAMP DETAIL
10 ROW ELEVATED

C10
REV-0
2/8/17

DISCLAIMER:
DETAILS HAVE BEEN PREPARED BY SOUTHERN BLEACHER COMPANY
I HEREBY CERTIFY THAT THIS SET OF PLANS AND SPECIFICATIONS WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

NEIL TESSIER, PE.

SAFEngineering, PLLC
Site and Athletic Facility Engineering
6574 Sioux Lane
Lino Lakes, MN 55014
612-213-9859
nrtessier@gmail.com

CHANNEL END CAP INSTALLATION

CROSSBRACE INSTALLATION

JOINT SLEEVE INSTALLATION

SIDE GUARDRAIL RISER INSTALLATION

AISLE EXTENSION INSTALLATION

EXIT STEP INSTALLATION

GUARDRAIL INSTALLATION

REAR GUARDRAIL RISER INSTALLATION

FENCE INSTALLATION (FRONT)

FENCE INSTALLATION (REAR)

DISCLAIMER:
DETAILS HAVE BEEN PREPARED BY SOUTHERN BLEACHER COMPANY

PRELIMINARY
NOT FOR CONSTRUCTION

HOPKINS HIGH SCHOOL
2400 LANDERBERG DR
MINNETONKA, MN

BLEACHER DETAIL 3
What Matters in Lighting Technology

Hopkins HS Football Field

1977
SportsCluster

1989
SportsCluster-2

1989
SportsCluster-2
with Level 8™

1989
Total Light
Control™

2005
Light-Structure
Green™ — HID

2015
Light-Structure
Green™ — LED

Used equal parameters for:
• On-field light level per pole
• Wattage per luminaire
• Mounting height
• Luminaire aiming angles
• Pole distance from aiming point

Photographed at 100-feet from field edge

©2015 Musco Sports Lighting, LLC · M-1905-en04-1
Evolution of Light Control

1976
SportsCluster®

1989
SportsCluster®

1989
SportsCluster®•2
with Level 8™

1989
Total Light
Control™

2005
Light·Structure
Green™— HID

2013
Light·Structure
Green™— LED

Hopkins HS Football Field

Proposed
Total Light Control™ — LED-1150 Luminaire Component
KENT-STEIN PARK

Muscatine, Iowa, USA

Soccer Field – 30 horizontal footcandles (300 lux)

System Energy Comparison:
34.8 kW – 81% reduction from typical HID equipment
Light·Structure Green™ Lighting System

For your BUDGET, for the ENVIRONMENT.

5 Easy Pieces™
Complete System from Foundation to Poletop

Factory wired, aimed, and tested
Fast, trouble-free installation
Comprehensive corrosion package
Integrated lightning ground system

1 Precast Concrete Base

2 Galvanized Steel Pole

3 Electrical Components Enclosure (Includes Drivers)

4 Wire Harness

5 Poletop Luminaire Assembly

Diode Light Source – LED

All you add is concrete backfill, underground wiring, and a service entrance
This outdoor LED baseball/softball scoreboard displays HOME and GUEST team scores for up to nine innings, total RUNS to 99 for each team, AT BAT to 99, BALL to three, STRIKE to two and OUT to two. Scoreboard can show TIME instead of AT BAT with included caption panel. Scoreboard shown with optional striping and amber PanaView® digits.

<table>
<thead>
<tr>
<th>DIMENSIONS</th>
<th>UNCRATED WEIGHT</th>
<th>100-240 VAC POWER</th>
</tr>
</thead>
<tbody>
<tr>
<td>6'-6&quot; H x 20'-0&quot; W x 8&quot; D</td>
<td>600 lb (272 kg)</td>
<td>900 Watts Max, 9 Amps</td>
</tr>
</tbody>
</table>

**Note:** Optional 8x32 TNMCs add 270 Watts to scoreboard power and 80 lb (36 kg) to scoreboard weight.

**DIGITS**
- AT BAT, BALL, STRIKE and OUT digits are 18" (457 mm) high. All other digits are 15" (381 mm) high.
- Select all red or all amber LED digits. Scoreboard may instead have mixed LED digit colors (see DD1965467). Scoreboard features robust weather-sealed digits (see DD2495466).
- Digits may be dimmed for night viewing.

**CAPTIONS**
- HOME and GUEST captions are 12" (305 mm) high. AT BAT, BALL, STRIKE and OUT captions are 10" (254 mm) high. All other captions are 8" (203 mm) high.
- Standard captions are vinyl. TIME caption is on a changeable panel. All other captions are applied directly to the display face.
- Optional TNMCs are 10.6" (269 mm) high.

**DISPLAY COLOR**
Choose from 150+ colors (from Martin Senour® paint book) at no additional cost.

**CONSTRUCTION**
Alcoa aluminum alloy 5052 for excellent corrosion resistance

**PRODUCT SAFETY APPROVAL**
ETL listed to UL 48, tested to CSA standards, and CE labeled

**OPERATING TEMPERATURES**
- Display: -22° to 122° Fahrenheit (-30° to 50° Celsius)
- Console: 32° to 130° Fahrenheit (0° to 54° Celsius)
CONTROL CONSOLE

All Sport® 5000
(see SL03991)

CONTROL OPTIONS

Wired (standard): One-pair shielded cable of 22 AWG minimum is required. A cover plate with mounted connector and standard 2" x 4" x 2" (51 mm x 102 mm x 51 mm) outlet box is provided. Connector mates with signal cable from control console.

Wireless (optional): 2.4 GHz spread spectrum radio features 64 non-interfering channels and 8 broadcast groups (see SL04370).

TIME CLOCK
The two-digit clock can display hours/minutes/seconds. Clock information shifts from hours to minutes to seconds as time counts down.

MOUNTING
Scoreboard is typically mounted on two vertical beams or poles. Hardware to mount scoreboard on two beams is included; hardware for more beams is at additional cost. Standard mounting uses I-beam clamps. Optional mounting method using angle brackets is also offered; maximum beam width is 12" (305 mm) and maximum beam depth is 22" (559 mm). Refer to attached drawings for more information on mounting methods.

SERVICE ACCESS
Digit panels and electronics are serviced from the front of the scoreboard.

GENERAL INFORMATION
Scoreboard provides scoring capabilities for two teams. 100% solid state electronics are housed in an all aluminum cabinet. Scoreboard is shipped in one section. Specifications and pricing are subject to change without notice.

OPTIONS & ACCESSORIES
- Scoreboard border striping
- Multiple caption and striping colors (see DD2101644)
- Team name caption in place of HOME *
- Team names on changeable panels *
- Programmable Team Name Message Centers (see DD1696958)
- Individual digit protective screens (see SL04939)
- Protective netting
- Optional angle bracket mounting method
- Advertising/identification panels
- Decorative accents
- Electronic message centers and video displays in multiple sizes

* Only for scoreboard without Team Name Message Centers

ADVERTISING/IDENTIFICATION PANELS
Backlit & Non-Backlit:
1'-6" H x 20'-0" W (457 mm, 6.10 m)
2'-0" H x 20'-0" W (610 mm, 6.10 m)
2'-6" H x 20'-0" W (762 mm, 6.10 m)
3'-0" H x 20'-0" W (914 mm, 6.10 m)

For additional non-backlit panel sizes, see SL03761.

FOR ADDITIONAL INFORMATION
- Installation Specifications: DWG-1157190 (attached)
- Standard I-beam Mounting: DWG-1052565 (attached)
- Optional Pole Mounting: DWG-1048184 (attached)
- Component Locations: DWG-1066866 (attached)
- Architectural Specifications: See SL05265
Table A - Mounting

<table>
<thead>
<tr>
<th>Height Above Grade (ft)</th>
<th>Design Wind Velocity (MSPH)</th>
<th>Height Above Grade (ft)</th>
<th>Design Wind Velocity (MSPH)</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>115</td>
<td>130</td>
<td>150</td>
</tr>
<tr>
<td>Column 1</td>
<td>W10X26</td>
<td>W10X30</td>
<td>W10X34</td>
</tr>
<tr>
<td>Column 6</td>
<td>W12X34</td>
<td>W14X30</td>
<td>W14X34</td>
</tr>
<tr>
<td>Column 12</td>
<td>W14X34</td>
<td>W16X30</td>
<td>W16X34</td>
</tr>
<tr>
<td>Column 16</td>
<td>W16X30</td>
<td>W18X30</td>
<td>W18X34</td>
</tr>
</tbody>
</table>

Notes:
1. Footing and column sizes are suggestions only, provided with estimating installation costs and are not intended for construction purposes. The design must be certified by a professional engineer licensed in the state of the installation before they can be used for fabrication or erection.
2. International Building Code 2012 used in design of columns and footings with importance factor = 1.0, k = 0.85. Seismic design was not considered.
3. Footing dimensions are based on assumed soil class C (allowable bearing pressure of 150 psi).
4. Structural steel is Grade A500 (20 ksi) structural. Concrete shall have a minimum 28 day compressive strength of 2500 psi.
5. The average display weight for a layout cannot exceed 8 Psi.
6. Daktronic Inc. is not responsible for structures designed and installed by others.
7. Local building officials should be contacted to determine the wind speed and exposure category for the proposed sign location. The exposure category is defined as:

   Exposure E - Urban or suburban areas, or other terrain with numerous spaced obstacles having the size of single-family dwellings or larger. These conditions must prevail for a distance of 2 miles from the sign of at least 2.5 miles on 20% of the time the sign height, whichever is greater.

   Exposure C - Open terrain with scattered obstacles having heights generally less than 20 ft. This category includes flat open country, prairies, and all water surfaces in hurricane prone regions.

8. For specific product details on weight, mounting, etc. refer to the individual product specification sheets.
This outdoor LED soccer scoreboard displays period time to 99:59, HOME and GUEST scores to 99 and HALF (or PERIOD or QTR) to nine. When period time is less than one minute, the scoreboard displays time to 1/10 of a second. Scoreboard shown with optional striping and amber PanaView® digits.

**DIMENSIONS**
- **UNCRATED WEIGHT**: 180 lb (82 kg)
- **100-240 VAC POWER**: 300 Watts Max, 3 Amps

**DIGITS**
- All digits are 18" (457 mm) high.
- Select all red or all amber LED digits.
- Scoreboard features robust weather-sealed digits (see DD2495646).
- Digits may be dimmed for night viewing.

**CAPTIONS**
- HOME and GUEST captions are 10" (254 mm) high. All other captions are 8" (203 mm) high.
- Standard captions are vinyl, applied directly to the display face.

**DISPLAY COLOR**
Choose from 150+ colors (from Martin Senour® paint book) at no additional cost.

**CONSTRUCTION**
Alcoa aluminum alloy 5052 for excellent corrosion resistance

**PRODUCT SAFETY APPROVAL**
ETL listed to UL 48, tested to CSA standards, and CE labeled

**OPERATING TEMPERATURES**
- Display: -22° to 122° Fahrenheit (-30° to 50° Celsius)
- Console: 32° to 130° Fahrenheit (0° to 54° Celsius)
### CONTROL CONSOLES

<table>
<thead>
<tr>
<th></th>
<th>CONTROL OPTIONS</th>
</tr>
</thead>
</table>
| **All Sport® 1600** <sup>*</sup>  
(see SL04352) | **Wired (standard):** One-pair shielded cable of 22 AWG minimum is required. A cover plate with mounted connector and standard 2” x 4” x 2” [51 mm x 102 mm x 51 mm] outlet box is provided. Connector mates with signal cable from control console.  |
| *May be upgraded to  
All Sport 5000  
(see SL03991) | **Wireless (optional):** 2.4 GHz spread spectrum radio features 64 non-interfering channels and 8 broadcast groups (see SL04370).  |
| **RC-100**  
(see SL07397) | **Optional** wireless handheld controller features 900 MHz spread spectrum radio with 15 non-interfering channels and up to 10 hours of operation via internal rechargeable battery.  |

### SEGMENT TIMER MODE
The segment timer mode is ideal for keeping practices on schedule. The horn at the end of a segment allows coaches and athletes to focus on the practice and to listen for the horn when it is time to change drills (see SL-04004).

### MOUNTING
Scoreboard is typically mounted on two vertical beams or poles. Hardware to mount scoreboard on two beams is included; hardware for more beams is at additional cost. Standard mounting uses I-beam clamps. Optional mounting method using angle brackets is also offered; maximum beam width is 12” [305 mm] and maximum beam depth is 22” [559 mm]. Refer to attached drawings for more information on mounting methods.

### SERVICE ACCESS
Digit panels and electronics are serviced from the front of the scoreboard.

### GENERAL INFORMATION
Scoreboard provides scoring capabilities for two teams. 100% solid state electronics are housed in an all aluminum cabinet. Scoreboard is shipped in one section. Specifications and pricing are subject to change without notice.

### OPTIONS & ACCESSORIES
- Scoreboard border striping
- Multiple caption and striping colors (see DD2101644)
- Team name caption in place of HOME
- Team names on changeable panels
- Baseball, football, and lacrosse/field hockey captions on changeable panels
- Horn
- Standalone Time of Day – scoreboard acts as a clock when control console is unplugged/off
- Individual digit protective screens (see SL04939)
- Protective netting
- Optional angle bracket mounting method
- Advertising/identification panels
- Decorative accents
- Electronic message centers and video displays in multiple sizes

### ADVERTISING/IDENTIFICATION PANELS
**Backlit & Non-Backlit:**
- 1’6” H x 12’0” W [457 mm, 3.66 m]
- 2’0” H x 12’0” W [610 mm, 3.66 m]
- 2’6” H x 12’0” W [762 mm, 3.66 m]

For additional non-backlit panel sizes, see SL03761.

### FOR ADDITIONAL INFORMATION
- Installation Specifications: DWG-1157186 (attached)
- Standard I-beam Mounting: DWG-1052565 (attached)
- Optional Pole Mounting: DWG-1048184 (attached)
- Component Locations: DWG-1073981 (attached)
- Architectural Specifications: See SL-05182

### ALTERNATE CAPTIONS & SCORING MODES

#### Baseball Mode
Optional vinyl captions shown

#### Football Mode
Optional vinyl captions shown

#### Lacrosse/Field Hockey Mode
Optional vinyl captions shown
SAFEngineering, PLLC
Site and Athletic Facility Engineering
9757 Seven Lane
Lino Lakes, MN 55014
612-213-9859
nrtessier@gmail.com

HOPKINS HIGH SCHOOL
(651) 452-1149
(651) 452-8960
Mendota Heights, MN 55120
2025 Centre Pointe Blvd., Suite 210

L.H. TANGLEN ELEMENTARY
HOPKINS SCHOOL DISTRICT

SECONDARY PARKING LOT
SECONDARY PARKING LOT
SECONDARY PARKING LOT
SECONDARY PARKING LOT

SPECTATOR ACCESS TO FIELDS
SPECTATOR ACCESS TO FIELDS
SPECTATOR ACCESS TO FIELDS
SPECTATOR ACCESS TO FIELDS

OVERFLOW PARKING LOT
OVERFLOW PARKING LOT
OVERFLOW PARKING LOT
OVERFLOW PARKING LOT

L.H. TANGLEN ELEMENTARY
PRIMARY PARKING LOT
SPECTATOR AND STUDENT ACCESS TO FIELDS
SPECTATOR AND STUDENT ACCESS TO FIELDS
SPECTATOR AND STUDENT ACCESS TO FIELDS

ADA ACCESS TO BASEBALL AND SOCCER FIELDS
ADA ACCESS TO SOFTBALL FIELD
SPECTATOR AND STUDENT ACCESS TO FIELDS
SPECTATOR AND STUDENT ACCESS TO FIELDS
SPECTATOR AND STUDENT ACCESS TO FIELDS

REV-0
3/24/17
29889
Will there be a lot of high bright lighting, loud speakers, additional traffic, and/or general interference with quiet residential living with these proposed alterations? It's very difficult for me to attend these meetings and I surely want to know what's going on in my area.

Do you have a small drawing of what/where this will occur? What does "construct other structures" mean specifically?

I would appreciate your explanations, drawings, and any other pertinent information you can share.

Thank you.

Alice J. Debler
Tony Wagner
Minnetonka City Councilman, Ward 2
01-612-382-5212
Sent from my iPad

Begin forwarded message:

From: Nick Erpelding
Date: March 28, 2017 at 10:42:30 AM GMT-7
To: <pacomb@eminnetonka.com>, <twagner@eminnetonka.com>
Cc: Lara Erpelding
Subject: Hopkins High School Ballfields Proposal

Patty and Tony--

Next Thursday (April 6) is the Planning Commission meeting for the proposed HHS ballfields project. I reviewed the plans for the project, and overall I think the improvements will be an upgrade. I have concerns about the proposed permanent fencing, however.

One of the things we like about our neighborhood is the proximity to these fields, and the ability to use them for recreation when they're not being used for organized sports, similar to how the adjacent tennis courts function. With the proposed plan, the entire west half of the main field area would be fenced off, gated and presumably locked (like the existing football, baseball and lacrosse fields. Would it be possible to avoid adding (or at least modifying) the gating to allow the fields to remain open for public use, similar to how the tennis courts function?

My other concern is that the plans for the proposed fencing appear similar to the existing fencing around the football field in that it would be covered / non-see-through. Why do the fences have to be covered? Could they just be regular chain link fences like the existing perimeter fencing? Another thing we like about this area is having it as open space. It is great to be able to go on walks on the adjacent sidewalk and enjoy the activity of the sporting events or practices that are happening as we walk past. I don't want that to change into a boring walk next to a wall for no reason. I can understand having covered fencing for the football field since admission is charged, and for the tennis courts, since it functions as a wind screen, but why is covered fencing needed for lacrosse/football/soccer practice fields?
If you could pass these concerns onto the Planning Commission, and consider them in your vote for the proposal at City Council, I'd appreciate it.

Nick Erpelding
10025 Kingman Lane
Minnetonka, MN 55305
Good Morning Drew,

Thank you for taking time the other day to talk to me about my concerns in regards to this project. As the homeowner at 10408 Hillside Lane West for over 20 years, I've personally witnessed the entire construction of the Lindbergh Center and parking area, as well as an extensive addition to Hopkins HS itself. Accordingly, this project affects my family in a more direct way than most. I plan to be at the Planning Commission meeting April 6, as well as the council meeting on April 24, but cannot make the informational meeting at the school March 30. I would love it if you could address these issues for me, and I can follow up with you after the meeting.

My comments fall into 2 areas—the proposed project and the construction work on the project. The concerns I have about the project:

With the premium upgraded fields, I imagine they will be utilized in a greater capacity, than the current fields, and rented out to leagues (non-school) for, scrimmages, tournaments etc. creating increased traffic on Hillside Lane. The property values in areas of high traffic of this type tend to suffer, as it’s less favorable for children and general enjoyment of your outdoor spaces. I would like to hear about projected use in comparison to current use.

Aside from the potential property value drop, the additional traffic causes increased parking concerns, including increased parking violations. I have witnessed over the years the fire hydrant (across from my home) blocked repeatedly, as well as other violations; specifically parking on the side of the street that is posted "No Parking" - cars often parked directly under the signs themselves. Since Hillside Lane is not wide enough to support parking on both sides, safety is obviously the biggest concern here. I would ask the school to play a larger role in working with the Minnetonka Police to increase parking enforcement, since it has become well known to those in the know that citations are rare in these cases. Speeding traffic down Hillside Lane and Lindbergh drive (both 25 MPH zones) has always been, and will no doubt continue to become a larger concern. The athletic department can assist in raising awareness among athletes and parents, as well as work with the school board to request increased police presence in the area, particularly during peak traffic hours everyday, and during heavily attended athletic events that will become accordingly more common, per the intent of this project.

The additional lighting closer to Hillside Lane West, and the hours it is in use is a concern. With lighting there is a temptation to play into the night - causing the noise and traffic to be in the area past a reasonable time. How will this be handled? What is the curfew time? 10:00 PM would be reasonable. Who will be policing this to make sure the school or other entity rented to is not abusing? How can we be assured this will strictly be followed?

I have a suggested addition to the project: Additional high chain link or other fencing on a greater stretch of Hillside Lane West and possibly Lindbergh Drive.

The proposal states upgrading these eastern natural grass fields for the use in both directions, for football and soccer. I have witnessed for many years - even after the section of high fencing being installed - soccer balls clearing the fencing and bounding across both my and my neighbor’s yards, hitting my parked car, and several times plumping into our BBQ patio area while entertaining. As annoying as all of that has been, there is, perhaps more importantly, a safety issue as well; I have watched kids running out across Hillside Lane to fetch balls, encountering close calls, at times, with oncoming vehicles. Enhanced fencing would be a minimal addition to the project, yet have a long term benefit.

The project itself, although affecting only a few of us in the neighborhood directly, could be handled to lessen the unfortunate side effects of construction. I have a business in my home, and am here all day. I well recall the first artificial turf project on the football stadium: the noise, the vibrations as the heavy trucks headed down the street starting at 7AM Monday through Friday that Summer, the idling trucks sitting in a line from my house continuing all the way down Hillside Lane. Also at issue was getting out of the driveway, and additional dirt rocks covering our street. All in all construction is nothing any of us enjoy in front of our home. I would like to hear about the management of the project from this
perspective, what is in place to lessen the negative impact to the neighborhood, as well as the projected length of time for completion of the project.

I appreciate your review of my comments and look forward to the responses from all involved.

Best,

Deborah

Deborah Bushinski
Designer/Maker
Tessoro Inc.
Schack stated that her bedroom window is 50 feet from a public trail. Only rarely in the dead of winter does she hear anyone on the trail. She estimated that the adjacent neighbors would not notice a walker on the trail.

**Calvert moved, second by Powers, to recommend that the city council adopt the resolutions approving the following conditional use permit for trails and boardwalks within required wetland buffers and conditional use permit for installation of lighting on an existing athletic field for recreational facility improvements on the Minnetonka Civic Center Campus at 14600 Minnetonka Boulevard.**

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

The city council is tentatively scheduled to review this item April 24, 2017.

**B. Amendment to an existing conditional use permit for recreational facility improvements at the Hopkins High School Campus at 2400 Lindbergh Drive.**

Chair Kirk 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.

Chair Kirk confirmed with Ingvalson that commissioners would review the project’s fields, new scoreboards, and lighting.

Schack asked if the scoreboard would make any sounds. Ingvalson said that there would be no speakers.

Calvert asked if there is a comprehensive plan for the area. Ingvalson was not aware of one.

Calvert asked for the type and height of the fence. Ingvalson believed that the applicant intends to have an eight-foot-tall fence around the turf field. The fencing could be reviewed and approved through the building permit process. It did not require approval from the commission.

Schack asked how high the top of the dugout would be above the ground. Ingvalson referred the question to the applicant.
Calvert asked for the benefits of artificial turf. Ingvalson explained that turf fields can be used sooner after a rain event. Underground stormwater facilities would hold and treat runoff. Natural grass creates the need for chemicals and clippings.

Pete Monroe, civil engineer representing the applicant, stated that the fence would be eight feet tall and made of chain link. He thought Ingvalson did a good job explaining the proposal. The proposed turf would provide better drainage by adding an underground, stormwater-management system. There would be a sand layer under the turf to filter the water and a drainage system that directs water to the storage chamber.

Dan Johnson, Hopkins Schools District Director of Student Activities, explained the type of fencing that would surround the fields. He prefers grass fields, but artificial turf fields have more practical usability. He added that the scoreboards have no sound.

Knight asked if the girls’ softball team would relocate to this site. Mr. Johnson answered that may happen if it would become needed, but the team is happy with their current site. He explained how an eco-filled system would be used on the turf field.

The public hearing was opened.

Debra Bushinski, 10408 Hillside Lane West, stated that:

- She received nice responses from Ingvalson.
- Not enough is being done to keep kids collecting the balls safe.
- A ball hit her car last year. The school agreed to install fencing that could be increased in height when certain fields would be in use and she thought that would fix the problem, but she wanted that addressed in a more concrete fashion.
- It seemed obvious that the amount of field use would increase. She questioned what limits would be set. She was concerned with increased traffic. She was concerned with a decrease in property value from an increase in traffic.
- She works from home and sees motorists parking on the wrong side of the street and speeding. She supports traffic violators being cited in the area.
- The school addressed her concern regarding the four months of construction that would take place.
- She would like to hear more on how the irrigation across from her house would be done.
Justin McCarthy, 2221 Cape Cod Place, stated that:

- He was concerned with the increase in traffic. It is a tranquil neighborhood now. There are many pedestrians and bicyclists.
- He can understand why the school wants to do the improvements. It is a nice design.
- He proposed leaving out the lights on the new softball area, because lights would allow the fields to be used later at night. A couple of years ago the lacrosse team obtained a permit to stay on the lacrosse field until 10:30 p.m.
- The intersection of Hillside Lane West and Cape Cod Place is confusing and already dangerous. Drivers blow through the stop sign all of the time. More traffic would make the intersection more dangerous.

Sam Black, 2265 Cape Cod Place, stated that:

- He wants to know how much traffic and use the fields would have.
- He would like to see a campus plan. He questioned if there would be enough restrooms. He saw no increase in the number of portable facilities.
- He did not want the light poles to be used as cell phone towers.
- He was disappointed that the fields would use artificial turf and that the fields would be locked.
- There appeared to be a 20-foot drop from one spot to Hillside Lane West. He asked how high the berm and dugouts would be and what material would be used. He requested a better rendering before the city council meeting.

George Klemmer, 10303 Hillside Lane West, stated that:

- Hillside Lane West has a lot of potholes. He asked if it would be resurfaced and if it would be repaired more often due to the increase in traffic.

No additional testimony was submitted and the hearing was closed.

Mr. Johnson provided that there is currently a nine-foot drop from the parking lot to the fields. He explained how the grading and leveling would be done. He explained where restrooms are located.
Gordon explained the conditions that dictate when a traffic study is done. Repurposing existing spaces does not qualify. A mill and overlay for Hillside Lane West, Lindbergh, and Cedar Lake Road are scheduled in the capital improvement plan to be completed in 2017. Residents should contact the police department to report a traffic violation in progress. Proximity to a school tends to increase a resident’s property value. The city cannot limit future potential installation of a cell antennae. Each application would be reviewed individually. The Hopkins School District does not have a master development plan that staff is aware of. It is not unusual for a school to not have such plan. Often times, the school district does not know more than a year in advance what improvements would be done.

Knight did not have a problem with the proposal because, even though there would be more fields, only one event could occur at the site at a time. Artificial turf would provide a reduction in maintenance and fertilizer. He supports the proposal.

Schack noted that the city’s policies should be followed in regard to when the lights would be allowed to be on. The scoreboard would not make a sound. Neighbors expressed concern for an increase in the use of the fields, but the city is only authorized to restrict the use of the lights.

Calvert noted that turf fields cannot be used if they become too hot. She supports maximizing the space on the school campus and providing for multiple uses. She supports staff’s recommendation.

Powers liked the proposal. It would not negatively impact property values. He suggested the presentation provide better visuals for the city council meeting. He supports staff’s recommendation.

Sewall lives close by. He felt better about the proposal now than he did at the beginning of the meeting. He was glad there would be no slats in the chain link fence to block the view. There would be open access to the public on the remaining grass surface. Right now, flooding of the fields is a problem. The addition of turf and stormwater management practices would help. He supports staff’s recommendation.

Chair Kirk noted that a lot of other school districts already have turf fields. He supports everything he heard from the school district. He suggested the presentation provide better visuals for the city council meeting.
Calvert moved, second by Schack, to recommend that the city council adopt the resolution approving an amendment to an existing conditional use permit for recreational facility improvements at the Hopkins High School Campus at 2400 Lindbergh Drive.

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

The city council is tentatively scheduled to review this item April 24, 2017.

C. Items concerning The Cheesecake Factory at Ridgedale Center.

Chair Kirk 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.

In response to Sewall’s question, Thomas explained that the 57 inches in vertical height measurement includes the empty space between copy lines.

Powers asked if there would be an entrance to the proposed restaurant from inside the mall. Thomas answered affirmatively.

O’Connell asked if the proposal would replace an existing tenant. Thomas answered affirmatively. It would replace a few fast-food restaurants.

Knight asked if the indoor eating area could have access from the outside. Thomas answered in the negative. A patron would have to go inside the restaurant and be seated by a host. The gates in the patio area provide an emergency exit, which is required by the fire marshal. The only access to enter the outdoor seating area is from within the restaurant.

Brian MacKellar, Cheesecake Factory Senior Vice President, representing the applicant, stated that he is excited to work with staff to create a terrific design. The sign request would allow their logo with a large “C” and “F” which would be 42 inches tall. The rest of the letters would be 1-foot, 2-inches tall. There are similar restaurants at the mall that have a similar tag line. It would mark the entrance and provide a little excitement to the façade. The applicant would comply with the city’s decision.

Schack asked Mr. MacKellar if he knew the size of the Cheesecake Factory sign at Southdale Center. Mr. MacKellar was unsure. From looking at Google Maps,
Resolution No. 2017-
Amending an existing conditional use permit for recreational facility improvements at the Hopkins High School Campus at 2400 Lindbergh Drive

BE IT RESOLVED by the City Council of the City of Minnetonka, Minnesota, as follows:

Section 1. BACKGROUND.

1.01 Neil Tessier, on behalf of the Hopkins School District, is proposing to construct new recreational fields with structures, scoreboards, and lighting on the subject property at 2400 Lindbergh Drive:

1. The applicant proposes to add a new softball field north of an existing baseball field. The softball field would have a temporary fence that could be moved to allow the east portion of the field to be used as a soccer or lacrosse field. The softball field would have two, 8-foot by 40-foot dugouts for players and a 30-foot by 30-foot concrete pad for a 10-row bleacher structure.

2. The applicant proposes four scoreboards for soccer, softball, and baseball. These scoreboards would be located on top of a retaining wall between the baseball field and the parking lot and on the south side of the softball field. The scoreboards would be approximately 20 feet tall and would be 48 square feet (soccer) and 130 square feet (baseball and softball) in area respectively.

3. The applicant proposes 15 light poles, ranging from 30 feet to 90 feet in height. Light use would be allowed in the spring through fall for the site (weather depending), but not past 9:45 pm.

1.02 The subject property is legally described as:

See Exhibit A for the legal description

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

1.04 On April 6, 2017, the planning commission held a hearing on the proposed recreational fields, scoreboard, and field lighting. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments and the staff report, which are incorporated by reference into this resolution. The commission recommended that the city council approve the amendment.

Section 2. STANDARDS.

2.01 City Code §300.16 Subd.2 outlines the following general conditional use permit standards.

1. The use is consistent with the intent of the 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(a) outlines the following specific conditional use permit standards for educational institutions and facilities.

1. 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; the use is not permitted on property that has access only by way of private or driveway that is used by more than one lot.

2. Buildings set back 50 feet from all property lines and parking setbacks subject to section 300.28 of this ordinance;

3. School bus pick-up and drop-off areas located outside of the public right-of-way and designed to enhance vehicular and pedestrian safety;
4. Recreational areas designed for group outdoor activities setback 25 feet from residential property, suitable buffering provided to protect neighboring properties from noise and adverse visual impacts, and lighted playing fields permitted only upon demonstration that off-site impacts can be mitigated substantially;

5. No more than 60 percent of the site to be covered with impervious surface and the remainder to be suitably landscaped;

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

7. Not connected to, or part of, any residential dwelling.

2.03 City Code §300.27 Subd. 5, outlines several items that must be considered in the evaluation of site and building plans.

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 proposed field lighting would meet the general conditional use permit standards as outlined in City Code §300.16 Subd.2.

3.02 The proposed field lighting would meet the specific conditional use permit standards as outlined in City Code §300.16 Subd.3(a).

1. No access changes are proposed.

2. No buildings are proposed.

3. No changes to school bus drop-off and pick-up routes are proposed.

4. The proposed recreational fields would be located approximately 75 feet from the nearest residential property, which is across Hillside Lane West. The setback distance combined with the street should provide adequate setback and buffer from residential properties.

5. The proposed lighting would not increase the site’s impervious surface by more than the diameter of the fifteen poles and the proposed fields would be permeable. The proposed bleachers and dugouts would not cause the site to exceed 60 percent impervious
coverage.

6. The fields would not be connected to, or part of, any residential dwelling.

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

1. Members of the city’s community development, engineering, and public works staff have reviewed the proposed project and find that it is generally consistent with the city’s development guides.

2. The proposal would meet all ordinance standards.

3. The existing recreational area is not in a “natural state.” While grading would be required for conversion to synthetic turf, the other proposed improvements would not necessitate any significant soil removal. A grading permit would be required for all earthwork on the site and removed trees would be subject to mitigation requirements.

4. The Hopkins High School campus contains a variety of recreational uses and public structures. The proposed recreational fields, scoreboards, and lighting would not detract from the relationship between existing and future uses and buildings.

5. The proposed field and lighting would not impact the internal order, circulation, landscaping, or open space on the Hopkins High School campus.

6. LED fixtures would be used.

7. The proposal would allow for extended recreational use of a site that has long been used for recreational purposes. The closest residential home, located north of the existing field, is 125 feet away from the proposed field. The residential neighborhood is separated from the existing recreational area by Hillside Lane West. The proposed LED lighting would have reduced glare in comparison to older field lighting equipment. Surface lighting would be virtually absent at the northern property line and within Hillside Lane West. The proposal shows no spillover light onto nearby residential properties.

Section 4. CITY COUNCIL ACTION.

4.01 The above-described conditional use permit is approved, subject to the
following conditions:

1. Electrical, grading, sign and building permits are required. Prior to issuance for such permits:

   a) Submit a construction management plan for staff review and approval.

   b) Submit a tree protection and mitigation plan.

      1) Two, 2-inch trees are required to mitigate for the removal of the two existing landscape trees to be removed at the northwest corner of the existing parking lot. The replacement trees’ location is subject to staff review and approval.

      2) Grading must be adjusted to protect three spruce trees north of the existing parking lot entrance. If the grading cannot be adjusted, 85 feet of mitigation (in height) must be replanted on the site. The mitigation must be located in the same general area or at least at the general perimeter of the site.

   c) Submit a letter of credit or cash escrow for tree mitigation/landscaping, stormwater, and restoration/stabilization of the site.

   d) Install erosion controls for staff review and inspection. Inlet protection is also required at the catch basins in the existing parking lot and drive entrance, as well as any other adjacent inlets. Inlet project must consist of a prefabricated device. Geotextile will not be accepted. These erosion control measures must be maintained throughout the course of construction.

2. Construction work must abide by all city nuisance ordinances.

3. Field lighting may be used from spring to fall, but may not be used past 9:45 pm.
Adopted by the City Council of the City of Minnetonka, Minnesota, on April 24, 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 duly authorized meeting held on April 24, 2017.

__________________________________
David E. Maeda, City Clerk

SEAL
EXHIBIT A

Par 1: Lots 1, 2 and 3, Block 3, Westview Hills

Par 2: The West 175 feet of Tract A, Registered Land Survey No. 1194, County of Hennepin.

Par 3: The Southeast Quarter of the Northwest Quarter of Section 12, Township 117, Range 22, except that part thereof embrace within the plat of Birchview.

Par 4: That part of the Southwest Quarter of the Northwest Quarter of Section 12, Township 117, Range 22, described as beginning at the Northeast corner thereof; thence West along the North line of the Southwest Quarter of the Northwest Quarter to a point 755.2 feet East of the Northwest corner thereof; thence deflecting to the left 94 degrees, 20 minutes, a distance of 439 feet; thence Southerly to a point in a line drawn parallel to and 660 feet North of the South line of said Southwest Quarter of the Northwest Quarter; distant 726 feet East of the West line of the Southwest Quarter of the Northwest Quarter; thence South parallel to said West line to the South line of the Southwest Quarter of the Northwest Quarter; thence East to the Southeast corner thereof; thence North to the point of beginning except the West 210 feet of the most Southerly 150 feet thereof.

Par 5: That part of the following described property: Tract F, Registered Land Survey No. 1194, Hennepin County, Minnesota, except that part thereof embraced within the plat of Birchview. That part of the Northeast Quarter of the Southwest Quarter of Section 12, Township 117, Range 22, lying North of County Road No 16 and West of Registered Land Survey No. 1194, except that part thereof lying West of the East 165 feet of the West 1/4 of said Northeast Quarter of the Southwest Quarter and South of the North 460 feet of said Northeast Quarter of the Southwest Quarter which lies Northwesterly of a line drawn parallel with and distant 33.00 feet Northwesterly of the following described line:

Commencing at the Southwest corner of Section 12, Township 117, Range 22; thence Northerly 978.40 feet along the West line of said Section 12 to the actual point of beginning of the line to be herein described; thence deflecting right 86 degrees 25 minutes, as measured North to East, a distance of 306.61 feet; thence Easterly 360.61 feet along a tangential curve concave to the North having a radius of 1432.39 feet and a central angle of 14 degrees 25 minutes 27.8 seconds; thence Northeasterly, tangent to said curve, a distance of 1185.74 feet; thence Northeasterly 1000.19 feet along a tangential curve concave to the Northwest having a radius of 1909.86 feet and a central angle of 30 degrees 00 minutes 21 seconds; thence Northeasterly tangent to said last described curve a distance of 376.92 feet and said line there terminating.
Brief Description  
Items concerning recreational facility improvements on the Minnetonka Civic Center Campus at 14600 Minnetonka Boulevard:

1) Conditional use permit, with wetland setback variance, for trails/boardwalks within required wetland buffers; and

2) Conditional use permit for installation of lighting on an existing recreational field.

Recommendation  
Adopt the resolutions approving the conditional use permits.

Background  
In 1986, the city adopted a master plan for the Minnetonka Civic Center Campus. In succeeding years, conditional use permits and site and building plans were reviewed and approved for various components for implementation of the master plan. These included the community center building, police station, and ice arenas. (See attached.)

In 2005, the master plan was comprehensively reviewed and an amended plan was adopted. The plan revised previously planned site components and included new buildings and amenities. Since its adoption, some items in the plan have been constructed including a significantly realigned driveway, parking areas, and an outdoor amphitheater. Funds have been allocated to several other components that have not yet been constructed/installed. (See attached.)

Proposal  
At this time, the city is proposing two recreational improvements to the civic center campus:

- Trails/Boardwalks. As proposed, two new loop trails/boardwalks would be constructed on the east side of the campus. The northerly loop would extend north and east from the existing water treatment facility. The southerly loop would extend north from the existing Minnetonka Boulevard trail. The two new loops would add roughly 0.5 miles of trails/boardwalks to the campus. Boardwalk connections between these two loop trails are generally planned, but are not part of this current review. Specific review would occur in the future in the event that a conditional use permit or other planning commission/city council action is required.
Field lighting. As proposed, lighting would be installed on the existing athletic field north of Ice Arena B. Four, 70-foot light standards would be located on the field, two on its north side and two on the south. Each light standard would be equipped with seven LED fixtures. Consistent with practices at other city-owned athletic fields: (1) the field lighting could be used May 1 through October 15; and (2) when in use, lighting would be turned off by 9:45 p.m. The fields are currently intended for use as practice fields.

Planning Commission Hearing

The planning commission considered the proposed improvements on April 6, 2017. The commission report and associated plans are attached. Staff recommended approval of the improvements, noting:

- The civic center campus is a public space available to community residents and visitors. Recreational trails/boardwalks and lighted athletic fields are appropriate and reasonable uses of this public space and would be similar to existing uses in several city parks.

- The proposed trails/boardwalks and the athletic field are components of the existing civic center campus master plan.

- The proposed trails/boardwalks would have no significant negative impact on wetland areas. Rather, the trails/boardwalks would increase the community’s access to, and hopefully enjoyment of, these resources.

- The proposed LED lighting at the existing athletic field would visually impact the immediate area when the lighting is in use. However, current technology minimizes “spill-over” lighting and the 9:45 p.m. limitation on lighting would further reduce nighttime impacts. The closest home to the field is located 300 feet to the west. The closest home to the north, located across Minnehaha Creek, is nearly 700 feet way from the field. The surrounding residential areas are further separated from the existing athletic field by large stands of mature trees.

At the commission meeting, a public hearing was opened to take comment. One area resident addressed the commission, voicing significant concern regarding the proposed northerly loop trail. The resident specially requested: (1) the trail be constructed of natural materials; (2) the loop be moved southward, away from the creek; and (3) that any benches located on the trail loop be oriented away from the homes to the north.

Following the hearing, the commission asked questions and discussed the proposal; discussion generally focused on trail materials. Ultimately, the commission concurred with the staff recommendation.
Planning Commission Recommendation

On a 7-0 vote, the commission recommended the city council approve the conditional use permits. Meeting minutes are attached.

Since Planning Commission Hearing

Since the planning commission hearing, staff has found a peculiarity in the wetland ordinance. Under the ordinance, trails may be located within wetland buffers with a conditional use permit, but must also maintain a 20-foot setback from wetland edges. In the case of Manage 1 and Manage 2 wetlands, this means one section of the code allows an 8-foot wide trail within the buffer and another section of the code does not.

<table>
<thead>
<tr>
<th>Wetland Classification</th>
<th>Required Buffer</th>
<th>Required Trail Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manage 1</td>
<td>25 feet</td>
<td></td>
</tr>
<tr>
<td>Manage 2</td>
<td>16.5 feet</td>
<td>20 feet</td>
</tr>
<tr>
<td>Preserve</td>
<td>50 feet</td>
<td></td>
</tr>
</tbody>
</table>

Several small areas of the proposed trails would be located less than 20 feet from the wetland edge, technically requiring a setback variance. Staff has, therefore, added a variance to the trail/boardwalk conditional use permit request. Staff supports the setback variance for three reasons:

- The areas, highlighted in red on the attached plans, amount to roughly 1,210 square feet of the nearly 0.5 mile length of proposed trails. They are small point intrusions.
- The required wetland setback could be met on the proposed north loop trail. However, relocating the trail further to the north would likely result in tree impacts.
- The required wetland setback could not be met on the proposed south loop trail. The areas needing a variance are small portions of the trail where it connects to proposed boardwalks.

Staff Recommendation

Staff recommends the city council adopt the resolutions approving the following for recreational facility improvements on the Minnetonka Civic Center Campus at 14600 Minnetonka Boulevard:

1. Conditional use permit, with wetland setback variances, for trails and boardwalks within required wetland buffers; and
2. Conditional use permit for installation lighting on an existing athletic field until 9:45 p.m.

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

Originator: Susan Thomas, AICP, Assistant City Planner
MINNETONKA PLANNING COMMISSION
April 6, 2017

Brief Description
Conditional use permits for recreational facility improvements on the Minnetonka Civic Center Campus at 14600 Minnetonka Boulevard:

• Trails/boardwalks within required wetland buffers; and
• Installation of lighting on an existing recreational field.

Recommendation
Recommend the city council adopt the resolutions approving the conditional use permits.

Background
In 1986, the city adopted a master plan for the Minnetonka Civic Center Campus. In succeeding years, conditional use permits and site and building plans were reviewed and approved for various components of the master plan. These included the community center building, police station, and ice arenas. (See attached.)

In 2005, the master plan was comprehensively reviewed and an amended plan was adopted. The plan revised previously planned site components and included new buildings and amenities. Since its adoption, some items in the plan have been constructed including a significantly realigned driveway, parking areas, and an outdoor amphitheater. Funds have been allocated to several other components that have not yet been constructed/installed. (See attached.)

Proposal Summary
At this time, the city is proposing two recreational improvements to the civic center campus:

• Trails/Boardwalks. As proposed, two new loop trails/boardwalks would be constructed on the east side of the campus. The northerly loop would extend north and east from the existing water treatment facility. The southerly loop would extend north from the existing Minnetonka Boulevard trail. The two new loops would add roughly 0.5 miles of trails/boardwalks to the campus.

• Field lighting. As proposed, lighting would be installed on the existing athletic field north of Ice Arena B. Four 70-foot light standards would be located on the field, two on its north side and two on the south. Each light standard would be equipped with seven LED fixtures. Consistent with practices at other city-owned athletic
fields: (1) the field lighting could be used May 1 through October 15; and (2) when in use, lighting would be turned off by 9:45 p.m.

Primary Questions and Analysis

The funding of city projects and the programming of city park facilities are not the purview of the planning commission; the city council and park board make such decisions. The commission’s charge is to review proposed land uses and determine whether they are appropriate given zoning ordinance standards and land use policy. The following outlines the primary land use questions associated with the proposed recreational improvements and staff’s findings.

1. Are the proposed improvements appropriate?

Yes. The trails/boardwalks and lighted athletic field improvements are appropriate for several reasons:

- The civic center campus is a public space available to community residents and visitors. Recreational trails/boardwalks and lighted athletic fields are appropriate and reasonable uses of this public space and would be similar to existing uses in several city parks.

- The proposed trails/boardwalks and the athletic field are components of the existing civic center campus master plan.

- The trails/boardwalks and lighting have been generally reviewed and approved by the city council through allocation of funds in the five-year Capital Improvement Program (CIP). In addition, the park board has specifically reviewed and recommends approval of the lighting improvements. (See attached.)

2. Are the anticipated impacts acceptable?

Yes. The trails/boardwalks would increase the area of the campus that is physically “used” and field lighting would potentially increase the date and time of campus use. However, these increases are acceptable.

- City and Minnehaha Creek Watershed District natural resources staff have reviewed the proposed trails/boardwalks. These reviews indicate the trails/boardwalks would not negatively impact wetland areas. Rather, the trails/boardwalks would increase the community’s access to, and hopefully enjoyment of, these resources.

- The proposed LED lighting at the existing athletic field would visually impact the immediate area when the lighting is in use. However, current technology minimizes “spill-over” lighting and the 9:45 p.m. limitation on lighting would
further reduce nighttime impacts. The closest home to the field is located 300 feet to the west. The closest home to the north, located across Minnehaha Creek, is nearly 700 feet way from the field. The surrounding residential areas are further separated from the existing athletic field by large stands of mature trees.

**Staff Recommendation**

Recommend the city council adopt the resolutions approving the following for recreational facility improvements on the Minnetonka Civic Center Campus at 14600 Minnetonka Boulevard:

1) Conditional use permit for trails and boardwalks within required wetland buffers; and

2) Conditional use permit for installation lightning on an existing athletic field.

Originator: Susan Thomas, AICP, Assistant City Planner
Supporting Information

**Surrounding Land Uses**
- Northerly: Minnehaha Creek, single-family homes beyond
- Easterly: Minnehaha Creek, single-family homes and I-494 beyond
- Southerly: Minnetonka Blvd and regional trail beyond
- Westerly: School and church property

**Planning**
- Existing Zoning: PUD
- Guide Plan designation: Institutional and Parks

**CUP Standards: Trails/Boardwalks**
The proposed trail/boardwalk improvements would meet the conditional use permit standards for work within the wetland district as outlined in City Code §300.26.

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

   **Finding:** The intent of the ordinance requirements as they pertain to the wetland district is to protect the community’s natural water resources while allowing for reasonable development. The proposed improvements would not adversely impact wetland areas. Rather, they are intended to increase enjoyment of these natural resources.

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

   **Finding:** The proposed improvements are consistent with the comprehensive plan. The plan notes that parks in the Upper Minnehaha Creek corridor should be designed to implement complementary activities in appropriate areas that emphasizes the creek corridor’s natural resources, and recreational, educational, historic, and scenic values.

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

   **Finding:** The proposed improvements would not adversely impact public facilities, utilities, or services. The funds associated with these improvements have been allocated in the CIP.
4. The use is consistent with the city’s water resources management plan;

**Finding:** The proposed improvements have been reviewed by the city’s water resources engineer and found to be consistent with the water resources management plan.

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

**Finding:** The proposed improvements would not adversely impact public health, safety, or welfare. Rather, they are intended to increase enjoyment of the community’s natural resources.

6. Water bodies receiving runoff entering wetlands, floodplain or shoreland areas shall not be adversely impacted by the water quality of runoff;

**Finding:** The proposed improvements would add a negligible amount of impervious surface to the area surrounding the creek. As such, staff does not anticipate any adverse impact to the water quality of runoff.

7. No structure or fill may be placed which adversely affects the minimum required water storage capacity as defined in the water resources management plan of a property;

**Finding:** The proposed improvements would not impact water storage capacity.

8. No structure subject to periodic inundation shall be designed for human habitation or shall the structure be serviced with public utilities;

**Finding:** No habitable structures are proposed.

9. Structures shall have a low flood damage potential and shall be firmly anchored;

**Finding:** The trails/boardwalks have low flood damage potential.
10. Service facilities, such as electrical and heating equipment, must be located a minimum of two feet above the flood elevation defined in the water resources management plan;

Finding: No service facilities are proposed.

11. There shall be no storage of materials which are flammable, explosive or otherwise dangerous to human, animal or plant life;

Finding: No storage of materials is proposed.

12. There shall be only minimal interference with wetland vegetation; and

Finding: No interference with wetland vegetation is proposed.

13. Required approvals shall be secured from all appropriate jurisdictions, including the United States Army Corps of engineers, Minnesota Department of Natural Resources, governing watershed district and the Lake Minnetonka Conservation District. Any conditions imposed upon such approvals shall be met.

Finding: The improvements have been approved by the Minnehaha Creek Watershed District; no other agency approval is required.

CUP Standards: Field Lighting

The proposed field lighting would meet the conditional use permit standards for public facilities as outlined in City Code §300.16 Subd.3(I).

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

Finding: See the following 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: No access changes are proposed.
3. Buildings set back 50 feet from all property lines;

   **Finding:** No buildings are proposed.

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

   **Finding:** While the proposed lighting may increase the time during which existing parking spaces are utilized, the lighting would not increase the amount of parking required for the athletic field.

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

   **Finding:** The proposed lighting would not increase the site’s impervious surface by more than the diameter of the four poles.

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

   **Finding:** No buildings are proposed.

**SBP Standards:**

**Field Lighting**

The proposed field lighting would comply with site and building standards as outlined in City Code §300.27, Subd.5.

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

   **Finding:** Members of the city’s community development, engineering, and public works staff have reviewed the proposed lighting and find that it is generally consistent with the city’s development guides.

2. Consistency with this ordinance;

   **Finding:** The proposal would meet all 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 lighting would necessitate minimal soil removal and no tree removal.

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 civic center campus contains a variety of recreational uses and government/service buildings. The proposed lighting of an existing athletic field would not detract from the relationship between existing and future uses and buildings.

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.

Finding: The proposed lighting of an existing field would not impact the internal order, circulation, landscaping, or open space on the civic center campus.

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: LED fixtures would be used.
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:** The proposal would allow for extended recreational use of a site that has long been used for recreational purposes. The closest residential area, located west of the existing field, is 300 feet away. The closest home to the north, located across Minnehaha Creek, is nearly 700 feet way. The surrounding residential areas are further separated from the existing athletic field by large stands of mature trees.

**Neighborhood Comments**

The city has sent notice to 45 area property owners and has received no written comments to date.

**Pyramid of Discretion**

**Motion Options**

The planning commission has three options:

1. Concur with the staff recommendation. In this case a motion should be made recommending the city council adopt the resolutions approving the conditional use permits.

2. Disagree with staff’s recommendation. In this case, a motion should be made recommending the city council deny the conditional use permits. This motion must include a statement as to why denial is recommended.

3. Table the request. In this case, a motion should be made to table the items. The motion should include a statement as to why the requests are 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 Decision  June 12, 2017
Location Map

Project: Civic Center Soccer Lights
Applicant: City of Minnetonka
Address: 3391 Williston Rd
Project No.02068.17a

This map is for illustrative purposes only.
Revised Plan: April 28, 2005

Civic Center Campus
Master Plan
City of Minnetonka
TRAILS/BOARDWALKS
Civic Center Campus
Master Plan
City of Minnetonka
GENERAL LAYOUT NOTES:
1. Contractor shall verify existing conditions prior to construction start. Contractor is responsible for all located. All located shall be reviewed by the owner/l.a.e. prior to construction start.
2. Contractor shall be responsible for protecting all existing structures, utilities, trees, site amenities, etc. that are to remain from damage during construction.
3. Contractor shall be responsible for correcting any damage to existing items to remain at contractor’s expense, and is considered incidental to the contract.
4. Dimensions take precedence over scale. Field verify (f.v.) items shall be field verified by the contractor.
5. **Any discrepancies found that affect the work shall be reported to the owner/l.a.e. for clarification prior to any additional work being done.

FIELD LAYOUT LOCATION NOTE:
6. All site improvements shall be field staked according to plan and the contractor shall meet with the owner/l.a.e. to review survey and make adjustments as necessary prior to any work being done.
7. **All site improvements shall be field staked according to plan and the contractor shall meet with the owner/l.a.e. to review survey and make adjustments as necessary prior to any work being done.

SPOT GRADES & DRAINAGE REQUIREMENTS:
8. The contractor and surveyor shall review all grading with the la-e prior to construction to ensure proper drainage and grading. The intent of all proposed spot grades and grading in general is to match existing grades adjacent to new construction and to ensure proper drainage and blending of new grades with existing ones. Spot grades shown are to finish grade. Contractor shall subcut in accordance with the plans, details and construction to ensure proper drainage and grading.
9. The contractor shall verify and confirm all grades with the la-e after initial survey / staking work and prior to start of grading operations.
10. Asphalt trails unless stated otherwise on the plan. A 1.5% cross slope shall be maintained across all concrete pads / pavements / and asphalt trails unless stated otherwise on the plan.

EROSION CONTROL REQUIREMENTS:
11. Refer to plan sheets L3.1 to L3.3 for location and type of erosion control protection. This must be in place prior to removals and grading.
12. Additional requirements include:
   1. Install perimeter control for the plan prior to any ground disturbing activities in the drainage area.
   2. All streets and adjacent to the project shall remain clean and passable at all times. Adjacent streets and curb line to be swept free of debris at the end of each work day, or as often as needed to ensure public safety.
   3. All storm sewer structures shall be protected from infiltration of silt during construction by approved infiltration protection.
   4. Stabilization of disturbed areas shall be done by permanent turf establishment whenever possible.
   5. In the event that permanent stabilization cannot be implemented within 7 days after construction activity in the disturbed area has ceased, temporary stabilization BMPs must be scheduled to occur within that 7 day time frame. Temporary cover measures may consist of applying hydro mulch to the exposed areas.
   6. Inlet protection devices and all perimeter control shall be maintained once sediment accumulates to a depth 1/3 of the designed capacity.
   7. In the event that de-watering operations need to occur, the water that will be discharged must be treated with the appropriate BMPs. Such that the discharge is free of turbidity and does not adversely affect the receiving water or downstream landowners.
   8. All stockpiles must have perimeter sediment control implemented and maintained at all times. Stockpiles to receive mulch if unworked for 3 days.
   9. Additional erosion and sediment control may be added during any phase of construction as directed by the engineer.
   10. Contractor to be responsible for all sediment and erosion control.
   11. Contractor shall submit a site plan of the construction sequence of the boardwalk, as described in the SWPPP Narrative.

EARTHEN EXPORT:
12. **Contractor shall haul all excess earthen material to Minnetonka Public Works facility. Contractor to coordinate exact location with city.

**ANY DISCREPANCIES FOUND THAT AFFECT THE WORK SHALL BE REPORTED TO THE OWNER/L.A.E. FOR CLARIFICATION PRIOR TO ANY ADDITIONAL WORK BEING DONE.**
LIMITS OF BITUMINOUS PAVEMENT - PROVIDE SAWCUT ADJACENT TO PAVEMENT TO REMAIN EXISTING ALIGNMENT, REFER TO GRADING R10 FOR ADDITIONAL INFORMATION.

PROPOSED PEDESTRIAN RAMP), PEDESTRIAN RAMP (NOTE: REMOVE EXISTING CURB AND GUTTER AS NECESSARY FOR PROPOSED PEDESTRIAN RAMPS, SEE SHEET D1 FOR STANDARD PLATE.

DELINEATED WETLAND - ENVIRONMENTALLY SENSITIVE AREA

WETLAND-ENVIRONMENTALLY SENSITIVE AREA

DELINEATED WETLAND - ENVIRONMENTALLY SENSITIVE AREA

SCALE: 1" = 20'-0"
Area of Required 75' Buffer: 247,875
Area of trail in Buffer: 2240
Total Buffer Required: 250,115
Total buffer provided: 251,113

Trail not meeting Buffer 285 feet
Approximate future trail 290 feet
FIELD LIGHTS
Civic Center Campus
Master Plan
City of Minnetonka

Area of lighting proposed
Minnetonka Civic Center Soccer
Minnetonka, MN

Lighting System

Pole/Fixture Summary

<table>
<thead>
<tr>
<th>Pole</th>
<th>Height</th>
<th>Mtg Height</th>
<th>Fixtures</th>
<th>Luminaire Type</th>
<th>Load</th>
<th>Group</th>
</tr>
</thead>
<tbody>
<tr>
<td>S1-S4</td>
<td>70'</td>
<td>70'</td>
<td>7</td>
<td>TLC-LED-1150</td>
<td>8.05 kW</td>
<td>A</td>
</tr>
</tbody>
</table>

Group Summary

<table>
<thead>
<tr>
<th>Group</th>
<th>Description</th>
<th>Avg Load</th>
<th>Max Load</th>
<th>Fixture Qty</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Soccer</td>
<td>32.2 kW</td>
<td>32.2 kW</td>
<td>28</td>
</tr>
</tbody>
</table>

Fixture Type Summary

<table>
<thead>
<tr>
<th>Type</th>
<th>Source</th>
<th>Wattage</th>
<th>Lumen</th>
<th>L90</th>
<th>L80</th>
<th>L70</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>TLC-LED-1150</td>
<td>LED 5700K - 75 CRI</td>
<td>1150W</td>
<td>121,000</td>
<td>&gt;51,000</td>
<td>&gt;51,000</td>
<td>&gt;51,000</td>
<td>28</td>
</tr>
</tbody>
</table>

Light Level Summary

<table>
<thead>
<tr>
<th>Calculation Grid Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Calculation Metric</td>
</tr>
<tr>
<td>Blanket Grid</td>
</tr>
<tr>
<td>Horizontal Illuminance</td>
</tr>
<tr>
<td>Soccer-1</td>
</tr>
</tbody>
</table>

Light Level Summary

<table>
<thead>
<tr>
<th>Calculation Grid Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Calculation Metric</td>
</tr>
<tr>
<td>Blanket Grid</td>
</tr>
<tr>
<td>Horizontal Illuminance</td>
</tr>
<tr>
<td>Soccer-1</td>
</tr>
</tbody>
</table>
EQUIPMENT LIST FOR AREAS SHOWN

<table>
<thead>
<tr>
<th>Pole</th>
<th>Location</th>
<th>Elevation</th>
</tr>
</thead>
<tbody>
<tr>
<td>S1</td>
<td></td>
<td>0'</td>
</tr>
<tr>
<td>S2</td>
<td></td>
<td>0'</td>
</tr>
<tr>
<td>S3</td>
<td></td>
<td>0'</td>
</tr>
<tr>
<td>S4</td>
<td></td>
<td>0'</td>
</tr>
</tbody>
</table>

POLE LOCATION

Minnetonka Civic Center Soccer
Minnetonka, MN

GRID SUMMARY

Name: Soccer-1
Size: 330' x 210'
Spacing: 30' x 30'
Height: 3.0' above grade

ILLUMINATION SUMMARY

MAINTAINED HORIZONTAL FOOTCANDLES

Guaranteed Average: 30
Scan Average: 39.16
Maximum: 50
Minimum: 33
Avg / Min: 1.18
Guaranteed Max / Min: 2
Max / Min: 1.52
UG (adjacent pts): 1.26
CU: 0.72
No. of Points: 70

LUMINAIRE INFORMATION

Color / CRI: 5700K - 75 CRI
Luminaire Output: 121,000 lumens
No. of Luminaires: 28
Total Load: 32.2 kW

Lumen Maintenance

<table>
<thead>
<tr>
<th>Luminaire Type</th>
<th>L90 hrs</th>
<th>L80 hrs</th>
<th>L70 hrs</th>
</tr>
</thead>
<tbody>
<tr>
<td>TLC-LED-1150</td>
<td>&gt;51,000</td>
<td>&gt;51,000</td>
<td>&gt;51,000</td>
</tr>
</tbody>
</table>

Reported per TM-21-11. See luminaire datasheet for details.

Guaranteed Performance: The ILLUMINATION described above is guaranteed per your Musco Warranty document and includes a 0.95 dirt depreciation factor.

Field Measurements: Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume ± 3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.
**EQUIPMENT LIST FOR AREAS SHOWN**

<table>
<thead>
<tr>
<th>QTY</th>
<th>EQUIPMENT</th>
<th>LOCATION</th>
<th>PROD-NO</th>
<th>MANUFACTURER</th>
<th>QTY</th>
<th>DIA</th>
<th>YEARS</th>
<th>DATE</th>
<th>SERIAL</th>
<th>LN</th>
<th>nums</th>
</tr>
</thead>
</table>

**LOCATION**

- **0'**
  - S1-S4

**SCALE IN FEET 1 : 100**

**NAME:** Minnetonka Civic Center Soccer

**GRID SUMMARY**

- **Name:** Blanket Grid
- **Spacing:** 20.0' x 20.0'
- **Height:** 3.0' above grade

**ILLUMINATION SUMMARY**

- **No. of Luminaires:** 28
- **Luminaire Output:** 121,000 lumens
- **UG (adjacent pts):** 14.41
- **Max / Min:** 55
- **Avg / Min:** 3921
- **Total Load:** 32.2 kW

**Guaranteed Performance:** The ILLUMINATION described above is guaranteed per your Musco Warranty document and includes a 0.95 dirt depreciation factor.

**Field Measurements:** Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with E59A RP-6-1.

**Electrical System Requirements:** Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

**Installation Requirements:** Results assume 3.3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

**ILLUMINATION**

- **Scan Average:** 8.57
- **Minimum:** 5.1
- **Maximum:** 55
- **UG (adjacent pts):** 14.41
- **No. of Points:** 1044
- **Color / CRI:** 5700K - 75 CRI
- **Total Load:** 32.2 kW
- **Luminaire Type:** L90 hrs

---

**MINNETONKA, MN**

Reported per TM-21-11. See luminaire datasheet for details.
Minnetonka Civic Center Soccer
Minnetonka, MN

EQUIPMENT LAYOUT

INCLUDES:
· Soccer-1

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume ± 3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

EQUIPMENT LIST FOR AREAS SHOWN

<table>
<thead>
<tr>
<th>SET</th>
<th>LOCATION</th>
<th>QTY</th>
<th>NOTES</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>S1-S4</td>
<td>4</td>
<td></td>
</tr>
</tbody>
</table>

TOTALS 28

SINGLE LUMINARE AMPERAGE DRAW CHART

<table>
<thead>
<tr>
<th>Single Phase Voltage</th>
<th>TLC-LED-1150</th>
</tr>
</thead>
<tbody>
<tr>
<td>208V (60)</td>
<td>7.0</td>
</tr>
<tr>
<td>220V (60)</td>
<td>6.6</td>
</tr>
<tr>
<td>240V (60)</td>
<td>6.1</td>
</tr>
<tr>
<td>277V (60)</td>
<td>5.2</td>
</tr>
<tr>
<td>347V (60)</td>
<td>4.2</td>
</tr>
<tr>
<td>380V (60)</td>
<td>3.8</td>
</tr>
<tr>
<td>480V (60)</td>
<td>3.0</td>
</tr>
</tbody>
</table>

NOTES:
Prod-r1: Moved S4
What Matters in Lighting Technology

Photographed at 100-feet from field edge

Used equal parameters for:
- On-field light level per pole
- Wattage per luminaire
- Mounting height
- Luminaire aiming angles
- Pole distance from aiming point
Evolution of Light Control

<table>
<thead>
<tr>
<th>Year</th>
<th>Model</th>
</tr>
</thead>
<tbody>
<tr>
<td>1976</td>
<td>SportsCluster-</td>
</tr>
<tr>
<td>1989</td>
<td>SportsCluster-2</td>
</tr>
<tr>
<td>1989</td>
<td>SportsCluster-2 with Level 8”</td>
</tr>
<tr>
<td>1989</td>
<td>Total Light Control™</td>
</tr>
<tr>
<td>2005</td>
<td>Light-Structure Green™— HID</td>
</tr>
<tr>
<td>2013</td>
<td>Light-Structure Green™— LED</td>
</tr>
</tbody>
</table>
KENT-STEIN PARK
Muscatine, Iowa, USA
Soccer Field - 30 horizontal footcandles (300 lux)
System Energy Comparison:
34.8 kW - 81% reduction from typical HID equipment
CIP INFORMATION
Project Category: Parks, Trails and Open Space
Project Title: Trail Improvement Plan
Total Estimated Cost: $1,920,000 Total Cost
$520,000 City Cost
$1,400,000 Unfunded
Funding Priority: 3
Account Number: 4701.XXXX.S16206

Description:
The Trail Improvement Plan is a multi-year plan created to maintain and enhance the City’s trail and sidewalk system within the city. New trails and walks added to the system provide connections between existing trails, parks, schools and village center points of interest.

<table>
<thead>
<tr>
<th>Source of Project Funding</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Park and Trail Improvement Fund (PTF)</td>
<td>$120,000</td>
<td>50,000</td>
<td>$50,000</td>
<td>$150,000</td>
<td>$150,000</td>
</tr>
<tr>
<td>Hennepin County Funds (HC)*</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community Investment Fund (Unfunded)</td>
<td></td>
<td></td>
<td></td>
<td>$1,400,000</td>
<td></td>
</tr>
<tr>
<td>Annual Trail Funding</td>
<td>$120,000</td>
<td>$50,000</td>
<td>$50,000</td>
<td>$150,000</td>
<td>$150,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Funding</th>
<th>Length in Miles</th>
<th>Estimated City Cost</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016 Civic Center east to McGinty Rd – Boardwalk</td>
<td>PTF</td>
<td>0.8</td>
<td>$120,000</td>
<td>$120,000</td>
</tr>
<tr>
<td>2017 Trail wayfinding and navigation signage</td>
<td>PTF</td>
<td></td>
<td>$50,000</td>
<td>$50,000</td>
</tr>
<tr>
<td>2018 Trail wayfinding and navigation signage</td>
<td>PTF</td>
<td></td>
<td>$50,000</td>
<td>$50,000</td>
</tr>
<tr>
<td>2019 Smetana Rd - Westbrooke Way to Sanibel Dr</td>
<td>PTF</td>
<td>0.9</td>
<td>$150,000</td>
<td>$150,000</td>
</tr>
<tr>
<td>2020 Parkers Lake Rd - Twelve Oaks Center Dr to Plymouth city limits</td>
<td>PTF</td>
<td>0.5</td>
<td>$150,000</td>
<td>TBD</td>
</tr>
<tr>
<td>Scheduled/Unfunded Segments</td>
<td>Funding</td>
<td>Length in Miles</td>
<td>Estimated City Cost</td>
<td>Estimated Cost</td>
</tr>
<tr>
<td>CR 60 – CR5 to CR3 (with Three Rivers/HC)</td>
<td>CIF</td>
<td>1.7</td>
<td>$600,000</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>CR 60 – CR62 to CR3 (with Three Rivers/HC)</td>
<td>CIF</td>
<td>1.9</td>
<td>$800,000</td>
<td>$3,000,000</td>
</tr>
</tbody>
</table>

Justification:
There is strong community support for the Minnetonka Trail System as evidenced by the heavy use of the completed trail segments and inquiries received about opportunities for extensions. When completed, these trails and walkways will connect five community parks, adjacent communities, and allow users to travel throughout the city on trails physically separated from motorized vehicles.

Scheduling and Project Status:
The Opus Area Improvements page additionally designates $520,000 from the Community Investment Fund to construct trail connections to the new Light Rail Transit platform in 2019.

Staff conducted an educational and community dialogue for missing trail links to assist the Park Board and City Council in recommending projects to be constructed. The avenues for information were the Minnetonka Memo, Summer Festival and Open House.

Relationship to General Plan and Other Projects:
This is an integral part of the Parks, Open Space and Trail System and the Comprehensive Guide Plans to construct the Minnetonka Trail for walkers, joggers and bicyclists.

The vision for trail segments uses a feasibility score made up of Community Access (40%), Nature of Use (30%), Cost Effectiveness (20%) and Degree of Construction Difficulty (10%).

Effect on Annual Operations Costs:
Maintenance costs will increase by approximately $1,500/mile.
**Project Category:** Parks, Trails & Open Space

**Project Title:** Athletic Field Improvements

**Total Estimated Cost:**
- $640,000 Total Cost
  - $425,000 City Cost
  - $75,000 Grant Funding
  - $140,000 Unfunded

**Funding Priority:** 2

**Account Number:** 4701.XXXX.S17207

---

### Source of Project Funding

<table>
<thead>
<tr>
<th>Source of Project Funding</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Park and Trail fund- City Facilities</td>
<td>$95,000</td>
<td>$20,000</td>
<td>$270,000</td>
<td>$20,000</td>
<td>$20,000</td>
</tr>
<tr>
<td>Hennepin Youth Sports Grant Funding</td>
<td>75,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unfunded – Park &amp; Trail Fund</td>
<td>140,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

**Description:**

The park board’s 2012 update of the city’s Athletic Field Needs Study continues to indicate a moderate need for increased game quality athletic fields for the sports of soccer, lacrosse and football; and increased access to quality practice fields for youth softball and baseball through partnerships.

---

**Justification:**

With a lack of available city property for athletic field expansion, lighting of existing fields, along with partnerships with local school districts, provides the best opportunities to expand access to community fields. This program also funds major upgrades to dedicated city owned athletic fields to maintain acceptable playing standards.

**Scheduling and Project Status:**

- **2017:** $75,000 is allocated to light the existing Civic Center fields. An additional $75,000 would be funded from a Hennepin County Youth Sports Grant. $20,000 is allocated for field renovations at city owned athletic fields.
- **2018:** $20,000 is allocated for field improvements at city owned athletic fields. $140,000 is included as an unfunded request for the lighting of the two existing fields at Lone Lake Park.
- **2019:** $270,000 is allocated to replace the lighting on the softball fields at Big Willow Park.
- **2020 and 2021:** $20,000 is allocated for field improvements at city owned athletic fields each year.

**Relationship to General Plan and Other Projects:**

The city of Minnetonka has a history of partnerships with the Minnetonka and Hopkins School Districts to provide quality community facilities, most notably, the Lindbergh Center, Arts Center on 7 and athletic improvements at Hopkins West Junior High.

---

**1998:** The city provided $100,000 for the redevelopment of fields at Hopkins West Junior High with the Hopkins School District.

**2008 – 2010:** The city provided $250,000 towards the $3.5 Million construction of Minnetonka School Districts Veterans Field (baseball/football fields).

**2009:** The city provided $95,000 towards the $1.2 Million construction of Legacy Fields (four youth softball fields) with Minnetonka School District.

**2010:** The city provided $50,000 towards a $250,000 upgrade of an existing multi-purpose field at Bennett Family Park.

**2014:** $20,000 is allocated for field renovations at city owned athletic fields and $65,000 for Phase I safety improvements (foul ball netting) at Big Willow Park.

**2016:** $85,000 is allocated for Phase II safety improvements (spectator and bleacher protection) at Big Willow Park. Hennepin County Youth Sports grant application will be submitted for the 2017 cycle.

**Effect on Annual Operations Costs:**

Under the terms of the partnership agreements in place for previous improvements completed on school district property, the school districts are responsible for all operational and capital replacement costs. Increased energy costs due to field lighting will be recouped through field use fees.
PARK BOARD REPORTS AND MINUTES
Minnetonka Park Board Item 4A
Meeting of August 3, 2016

<table>
<thead>
<tr>
<th>Subject:</th>
<th>Neighborhood meeting – Civic Center Athletic Field Lighting (7 p.m.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Park Board related goal:</td>
<td>To provide quality athletic and recreational facilities and programs</td>
</tr>
<tr>
<td>Park Board related objective:</td>
<td>Anticipate, review and respond to community needs not previously identified</td>
</tr>
<tr>
<td>Brief Description:</td>
<td>Hold public meeting to gather input regarding the lighting of the Civic Center Field</td>
</tr>
</tbody>
</table>

**Background**

With a lack of available city property for athletic field expansion, lighting of existing fields provides the best opportunity to expand access to community fields. The park board has recommended that the Civic Center field be lit to address the demand in our community for youth fields for soccer, lacrosse, football and other sports requiring similar field space. In the 2012 Field Needs Study the number one opportunity identified for fields sports was exploring the addition of lights on Civic Center and Lone Lake parks fields as well as addressing the need for additional youth practice field space.

The city of Minnetonka’s Capital Improvements Program (CIP) includes proposed funding to light the Civic Center multi-purpose field in 2017. To complete this project, grant funding from the Hennepin County Youth Sports program would be required. An application for this grant program is scheduled to be submitted in the fall of 2016.

If lights are added to the field, staff would recommend that the Comprehensive Athletic Field Use policy be amended to allow for use (when necessary) until 9:45 p.m. each night from May 1 – October 15. This would be consistent with the current regulations for lighting in place at other city youth fields. Plans show that the proposed lighting would “spill” no more than 160 feet from the field – and this does not take into account the tree barrier which will further diminish the distance light will travel. The nearest home to the field is over 300 feet away, therefore no light is expected to reach neighboring homes. Craig Gallop of Musco lighting has served as a consultant for the project and will be in attendance to provide technical information regarding lighting and address resident questions or concerns.

**Discussion Points**

- Based on input received from residents, is there additional information the park board is requesting from staff?
Recommended Action: Obtain resident information to assist in developing a final recommendation for the project at the September 7, 2016 park board meeting.

Attachments:

1. Neighborhood Meeting Notice
2. Area map
3. 2017-2021 CIP Athletic Field Improvement page
4. Evolution of Lighting
5. 2012 Field Needs Study - Need and Opportunities
6. 2012 Field Needs Study – Field Sports
You are invited...
The Minnetonka Park Board invites you to a neighborhood meeting to review plans for the possible lighting of the multi-purpose field located on the north side of Ice Arena B on the Civic Center Campus at 14600 Minnetonka Boulevard. The park board recommends this field be lit to increase the amount of time youth are able to play soccer, lacrosse, football and other sports requiring similar field space in this location. Lighting this field would address a growing demand for space. You are receiving this notice because your residence is located within 1,000 feet of the field.

See the map on the reverse side for location details.

What is being proposed?
The City of Minnetonka budget includes funding to light the multi-purpose field in 2017. However, to fully fund this project, grant funding from the Hennepin County Youth Sports program is required. An application for this grant is scheduled to be submitted in the fall of 2016.

If lights are added to the field, they would be in use (when necessary) until 9:45 p.m. each night from May 1–Oct. 15, according to city ordinance. Plans show that the proposed lighting would “spill” no more than 160 feet from the field – and this does not take into account the tree barrier which will further diminish the distance light will travel. The nearest home to the field is over 300 feet away, therefore no light is expected to reach neighboring homes.

What happens at the meeting?
The purpose of this meeting is to review the proposal and receive feedback from residents residing in close proximity to the field.

Will there be future meetings?
Yes. The park board will meet again on Sept. 7, 2016 to review the feedback received at the Aug. 3 meeting and to make final recommendations for the project.

How can I stay informed?
You will be kept informed of future meetings related to this project by attending this meeting. If you are unable to attend this meeting and would like to stay informed, or if you have additional questions, please contact Program and Special Events Manager Sara Woeste at swoeste@eminnetonka.com or 952-939-8316.
Minnetonka Civic Center Field

Proposed Lighting Area

This map is for illustrative purposes only.
Project Category: Parks, Trails & Open Space
Project Title: Athletic Field Improvements
Total Estimated Cost: $640,000 Total Cost
$565,000 City Cost
$75,000 Grant Funding
$140,000 Unfunded
Funding Priority: 2
Account Number: 4701.XXXX.S17207

<table>
<thead>
<tr>
<th>Source of Project Funding</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Park and Trail fund- City Facilities</td>
<td>$95,000</td>
<td>$20,000</td>
<td>$270,000</td>
<td>$20,000</td>
<td>$20,000</td>
</tr>
<tr>
<td>Hennepin Youth Sports Grant Funding</td>
<td>$75,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unfunded – Park &amp; Trail Fund</td>
<td></td>
<td></td>
<td></td>
<td>$140,000</td>
<td></td>
</tr>
</tbody>
</table>

Description:
The park board's 2012 update of the city's Athletic Field Needs Study continues to indicate a moderate need for increased quality athletic fields for the sports of soccer, lacrosse and football; and increased access to quality practice fields for youth softball and baseball through partnerships.

Justification:
With a lack of available city property for athletic field expansion, lighting of existing fields, along with partnerships with local school districts, provides the best opportunities to expand access to community fields. This program also funds major upgrades to dedicated city owned athletic fields to maintain acceptable playing standards.

Scheduling and Project Status:
2017: $75,000 is allocated to light the existing Civic Center fields. An additional $75,000 would be funded from a Hennepin County Youth Sports Grant. $20,000 is allocated for field renovations at city owned athletic fields.
2018: $20,000 is allocated for field improvements at city owned athletic fields. $140,000 is included as an unfunded request for the lighting of the two existing fields at Lone Lake Park.
2019: $270,000 is allocated to replace the lighting on the softball fields at Big Willow Park.
2020: $20,000 is allocated for field improvements at city owned athletic fields.

Relationship to General Plan and Other Projects:
The city of Minnetonka has a history of partnerships with the Minnetonka and Hopkins School Districts to provide quality community facilities, most notably, the Lindbergh Center, Arts Center on 7 and athletic improvements at Hopkins West Junior High.

1998: The city provided $100,000 for the redevelopment of fields at Hopkins West Junior High with the Hopkins School District.
2008 – 2010: The city provided $250,000 towards the $3.5 Million construction of Minnetonka School Districts Veterans Field (baseball/football fields).
2009: The city provided $95,000 towards the $1.2 Million construction of Legacy Fields (four youth softball fields) with Minnetonka School District.
2010: The city provided $50,000 towards a $250,000 upgrade of an existing multi-purpose field at Bennett Family Park.
2014: $20,000 is allocated for field renovations at city owned athletic fields and $65,000 for Phase I safety improvements (foul ball netting) at Big Willow Park.
2016: $85,000 is allocated for Phase II safety improvements (spectator and bleacher protection) at Big Willow Park. Hennepin County Youth Sports grant application will be submitted for the 2017 cycle.

Effect on Annual Operations Costs:
Under the terms of the partnership agreements in place for previous improvements completed on school district property, the school districts are responsible for all operational and capital replacement costs. Increased energy costs due to field lighting will be recouped through field use fees.
What Matters in Lighting Technology

Photographed at 100-feet from field edge

Used equal parameters for:
- On-field light level per pole
- Wattage per luminaire
- Mounting height
- Luminaire aiming angles
- Pole distance from aiming point

Solutions for Lighting
## Need & Opportunities:

<table>
<thead>
<tr>
<th>Community Activity</th>
<th>Community Fields Need</th>
<th>Opportunities</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Baseball - Youth</strong></td>
<td>9</td>
<td>Partner with school districts to add practice fields on elementary school properties</td>
</tr>
<tr>
<td><strong>Baseball - Regulation</strong></td>
<td>2</td>
<td>Expansion of use through Hopkins School District partnership</td>
</tr>
<tr>
<td><strong>Field Sports</strong></td>
<td>6</td>
<td>• Explore the addition of lights on Civic Center and Lone Lake fields</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Explore partnerships with school districts</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Consider artificial turf of the Big Willow Park multipurpose field</td>
</tr>
<tr>
<td><strong>Softball - Youth</strong></td>
<td>3</td>
<td>Partner with school districts to add practice fields on elementary and middle school properties</td>
</tr>
<tr>
<td><strong>Softball - Adult</strong></td>
<td>6</td>
<td>Expansion of use through city of Hopkins (Lighting and fields)</td>
</tr>
</tbody>
</table>
#3 Field Sports (4.0 game/0.5 practice)

6,056 participants

- Yth. Soccer - Tonka United, 2,315
- Yth. Soccer - Hopkins Dynamo, 750
- Yth. Soccer - Joint Recreation, 753
- Yth. Football - Hopkins, 394
- Yth. Football - Minnetonka, 560
- Adult Soccer, 679
- Adult Football, 76
- Ultimate Frisbee, 60
- Lacrosse - Minnetonka, 0
- Lacrosse - Hopkins, 69
- Lacrosse - Hopkins Dynamo, 750
- Ultimate Frisbee - Hopkins, 60
- Adult Football - Hopkins, 76
- Adult Soccer - Hopkins, 679
- Yth. Football - Minnetonka, 560
- Yth. Soccer - Joint Recreation, 753
- Yth. Soccer - Hopkins Dynamo, 750
1. Roll Call

Park Board members in attendance included Jack Acomb, Nelson Evenrud, Chris Gabler, Cindy Kist, Peggy Kvam, Elise Raarup and Madeline Seveland. Staff members in attendance included Jo Colleran, Ann Davy, Darin Ellingson, Dave Johnson, Kelly O’Dea, Mike Pavelka and Sara Woeste.

Chair Raarup called the meeting to order at 7 p.m.

2. Approval of Minutes

Evenrud moved and Gabler seconded a motion to approve the meeting Minutes of April 6, 2016 as submitted. All voted “Yes”. Motion carried.

3. Citizens Wishing to Discuss Items Not on the Agenda

None

4. Business Items

A. Neighborhood Meeting – Civic Center Athletic Field Lighting

Sara Woeste, Recreation Services Programming and Special Events Manager, provided the introduction. Woeste noted that the 2012 Athletic Field Needs Study (AFNS) indicates that the most significant needs related to athletic fields in the city are for field sports such as soccer, lacrosse, football and rugby. Woeste further noted that the AFNS recommends the lighting of existing fields such as the Civic Center to address the shortages in place.

Woeste indicated that the Civic Center fields are designated primarily for youth use. Woeste added that the use of lights in the summer time would be minimal, with the greatest need being in the months of May, September and October. To be consistent with other lighted fields in the city, the lights at the Civic Center would not be permitted for use past 9:45 p.m.

Woeste closed by stating that the lighting of the fields is contingent upon park board and city council approval; as well as successfully receiving a Hennepin County Youth Sports Grant for the project. Woeste noted that the application process will be this fall and that city funding is included in the 2017 Capital Improvements Program (CIP).

Woeste introduced Craig Gallop of Musco Lighting. Gallop indicated that he has been a resident of Minnetonka for about 25 years and has been involved in the lighting of several athletic fields in the city. Gallop noted that the Civic Center
provides the ideal lighting situation due to the proximity of the nearest homes by his estimates being over 500 feet away.

Gallop provided a brief history of athletic field lighting to illustrate how far lighting has come. Gallop mentioned that the latest trend is moving from standard metal halide lighting to LED lighting. While currently more expensive, Gallop indicated that he feels the cost for LED lighting will begin to come down over the next few years. Gallop reviewed light spill designs in place, warranty information, and indicated that the lights would be controlled through technology so that they can only be programmed for use by city staff.

Chair Raarup opened the floor to resident comments.

Vincent Troy, 14852 Timberhill Road asked what the expected cost of the project was. Gallop responded that LED lighting would cost $165,000 compared to $128,000 for metal halide. Woeste added that the CIP includes $75,000 in city costs and $75,000 through a Hennepin County Youth Sports Grant. Troy asked what the cost for maintenance would be. Gallop indicated that maintenance was included in the cost.

Earl Jensen, 14855 Timberhill Road, asked if the mailing had gone to residents on the north side of the creek. Woeste indicated it had. Jensen provided a history of past opposition residents from north of the creek; namely their concerns several years back regarding a community building being placed on that site. Jensen then asked if there would be adequate parking for the increased play. Woeste responded that there would not be an increase in the number of people on site at any given time, only that the hours of play could be extended in the months of May, September and October.

Jane Sweet, 3124 Minnehaha Creek, indicated that when the fields were constructed, neighbors were told there would not be lights. Sweet added that from her property, she can see increased lighting from city buildings and parking areas. Thus, she believes that the field lighting will be visible from her home. Darin Ellingson, Public Works Streets & Parks Operations Manager, reported that the city’s engineering department is working on a campus-wide plan to program lights more efficiently and economically. Ellingson felt that this would reduce the impact nearby residents might be currently seeing.

Vincent Troy, 14852 Timberhill Road asked if there would be increased costs for labor on the fields. Ellingson indicated there would not be additional costs.

Hearing no further requests from resident comments, Raarup closed the public comments portion of the meeting and asked for park board member questions and comments.
Acomb asked for an explanation on the differences between LED and metal halide lighting. Gallop responded by saying that LED lighting has tighter spill control, requires less electrical use and has an immediate on/off ability unlike metal halide that takes time to cool and regenerate.

Kvam asked if there were any athletic field LED applications in the immediate area. Gallop indicated there were not. Gabler asked if this lighting would require a 4-post system. Gallop indicated it would. Gabler asked about the sports that would benefit from the addition of lighting. Woeste indicated that primarily soccer, lacrosse and football would benefit.

Evenrud commented that when the fields were constructed back in 2005, there was a likelihood that lighting was not a priority at that time. Evenrud feels that with increased play, it is now more of a need than it was back in 2005. Evenrud then asked if field management practices would need to change due to increased play on the fields. Ellingson responded that the fields handle the current level of use well and that his department would need to monitor the turf for any new concerns due to increased play.

Hearing no further questions, Woeste thanked those in attendance for their comments and noted that the item will come back to the park board on September 7, 2016 for final consideration.

B. Consideration of Pickleball site recommendations

Woeste provided an introduction to the item and informed the board that in response to a related article in the Minnetonka Memo, a total of 16 residents responded. Those responses were best summarized by those wishing to convert the Meadow Park tennis courts to pickleball (2), those opposed to converting the tennis courts at Meadow Park (11), those wanting courts in general (3) and one person suggesting adding sport courts to the Meadow Park hockey rink.

Woeste reported that the Memo article mentioned three potential options to addressing pickleball in the park system that includes:

1. Converting tennis courts at Meadow
2. Adding new courts at Lone Lake
3. Working with a local school district to partner with on courts

Woeste noted that talks with both the Minnetonka and Hopkins School Districts have not provided possible options due to a variety of factors that include current demand for tennis, lack of available space to construct new courts, lack of a pickleball curriculum in both District’s, and parking and traffic concerns during school hours.
Minnetonka Park Board Item 4A
Meeting of September 7, 2016

| Subject: | Consideration of a staff recommendation to add sports lighting to the Civic Center athletic field. |
| Park Board related goal: | To provide quality athletic and recreational facilities and programs |
| Park Board related objective: | Anticipate, review and respond to community needs not previously identified |
| Brief Description: | Consideration of lighting the Civic Center field and determination of the type of lighting to be used. |

Background

With a lack of available city property for athletic field expansion, lighting of existing fields provides the best opportunity to expand access to community fields. The park board has recommended that the Civic Center field be lit to address the demand in our community for youth fields for soccer, lacrosse, football and other sports requiring similar field space. In the 2012 Field Needs Study the number one opportunity identified for field sports was exploring the addition of lights on Civic Center and Lone Lake parks fields as well as addressing the need for additional youth practice field space.

The city of Minnetonka’s Capital Improvements Program (CIP) includes proposed funding to light the Civic Center multi-purpose field in 2017. To complete this project, grant funding from the Hennepin County Youth Sports (HCYS) grant program would be required. An application for this grant program is scheduled to be submitted in the fall of 2016.

If lights are added to the field, staff would recommend that the Comprehensive Athletic Field Use policy be amended to allow for use (when necessary) until 9:45 p.m. each night from May 1 – October 15. This would be consistent with the current regulations for lighting in place at other city youth fields. Plans show that the proposed lighting would “spill” no more than 160 feet from the field – and this does not take into account the tree barrier which will further diminish the distance light will travel. The nearest home to the field is over 300 feet away, therefore no light is expected to reach neighboring homes.

A neighborhood meeting was held during the August 3, 2016 park board meeting. Craig Gallop from Musco Lighting was in attendance and answered questions from neighbors and the board regarding light spillage and different lighting options. A total of three neighbors spoke at the meeting with questions asked related to light spill, costs for adding the lights and parking for field related activities.
Item 4A — Consideration of a staff recommendation to add sports lighting to the Civic Center athletic field.

September 7, 2016

Summary

At the September 7, 2016 meeting, the park board will be reviewing staff’s recommendation to add lights to the Civic Center field, contingent upon final council approval and the successful completion of a HCYS grant. If the park board supports staff’s recommendation, a subsequent discussion is needed to determine the type of lighting options available. The two options presented include:

- **Metal Halide lighting**: Traditional lighting used on other city athletic fields. The cost estimate provided for Civic Center is $128,000. Under this option, the city would pay $75,000 and request a grant for $53,000.

- **LED lighting**: Relatively new application to sports lighting with a cost estimate of $165,000. Musco Lighting indicates that there is tighter spill control and LED requires less electricity to operate. Under this option, the city would pay $75,000 and request a grant for $90,000.

Based on the high demand for fields to accommodate a variety of youth field sports, and the opportunity to fund lights through the HCYS grant program, staff recommends the addition of lights to the Civic Center field as included in the 2017 CIP.

Discussion Points

- Does the park board recommend lighting the Civic Center field?
- If so, what type of lighting is preferred, metal halide or LED?

**Recommended Action**: Staff recommends that the park board direct staff to proceed with the plan to light the Civic Center field using LED lighting for energy efficiency.

Attachments:

1. Area map
2. What Matters in Lighting Technology
3. Evolution of Light Control
Minnetonka Civic Center Field

Proposed Lighting Area

This map is for illustrative purposes only.
What Matters in Lighting Technology

Light Control

Photographed at 100-feet from field edge

Used equal parameters for:
- On-field light level per pole
- Wattage per luminaire
- Mounting height
- Luminaire aiming angles
- Pole distance from aiming point

©2015 Musco Sports Lighting, LLC. M-1905-en04-1

Solutions for Lighting
Evolution of Light Control

1976  SportsCluster®
1989  SportsCluster•2
1989  SportsCluster•2 with Level 8™
1989  Total Light Control™
2005  Light·Structure Green™— HID
2013  Light·Structure Green™— LED
1. Roll Call

Park Board members in attendance included Jack Acomb, Nelson Evenrud, Chris Gabler, Cindy Kist, Peggy Kvam, Marvin Puspoki, Elise Raarup and Madeline Seveland. Staff members in attendance included Jo Colleran, Ann Davy, Darin Ellingson, Dave Johnson, Kelly O’Dea, Mike Pavelka and Sara Woeste.

Chair Raarup called the meeting to order at 7 p.m.

2. Approval of Minutes

Gabler moved and Kist seconded a motion to approve the meeting Minutes of August 3, 2016 as submitted. All voted “Yes”. Motion carried.

3. Citizens Wishing to Discuss Items Not on the Agenda

None

4. Business Items

A. Consideration of a staff recommendation to add sports lighting to the Civic Center athletic fields

Sara Woeste, Recreation Services Programming and Special Events Manager, provided the introduction and began by summarizing the neighborhood meeting conducted by the park board at the September 7, 2016 meeting. She noted that no major concerns were expressed by the neighbors however questions related to cost, parking and light spill impacting homes north of the creek were asked. Woeste then summarized lighting cost information provided at the meeting by Craig Gallop of Musco Lighting. She indicated that Gallop reported on two types of lighting were available including metal halide at a cost of $128,000 and LED lighting at a cost of $165,000. Woeste noted that if the metal halide option was selected by the board, staff would offset the city’s funding amount of $75,000 with a grant application of $53,000 from the Hennepin County Youth Sports Grant (HCYSG) program. And if LED lighting was selected, the grant amount would be $90,000. Woeste closed by noting that LED lighting provides improved spill control and more efficient energy use. Woeste indicated that, if approved, the lights be shut down by 9:45 daily to be consistent with other youth fields in the city.

Woeste requested feedback or questions from the park board members.

Gabler asked if all athletic field lights are shut down on city fields by 9:45 p.m. Dave Johnson, Recreation Services Director, responded that all youth fields are required to be shut down by 9:45 p.m., in part to be consistent with an ordinance
requiring parks be closed at 10 p.m. He noted that the only exception is Big Willow Park, where adult fields are provided and can stay lit as late as 11 p.m.

Puspoki noted that he was not in attendance at the August meeting and asked if a payback period was provided by Musco Lighting for LED lights. Woeste indicated that a payback comparison was not provided, Darin Ellingson, Public Works Streets and Parks Operations Manager, indicated that based on his experience with other applications of LED lighting, the additional cost for LED lighting verses metal halide would be covered over the time of the lights.

Kvam noted that Xcel Energy provides rebates for LED lighting due to their energy efficiency. She added that while Musco indicated that there were no local athletic field installations of LED lighting, she reviewed the Musco Lighting website and noted that they have provided LED lighting for several major projects including the White House and Mount Rushmore.

Raarup asked if the added amount needed for LED lighting would reduce the City’s chances for receiving a grant. Johnson responded that based on what he has seen for project matches for past projects, he felt that the added amount for LED lighting would not be a negative factor.

Evenrud voiced support for going with LED lighting, adding that the concerns expressed by one resident residing on the north side of the Minnehaha Creek would be better addressed with LED lighting.

Raarup noted that there were no residents in attendance for this item and asked if there were any additional questions or comments from the board. Hearing none, she entertained a motion.

Gabler moved and Evenrud seconded a motion to recommend the addition of LED lighting to the Civic Center athletic fields; and to apply for a project grant through the Hennepin County Youth Sports Grant Program. Evenrud, Kist, Gabler, Kvam, Puspoki, Raarup and Seveland voted “Yes”, Acomb abstained due to a full board in attendance. Motion carried.

Johnson noted that contingent upon successfully applying for and receiving a grant, staff will bring the Comprehensive Athletic Field Use Policy back to the board at a later date for consideration of changes related to the use of lights in Civic Center Park.

B. Consideration of Pickleball site concepts

Woeste provided an introduction to the item and a brief review of the options reviewed at the August park board meeting which included the following:
PLANNING COMMISSION MINUTES
6. **Report from Planning Commission Members**

Powers attended the Shady Oak redevelopment neighborhood meeting. It went well. He encouraged residents to communicate what they would like to happen.

7. **Public Hearings: Consent Agenda**

The item was not removed from the consent agenda for discussion or separate action.

*Calvert moved, second by O’Connell, to approve the item listed on the consent agenda as recommended in the staff report as follows:*

A. **Wetland setback variance to allow dormer additions onto the existing home at 14016 Spring Lake Road.**

Adopt the resolution approving a wetland setback variance for dormer additions on the north side of the existing home at 14016 Spring Lake Road.

*Schack, Sewall, Calvert, Knight, O’Connell, Powers, and Kirk voted yes. Motion carried and the item on the consent agenda was approved as submitted.*

8. **Public Hearings**

A. **Conditional use permit for recreational facility improvements on the Minnetonka Civic Center Campus at 14600 Minnetonka Boulevard.**

Chair Kirk 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.

Ellingson, representing the applicant, stated that Thomas covered the proposal. He added that a lot of care was taken to find the proper location for the trail to minimize the impact to neighbors and remove trees that were already diseased or dead. The proposed lighting would not impact neighbors.

Calvert asked how many trees would be removed. Ellingson estimated 20, many of which are dead or dying trees. No significant trees would be removed.
Powers asked why the project is being done now and what material would be used for the boardwalks. Ellingson answered that the boardwalk would be made of wood. The improvements were originally scheduled to be done prior to 2009, but were delayed due to the recession. The improvements were included in the 2012 capital improvement plan to occur in 2017. The vast majority of the trail would be ADA compliant. The slope of the trail would not meet ADA requirements in a couple places, but that is allowed since it is a recreation trail. There would be no paving in the wetland.

The public hearing was opened.

Rick Bruce, 3310 Hazelwood West, was concerned with the trail being built. He preferred natural materials be used instead of asphalt, the loop be moved away from the creek, and benches be directed away from his house.

No additional testimony was submitted and the hearing was closed.

Calvert was concerned with asphalt leaching into the creek. Ellingson described the pros and cons of asphalt, mulch, gravel, and boardwalk trails and the reasoning for using them in specific portions of the proposed trail. Chair Kirk noted the potential of silt from a gravel surface eroding into a wetland.

Ellingson stated that the benches would be located next to the trail. They do not need to face the residential area. The Minnehaha Watershed District has approved the plans for the trail.

Chair Kirk felt the trail is a great amenity for the city. He supports the trail and lighting of the soccer fields. He understood the neighbors’ concerns.

Calvert noted that there is a tree line between the proposed trail location and adjacent neighbors. Ellingson agreed.

Calvert felt the proposal would be a wonderful addition. The plan is respectful of the privacy of the neighbors. There would be a tree buffer from the trail.

Chair Kirk said that the city promotes trails and walkability. This is a great opportunity.

Powers supports providing walkability for everyone.
Schack stated that her bedroom window is 50 feet from a public trail. Only rarely in the dead of winter does she hear anyone on the trail. She estimated that the adjacent neighbors would not notice a walker on the trail.

**Calvert moved, second by Powers, to recommend that the city council adopt the resolutions approving the following conditional use permit for trails and boardwalks within required wetland buffers and conditional use permit for installation of lighting on an existing athletic field for recreational facility improvements on the Minnetonka Civic Center Campus at 14600 Minnetonka Boulevard.**

_Schack, Sewall, Calvert, Knight, O’Connell, Powers, and Kirk voted yes. Motion carried._

The city council is tentatively scheduled to review this item April 24, 2017.

**B. Amendment to an existing conditional use permit for recreational facility improvements at the Hopkins High School Campus at 2400 Lindbergh Drive.**

Chair Kirk 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.

Chair Kirk confirmed with Ingvalson that commissioners would review the project’s fields, new scoreboards, and lighting.

Schack asked if the scoreboard would make any sounds. Ingvalson said that there would be no speakers.

Calvert asked if there is a comprehensive plan for the area. Ingvalson was not aware of one.

Calvert asked for the type and height of the fence. Ingvalson believed that the applicant intends to have an eight-foot-tall fence around the turf field. The fencing could be reviewed and approved through the building permit process. It did not required commission action.

Schack asked how high the top of the dugout would be above the ground. Ingvalson referred the question to the applicant.
Resolution No. 2017-

Conditional use permit, with wetland setback variances, for trails and boardwalks on the Minnetonka Civic Center Campus at 14600 Minnetonka Boulevard

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

Section 1. BACKGROUND.

1.01 The city of Minnetonka is proposing to construct two new loop trails/boardwalks on the east side of the civic center campus. The northerly loop would extend north and east from the existing water treatment facility. The southerly loop would extend north from the existing Minnetonka Boulevard trail.

1.02 Portions of the proposed trails/boardwalks would be located within the required wetland buffer. By City Code §300.23 Subd.7, public recreational uses, such as trails, are conditionally permitted in wetland buffers.

1.03 Portions of the proposed trails would be located less than 20 feet from the delineated wetland edge. By City Code 300.23 Subd.8(b)(2), requires that trails be located at least 20 feet from the wetland district. Minnesota Statute §462.357 Subd. 6, and City Code §300.07 authorizes the city to grant variances.

1.04 On April 6, 2017, the planning commission held a hearing on the proposed trails/boardwalks. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments and the staff report, which are incorporated by reference into this resolution. The commission recommended that the city council approve the proposed improvements.

Section 2. STANDARDS.

2.01 City Code §300.26 outlines the following standards that must be met for granting of conditional permits within the wetland zoning districts.
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;

4. The use is consistent with the city's water resources management plan;

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

6. Water bodies receiving runoff entering wetlands, floodplain or shoreland areas shall not be adversely impacted by the water quality of runoff;

7. No structure or fill may be placed which adversely affects the minimum required water storage capacity as defined in the water resources management plan of a property;

8. No structure subject to periodic inundation shall be designed for human habitation or shall the structure be serviced with public utilities;

9. Structures shall have a low flood damage potential and shall be firmly anchored;

10. Service facilities, such as electrical and heating equipment, must be located a minimum of two feet above the flood elevation defined in the water resources management plan;

11. There shall be no storage of materials which are flammable, explosive or otherwise dangerous to human, animal or plant life;

12. There shall be only minimal interference with wetland vegetation; and

13. Required approvals shall be secured from all appropriate jurisdictions, including the United States army corps of engineers, Minnesota department of natural resources, governing watershed district and the Lake Minnetonka conservation district. Any
conditions imposed upon such approvals shall be met.

2.02 By City Code §300.07 Subd. 1, a variance may be granted from the requirements of the zoning ordinance when: (1) the variance is in harmony with the general purposes and intent of this ordinance; (2) when the variance is consistent with the comprehensive plan; and (3) when the applicant establishes that there are practical difficulties in complying with the ordinance. Practical difficulties means: (1) The proposed use is reasonable; (2) the need for a variance is caused by circumstances unique to the property, not created by the property owner, and not solely based on economic considerations; and (3) the proposed use would not alter the essential character of the surrounding area.

Section 3. FINDINGS.

3.01 The proposed trails/boardwalks would meet all minimum conditional use permit standards outlined in City Code §300.26.

1. The intent of ordinance requirements as they pertain to the wetland district is to protect the community’s natural water resources while allowing for reasonable development. The proposed improvements would not adversely impact the wetland area. Rather, they are intended to increase enjoyment of these natural resources.

2. The proposed trails/boardwalks are consistent with the comprehensive plan. The plan notes that parks in the Upper Minnehaha Creek corridor should be designed to implement complementary activities in appropriate areas that emphasizes the creek corridor’s natural resources, and recreational, educational, historic, and scenic values.

3. The proposed trails/boardwalks would not adversely impact public facilities, utilities, or services. The funds associated with these improvements have been allocated in the Capital Improvements Program.

4. The proposed trails/boardwalks have been reviewed by the city’s water resources engineer and found to be consistent with the water resources management plan.

5. The proposed trails/boardwalks would not adversely impact public health, safety, or welfare. Rather, they are intended to increase enjoyment of the community’s natural resources.
6. The proposed trails/boardwalks would add a negligible amount of impervious surface to the area surrounding the creek. Adverse impact to the water quality of runoff is not anticipated.

7. The proposed trails/boardwalks would not impact water storage capacity.

8. No habitable structures are proposed.

9. Trails/boardwalks have low flood damage potential.

10. No service facilities are proposed.

11. No storage of materials is proposed.

12. No interference with wetland vegetation is proposed.

13. The trails/boardwalks have been approved by the Minnehaha Creek Watershed District; no other agency approval is required.

3.02 The proposed trails/boardwalks would meet the variance standard outlined in City Code §300.07 Subd. 1(a):

1. Purpose and Intent of the Ordinance. The intent of the wetland setback requirement is twofold, to protect the functionality and aesthetic of wetland areas. The proposed trails would meet this intent. Roughly 1,210 square feet of the overall 0.5-mile loop trail would be located less than 20 feet from the wetland. Given the size of this wetland complex, this represents a point intrusion that would not have any significant negative impact on the functionality or aesthetic of the adjacent wetlands.

2. Consistent with the Comprehensive Plan. The civic center campus is guided for institutional and park use. The requested variance does not impact these intended land use.

3. Practical Difficulties. There are practical difficulties in complying with the ordinance:

   a) Reasonableness: The requested setback variance is reasonable given the size of the surrounding wetland complex. Only appropriately, 1,210 square feet of the overall 0.5-mile loop trail would not meet wetland setback. This represents a point intrusion that would not have any
significant negative impact on the functionality or aesthetic of the wetland complex.

b) Character of Locality. The areas of setback variance are internal to the civic center campus, in areas not currently easily accessible to the public. The setback variance would not impact the aesthetics or character of this area.

c) Unique Circumstance. There are unique circumstances influencing the location of the proposed trails and, therefore, the proposed setbacks.

1) The required wetland setback could be met on the proposed north loop trail. However, relocating the trail further to the north would likely result in tree impacts.

2) The required wetland setback could not be met on the proposed south loop trail. The areas needing a variance are small portions of the trail were it connects to proposed boardwalks.

3.03 The proposed trails/boardwalks are consistent with the civic center campus master plan.

Section 4. CITY COUNCIL ACTION.

4.01 The above-described conditional use permit is approved, subject to the following conditions:

1. Subject to staff approval, the trails/boardwalks must be developed and maintained in substantial conformance with the following plans, except as modified below.

   • Layout and grading plans with signed date of December 9, 2016

2. No work may be done under this conditional use permit which requires floodplain fill or results in wetland impact.

   a) Any grading work within floodplain areas must result in disturbance of less than 1,000 square feet or 20 cubic yards.

   b) Boardwalk supports located within wetland buffers must each be less than two feet in diameter.
3. Existing wetland buffer areas must be maintained.

4. Prior to construction, install tree and wetland protection fencing and any other erosion control measures as required by natural resources staff. These items must be maintained throughout the course of construction.

Adopted by the City Council of the City of Minnetonka, Minnesota, on April 24, 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 duly authorized meeting held on April 24, 2017.

David E. Maeda, City Clerk

SEAL
Resolution No. 2017-

Conditional use permit for installation of lighting on an existing athletic field on the Minnetonka Civic Center Campus at 14600 Minnetonka Boulevard

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

Section 1. BACKGROUND.

1.01 The city of Minnetonka is proposing to install lighting on an existing athletic field on the north side of the civic center campus at 14600 Minnetonka Boulevard.

1.02 As proposed, four, 70-foot light standards would be located on the field, two on its north side and two on the south. Each standard would be equipped with seven LED fixtures. Consistent with practices at other city-owned athletic fields: (1) the field lighting could be used May 1 – October 15; and (2) when in use, lighting would be turned off by 9:45 p.m.

1.03 By City Code §300.10 Subd.4, public facilities are conditionally permitted land uses. The proposed light fixtures would essentially increase the potential use of the existing athletic field.

1.04 On April 6, 2017, the planning commission held a hearing on the proposed field lighting. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments and the staff report, which are incorporated by reference into this resolution. The commission recommended that the city council approve the permit.

Section 2. STANDARDS.

2.01 City Code §300.16 Subd.2 outlines the following general conditional use permit standards.

1. The use is consistent with the intent of the 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(l) outlines the following specific conditional use permit standards for public facilities.

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 the ordinance; and

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, outlines several items that must be considered in the evaluation of site and building plans.

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 proposed field lighting would meet the general conditional use permit standards as outlined in City Code §300.16 Subd.2.
3.02 The proposed field lighting would meet the specific conditional use permit standards as outlined in City Code §300.16 Subd.3(l).

1. No access changes are proposed.

2. No buildings are proposed.

3. While the proposed lighting may increase the time during which existing parking spaces are utilized, the lighting would not increase the amount of parking required for the athletic field.

4. The proposed lighting would not increase the site’s impervious surface by more than the diameter of the four proposed light poles.

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

1. Members of the city’s community development, engineering, and public works staff have reviewed the proposed lighting and find that it is generally consistent with the city’s development guides.

2. The proposal would meet all ordinance standards.

3. The proposed lighting would necessitate minimal soil removal and no tree removal.

4. The civic center campus contains a variety of recreational uses and government/service buildings. The proposed lighting of an existing athletic field would not detract from the relationship between existing and future uses and buildings.

5. The proposed lighting of an existing field would not impact the internal order, circulation, landscaping, or open space on the civic center campus.

6. LED fixtures would be used.

7. The proposal would allow for extended recreational use of a site that has long been used for recreational purposes. The closest home, located west of the existing field, is 300 feet away. The closest home to the north, located across Minnehaha Creek, is nearly 700 feet way. The surrounding residential areas are further separated from the existing athletic field by large stands of mature trees.
Section 4. CITY COUNCIL ACTION.

4.01 The above-described conditional use permit is approved, subject to the following conditions:

1. Subject to staff approval, the lighting must be installed and maintained in substantial conformance with the following plans, except as modified below.
   - Project Summary dated February 17, 2017
   - Illumination Summary dated February 17, 2017
   - Equipment Layout plan dated February 17, 2017

2. Electrical and building permits are required.

3. Prior to construction, install tree protection fencing and any other erosion control measures as required by natural resources staff. These items must be maintained throughout the course of construction.

4. Lighting may be used May 1 through October 15. When in use, the lights must be turned off by 9:45 p.m.

Adopted by the City Council of the City of Minnetonka, Minnesota, on April 24, 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 duly authorized meeting held on April 24, 2017.

__________________________
David E. Maeda, City Clerk

SEAL
City Council Agenda Item #14C  
Meeting of April 24, 2017  

Brief Description  
Continued concept plan review for the Shady Oak Redevelopment located at 4312 Shady Oak Road.

Action Requested  
Discuss concept plan with the applicant. No formal action required.

Background  

In March 2015, the city purchased the properties at 4312 Shady Oak Road and 4292 Oak Drive Lane as a result of Hennepin County’s road reconstruction project on Shady Oak Road. The city of Minnetonka currently owns and manages a commercial building at 4312 Shady Oak Road and a residential building at 4292 Oak Drive Lane.

To prepare for redevelopment, the city hosted a series of meetings to gain input on development of the properties from January to April of 2016. The residents and business owners surrounding the project site in both Minnetonka and Hopkins were invited to three neighborhood meetings to introduce the project and gather issues/concerns/expectations from the surrounding neighborhood. In addition to meeting with the neighborhood, the city hosted a developer’s roundtable for an invited group of developers to gauge interest and ideas on redevelopment options. Lastly, a project update was given at a city council meeting regarding development options for the property. The complete meeting notes are posted on the city’s website here: http://eminnetonka.com/current-projects/planning-projects/1490-shady-oak-rd-redevelopment

With the input of the neighborhood and the development community, the city solicited interest from developers for potential options for redeveloping the 4312 Shady Oak Road (commercial) property. The solicitation for developers did not identify only housing, but indicated the city’s willingness to include commercial, retail, and/or residential. The goal of the project is to prepare and form a feasible redevelopment plan that will be reviewed by the city, neighborhood, and local stakeholders.

On November 14, 2016, the city council conducted developer interviews and selected Ron Clark Construction to continue negotiations. The city is currently engaged in negotiations with Ron Clark to redevelop the property. The negotiations are not complete and no agreement has been established with the developer.
Proposed Concept Plan

Ron Clark Construction is proposing a three-story, 54-unit apartment building on the property located at 4312 Shady Oak Road. The developer has provided a number of iterations of a site plan as well as changes to the architectural plans. See revised plans received April 18, 2017.

Public Input

- January to April 2016 — the city led meetings regarding potential redevelopment of the property. Meeting summaries are attached.

- February 15, 2017 — the city and the potential developer held a neighborhood meeting where approximately 40 people were in attendance. Meeting minutes are attached.

- February 16, 2017 — the planning commission reviewed the concept plan. Meeting minutes are attached.

- February 27, 2017 — the city council reviewed the concept plan. Meeting minutes are attached.

- March 27, 2017 — the neighborhood provided information pertaining to petition with comments at the council meeting. See attached.

- April 6, 2017 — the city held an open house to provide information to the public about history of area planning, various updates to the design, traffic report information, environmental clean-up, and provided a station to provide comments at www.minnetonkamatters.com. A summary of the comments are attached.

Web Analytics

The city tracks the number of emails sent and the open rates of the emails. In April of 2016, when the city was in the process of preplanning redevelopment of this area, there were 222 subscribers that opened email at a 70% rate. That open rate fell to 40%, but the subscribers increased to 377 by August of 2016. At this point the city was posting the information about the developer selection process and the request for information from developers. In February of 2017, the subscribers increased to 531, with a continued open rate of 40%. In March and April, there were between 600 and 637 subscribers, again with an average open rate of 40%.
Public Notices
The city has sent postcards to 365 Hopkins and Minnetonka property owners during the initial planning for this potential redevelopment and on three occasions in the most recent process – concept plan review, open house and this city council meeting.

Written Input
Letters and emails from the public have been compiled. See attached pages.

Summary
Because staff continues to receive public input with a majority opinion that the project is not appropriate, for a variety of reasons (traffic, density, height, affordable housing), staff is seeking additional feedback from council to assist the developer with project direction.

Through: Geralyn Barone, AICP, City Manager

Originator: Alisha Gray, EDFP, Economic Development and Housing Manager
Loren Gordon, AICP, City Planner
Julie Wischnack, AICP, Community Development Director
Next Steps if Project Moves Forward

- **Formal Application.** If the developer chooses to file a formal application, notification of the application would be mailed to area property owners. Property owners are encouraged to view plans and provide feedback via the city’s website. Through recent website updates: (1) staff can provide residents with ongoing project updates, (2) residents can “follow” projects they are particularly interested in by signing up for automatic notification of project updates; (3) residents may provide project feedback on project; and (4) staff can review resident comments.

- **Additional Neighborhood Meeting.** Prior to the planning commission meeting and official public hearing, an additional public meeting would be held with neighbors to discuss specific engineering, architectural and other details of the project, and to solicit feedback. This extends the timing that has historically been provided in advance of the planning commission review to allow more public consideration of the project specifics.

- **Council Introduction.** The proposal would be introduced at a city council meeting. At that time, the council would be provided another opportunity to review the issues identified during the initial concept plan review meeting, and to provide direction about any refinements or additional issues they wish to be researched, and for which staff recommendations should be prepared.

- **Planning Commission Review.** The planning commission would hold an official public hearing for the development review and would subsequently recommend action to the city council.

- **City Council Action.** Based on input from the planning commission, professional staff and general public, the city council would take final action.
Previous & Revised Plans
FIRST NEIGHBORHOOD MEETING

SECOND NEIGHBORHOOD MEETING

ALTERNATE ELEVATION

BUILDING HEIGHT COMPARISON
Meeting Summaries January – April 2016
MEETING #1 SUMMARY
January 13, 2016
6:00 PM – 7:30 PM
Minnetonka Community Center

Meeting Purpose
The goal of the meeting was to introduce the project and the two sites, share information on the existing conditions, solicit questions and input on site design alternatives, and provide a schedule and next steps for the project.

Meeting Summary
Julie Wischnack from the City of Minnetonka introduced the redevelopment project and the existing conditions at the two sites at 4292 Oak Drive Lane and 4312 Shady Oak Road. Julie then went over the frequently asked questions handout and solicited any additional questions from the attendees. Kimley-Horn, the consultant hired to assist the City on this project, presented an overview of the sites (land use, zoning, nearby projects) and ended with the project timeline and next steps. The attendees were then asked to form small groups and provide feedback and brainstorm ideas for future uses of the two sites.

Small Group Discussion
The discussion was facilitated in three small groups and the following themes came out of the group discussions:

Desired uses:
- Nice family restaurant
- Recreational businesses (i.e. bike rental like NiceRide)
- Parking underneath (lower level)
- Walking overpass over Shady Oak Rd.
- Ice cream shop
- Offices
- Small business (including current tenants)
- Business that closes at night
- Mixed use facility with businesses below and housing above to maximize space (all groups supported this)
- Uses conducive to walking
- Daycare
- Senior housing
- Something under 3 stories (all groups supported this)
- Same businesses or type of businesses that are currently there (all groups supported this)
- Brewery/local bar
- Incubator space or space to rent an office
- New housing/condos (2 groups listed this)
- Improvements to existing building
- Gift shop
- Coffee shop

Unwanted/undesirable uses:
- Bars/brewery (2 groups listed this)
- Not tall or imposing

1 Discussion topics are paraphrased
Too much small retail
Townhomes and apartments
Large medical clinic
Banks (2 groups listed this)
CVS/Walgreens
Franchise
Fast food
Industrial

Land/site suggestions:
- Annex the empty lot south of the property
- Preference to keep parcels separate (2 groups listed this)
- Keep the residential parcel residential (2 groups listed this)
- Don’t want to see development so close to the road
- Design that slows down traffic (2 groups listed this)
- North end entrance would be easier to access site
- Put parking lot in front
- No fence – use something natural

General Concerns:
- Contamination from prior uses of property (soil and building) not affecting nearby properties (2 groups listed this)
- Ease of access by car – can there be access off of Main Street?
- Wetland impacts
- Little room for new construction
- Speeding traffic

Comment Cards Received:
1. Because of the construction a lot of our businesses were hurt. Is it possible for the city to reimburse any of that? We had many customers complain and phone calls saying they could not find any entrance and had to leave. If it is possible for some reimbursement, what are the step and processes for us to take?
MEETING #2 SUMMARY
February 11, 2016
6:00 PM – 7:30 PM
Minnetonka Community Center

Meeting Purpose
The goal of the meeting was to review the project and the two sites, review progress to date from the first community meeting and meeting with developers, solicit questions and input on the development options, and provide a schedule and next steps for the project.

Meeting Summary
Julie Wischnack from the City of Minnetonka introduced the redevelopment project and summarized the existing conditions at the two sites at 4292 Oak Drive Lane and 4312 Shady Oak Road. Kimley-Horn, the consultant hired to assist the City on this project, reviewed the progress to date and the approach that was used to propose possible development options. The attendees organized into three small groups to provide feedback (likes and dislikes) on the four development options.

Small Group Discussion
The discussion was facilitated in three small groups and the following comments came out of the group discussions:

1. Multi-Family Building (3 Stories)

<table>
<thead>
<tr>
<th>Likes</th>
<th>Dislikes</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Prefer 3 stories or less (x3)</td>
<td>• Too big (tall and width) (x2)</td>
</tr>
<tr>
<td>• Residential use (x2)</td>
<td>• Too much parking and surface parking</td>
</tr>
<tr>
<td>• 3 stories might be ok; maybe 4 – some</td>
<td>• Concerns about increased traffic/cars</td>
</tr>
<tr>
<td>commercial</td>
<td>• Don’t like retail</td>
</tr>
<tr>
<td>• Some commercial</td>
<td>• Move the entrance (not on Oak Drive Lane)</td>
</tr>
<tr>
<td>• Underground parking</td>
<td>• Too close to street</td>
</tr>
<tr>
<td>• Commercial uses</td>
<td>• Concerns about increased headlights from cars exiting on Oak Drive Lane</td>
</tr>
<tr>
<td>• Visibility on the street rather than</td>
<td>• Doesn’t fit with the rest of the neighborhood</td>
</tr>
<tr>
<td>parking</td>
<td></td>
</tr>
<tr>
<td>• Keep retail on the first floor</td>
<td></td>
</tr>
<tr>
<td>• Keep existing house on Oak Drive Lane</td>
<td></td>
</tr>
<tr>
<td>• Uses existing location</td>
<td></td>
</tr>
<tr>
<td>• Keep parcels separate</td>
<td></td>
</tr>
<tr>
<td>• Rental housing</td>
<td></td>
</tr>
</tbody>
</table>

2. Multi-Family Building (5 Stories)

<table>
<thead>
<tr>
<th>Likes</th>
<th>Dislikes</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Retail</td>
<td>• Too tall (x3)</td>
</tr>
<tr>
<td>• Keep existing house on Oak Drive Lane</td>
<td>• Concerns about increased traffic/cars</td>
</tr>
<tr>
<td>• Keep parcels separate</td>
<td>• Retail</td>
</tr>
<tr>
<td></td>
<td>• Move the entrance (not on Oak Drive Lane)</td>
</tr>
</tbody>
</table>

1 Discussion topics are paraphrased
3. **Tuck-under Townhouse**

<table>
<thead>
<tr>
<th>Likes</th>
<th>Dislikes</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Green space (x3)</td>
<td>• Takes away existing house (x2)</td>
</tr>
<tr>
<td>• Least amount of units/density (x3)</td>
<td>• Prefer first floor commercial</td>
</tr>
<tr>
<td>• Tuck-under/hidden parking (x3)</td>
<td>• Multiple levels</td>
</tr>
<tr>
<td>• Seems to fit with neighborhood</td>
<td>• Access from Shady Oak Road</td>
</tr>
<tr>
<td>• Favorite out of all options</td>
<td>• Multi-family in a single family neighborhood</td>
</tr>
<tr>
<td>• Less parking (in the middle of the lot)</td>
<td>• Commercial can be an amenity</td>
</tr>
<tr>
<td>• Better fit</td>
<td>• Encroachment on neighborhood</td>
</tr>
<tr>
<td>• Height is ok</td>
<td>• Busy street for potential buyer (too close to street)</td>
</tr>
<tr>
<td>• Less parking</td>
<td></td>
</tr>
<tr>
<td>• Townhomes preferred</td>
<td></td>
</tr>
<tr>
<td>• No retail</td>
<td></td>
</tr>
<tr>
<td>• Detached townhomes</td>
<td></td>
</tr>
</tbody>
</table>

4. **Small Apartment Building**

<table>
<thead>
<tr>
<th>Likes</th>
<th>Dislikes</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Entrance on Shady Oak Road (x3)</td>
<td>• All surface parking – looks out of character (x2)</td>
</tr>
<tr>
<td>• Parking in the middle (x2)</td>
<td>• Takes away existing house (x2)</td>
</tr>
<tr>
<td>• Not too big (x2)</td>
<td>• Don’t need more rental</td>
</tr>
<tr>
<td>• Bigger footprint/lower scale (x2)</td>
<td>• Too many units</td>
</tr>
<tr>
<td>• Uses both accesses</td>
<td>• No green space</td>
</tr>
<tr>
<td>• Multiple buildings</td>
<td>• Would be OK with 20 units</td>
</tr>
<tr>
<td>• Good design for parking</td>
<td>• Prefer underground parking</td>
</tr>
<tr>
<td>• 2 apartments/2 floors</td>
<td>• Too much traffic/congestion</td>
</tr>
<tr>
<td></td>
<td>• Turning movements are difficult</td>
</tr>
<tr>
<td></td>
<td>• Prefer to have underground parking</td>
</tr>
<tr>
<td></td>
<td>• Dislike steps to get into unit</td>
</tr>
</tbody>
</table>
MEETING #3 SUMMARY

April 7, 2016
6:00 PM – 7:30 PM
Minnetonka Community Center

Meeting Purpose
The goal of the meeting was to review progress to date from the two community meetings and meeting with developers, solicit questions and input on preferred landscape/architectural design elements, and provide a schedule and next steps for the project.

Meeting Summary
Julie Wischnack from the City of Minnetonka introduced the project and staff that were present. Mike Lamb (Kimley-Horn) reviewed the progress to date, the proposed development options, and a summary of the past meetings with the neighborhood, developers, and City Council. The presentation also included a question and answer segment and a slide survey to get a sense of what type of landscape and architectural design elements the neighborhood preferred.

Slide Survey
The attendees were provided a scoring sheet and were shown 27 slides to rate their preference from 1 through 5. 5 being the highest or best rating and 1 being the lowest or worst rating. If they felt inclined, attendees could include a description on the rating sheet about why they liked or disliked the images shown.

Some of the general comments people had on the slides included:

**Likes:**
- Green space
- Water features
- Craftsmen style
- Natural stone
- Boulevards

**Dislikes:**
- Multiple materials on the façade
- Tall buildings
- Too close to the street
- Large amounts of parking

The top three liked and disliked slides are shown on pages 2 and 3. The full results of the survey are shown on pages 4-8.
Shady Oak Road Redevelopment Project

The three highest rated images were:

1. Average Rating: 4
   - Comments:
     - Like the water feature (2x)

24. Average Rating: 4.2
   - Comments:
     - Nice water feature
     - Waterfall
     - Rocks!

18. Average Rating: 4
   - Comments:
     - Rocks!
     - Green
     - Nice boulder wall
Shady Oak Road Redevelopment Project

The three lowest rated images were:

4 Average Rating: 0.9

Comments:
- Little too commercial
- Not right for this site

20 Average Rating: 1.3

Comments:
- Too much concrete (x2)

10 Average Rating: 1.8

Comments:
- Needs more landscaping
- Too tall, too Spartan
- Too much parking in front of bldg.
Slide Survey Results

1. Average Rating: 4
   Comments:
   - Like the water feature (2x)

2. Average Rating: 3.2
   Comments:
   - Too many cars
   - Like the paved sidewalk
   - Screened parking

3. Average Rating: 2.8
   Comments:
   - Building bad, parking good
   - Nice benches
   - Park-like setting

4. Average Rating: 0.9
   Comments:
   - Little too commercial
   - Not right for this site

5. Average Rating: 2.8
   Comments:
   - Not right for this site
   - Busy
11  Average Rating: 3.7

Comments:
- Too many trees
- Trees

12  Average Rating: 2.9

Comments:
- Dense but not obtrusive

13  Average Rating: 3.5

Comments:
- Design open space
- Craftsman style

14  Average Rating: 2.8

Comments:
- Rocks!
- Boulders are too big
- Water

15  Average Rating: 2

Comments:
- Too large, looming building
- Maple trees
- Too tall
- Retail good, appearance bad

16  Average Rating: 2.3

Comments:
- Needs more landscaping
- Trees and green
- Rain garden?
Comment:
• Too tall, too spartan
• Design
• Ugly
• Too big!
• Still too tall

17  Average Rating: 2.1

Comment:
• Rocks
• Green
• Nice boulder wall

18  Average Rating: 4

Comment:
• Design and yard
• Dense, nice landscaping
• Brown

19  Average Rating: 3.4

Comment:
• Too much concrete (x2)

20  Average Rating: 1.3

Comment:
• Too tall (x2)
• Way too big!
• Materials are too busy

21  Average Rating: 2.4

Comment:
• Nice trees/flowers combo
• Nice paver walkway

22  Average Rating: 3.8
23  Average Rating: 2.8

Comments:
• Too tall (x2)

24  Average Rating: 4.2

Comments:
• Nice water feature
• Waterfall
• Rocks!

25  Average Rating: 3

Comments:
• Too manicured
• Yard

26  Average Rating: 2.5

Comments:
• Nice common area
• Gazebo
• Like common gazebo
February 15, 2017 Neighborhood Meeting
February 15, 2017 Neighborhood Meeting

A neighborhood meeting was held on Wednesday, February 15, 2017 at the area Dunn Brothers. Approximately 40 people were in attendance. The following items were raised during the meeting:

- Stormwater – where is it going, wetland or county road “duck pond”
- What are the housing rents? Income levels?
- Site entry point? Oak Drive Lane difficult during peak hour traffic.
- How does this site fit with light rail planning?
- Is there a traffic study?
- How did the project get to 54 units?
- Hopkins is not feeling the full redevelopment impacts seen elsewhere.
- What are the building setbacks?
- Building height is more than the neighborhood.
- Will there be a rezoning?
- Would like more owners than renters. Are there options for a condo?
- What are the demographics?
- Reduce building scale to make a better fit.
- Will TIF be used? What is the effect on taxes to neighbors?
- How will neighbors interests be managed?
- Area has significant impacts from roadway. What landscaping will be incorporated?
- How will the project address seniors and those with disabilities?
- This project is nearly in Hopkins. Needs to fit here too.
- Why not a park? Why not something else?
- A 3-story building is o.k. Concerned about more renters. What if tax credits go away?
- What is the breakeven point on the project?
- Could Section 42 change to Section 8 if not successful?
- What are the construction impacts to Oak Drive?
- What happens to Chalet Pizza?
- Contaminated water during road project? How address?
February 16, 2017 Planning Commission Meeting
B. Concept plan review for the Shady Oak Redevelopment located at 4312 Shady Oak Road.

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

Gordon and Wischnack reported. They recommended that the planning commissioners provide comments and feedback on the identified key issues and others the planning commission deems appropriate. The discussion is intended to assist the applicant with future direction that may lead to the preparation of more detailed development plans.

Wischnack explained that “low income” housing refers to a resident with an annual income of less than 30 percent of the area median income. Median income is $85,000 for this area. “Affordable housing” covers a range of up to 80 percent of the area median income. The proposed rent would be between $800 and $1,200 a unit which would be considered 60 percent of area median income. Wischnack refers to it as “workforce housing” and the worker typically earns between $40,000 and $50,000 a year. Tax credits would be used to offset the affordability of the project. The proposal would not be “Section 8 housing,” but Section 8 vouchers may be used to subsidize the rent.

Knight noted that the site has a fair amount of pollution. He asked if the adjacent site on the south side would be part of the proposal. Wischnack answered in the negative.

Chair Kirk asked who pays to have the site cleaned up. Wischnack explained that there are grants available. The city would apply for a grant to fund the cleanup. The city likes to have the redevelopment grading coincide with the cleanup.
Tim Whitten, of Whitten Associates, and Mike Roebuck and Mike Waldo, of Ron Clark Construction and Design, the development team, introduced themselves. Mr. Whitten stated that he is excited to work on the site since it is located in Minnetonka. He pointed out a large stormwater management easement located on the site. The site has a grade challenge and access restricted to Oak Drive Lane. The most efficient way to access the proposed three-story building with 54 units and structured parking would be straight in from the end. The site today is mostly impervious surface. There would be 59 enclosed parking stalls and 32 surface parking stalls. The grade dictated the site’s design. The proposal would reduce the site’s amount of impervious surface. A lot of green would be added. Even though the amount of stormwater runoff would be decreased, a rain garden would still be added to clean the stormwater. The concept plan shows the mass and scale of the building. The architectural features would provide a transition from existing residential to a commercial area. The focus would be to keep the main roof at a low pitch and stay within scale. Landscaping details would be worked out. Ron Clark is known for exceeding landscaping requirements. He was available for questions.

Calvert confirmed with Mr. Whitten that brick in brown tones and cement-board detailing would be the idea for the exterior.

Mr. Waldo explained that 54 units would allow for a full-time caretaker on site and on-site manager. He would like more than 54 units, but that would be a little tight.

Chair Kirk invited anyone present to comment.

Andy Braun, 4408 Crawford Road, asked for the purchase price of the site, the selling price of the site, the cost of the development, and how much profit would be expected from the rent of the units. He thought residents of the three-story building would be able to see his residence. He was concerned for his property’s value, public safety, and his wellbeing. “The record” shows that the comments were “less than three stories.” He asked if “Section 8” could apply.

Elizabeth Miller, 4408 Crawford Road, stated that she spoke on behalf of four of her neighbors. Her landscape would be degraded by the scope of the project. They received the information a couple weeks ago. The homeowners are invested for the future. A park or green space was off the table for discussion. The neighbors would take the loss on their property values, happiness, and safety.

Ann Aanestad, 4255 Oak Drive Lane, stated that she was concerned with the height of the proposed building. The surrounding houses are ramblers, one-story,
and modest-style houses. The underground parking would make the building four stories. It would not fit the housing in the area. The nearest park is over a mile away. There is not enough green space to accommodate 54 units. The proposal would cause grid lock in the area. The apartment building would not be appropriate in the area. It would not fit.

Chris Aanestad, 4255 Oak Drive Lane, stated that the building looks like it is four stories with the roof. It does not fit with the character of the neighborhood at all. He preferred owner-occupied. He did not know why townhomes would not be considered. He asked for the size of the lot and how many townhomes would be feasible. He thought 10 townhomes would allow the city to recoup its money. Traffic is a huge issue. This is the only access out of the neighborhood.

Kyle Holm, 4234 Oak Drive Lane, was worried about the stress 54 units would put on the school systems. The size of the building would be doubled. He asked if lowering the number of units could decrease rent because an on-site manager would not be funded. The rent would still be high. He is investing in his house. He agreed that something needs to happen on the site, but he is worried about his resale value.

David Cousins, 4531 Greenwood Drive, stated that he did not see a complete line of justification. He asked what more needs to be done with the process and how urgent is the redevelopment. He asked for the tax consequences for the city and county.

Mr. Braun asked if the $800 to $1,200 range included subsidies. He was concerned with headlights hitting a house near the site. He questioned why all options were not on the board to begin with.

Ellen Cousins, 4531 Greenwood Drive, requested that action be tabled for a couple years until the lite rail has been operating to see what would be the best use of the property. She saw no reason to develop the property. The proposal would ruin the neighborhood.

Mr. Braun said that the site is very visible on a main corridor. Something commercial that would be a public resource would be more appropriate than residential. Residential housing should be located further from the corridor.

Ms. Miller confirmed that commissioners had something that she previously submitted.
Nathan Toldts, 4231 Oak Drive Lane, stated that he was concerned with the size of the building, number of units, and traffic. He would prefer something smaller that would provide more of a transition to the single-family residences.

Receiving public comments was concluded.

Chair Kirk noted that this concept plan is tentatively scheduled to be reviewed by the city council at its meeting on February 27, 2017.

Chair Kirk explained that the planning commission looks at the land use issues of each proposal, not the financial aspects. Wischnack stated that the purchase price for both properties was $1.9 million. The sale price is unknown and will not be public information until it is included in the agenda report and reviewed by the city council for approval of the sale at a city council meeting. Of the $1.9 million paid for the Shady Oak project, $900,000 was returned to the city. When the city council purchased the property, the purpose was to solve a road improvement issue. The city council has purchased other properties for parks, but not this site.

Mr. Waldo explained that apartment buildings financed with tax credits or any other source is required to allow a Section 8 voucher to be used based on the rent being charged. He estimated 5 to 12 percent of the units would have a renter utilizing a voucher. He noted voucher users are some of the best tenants because the participants do not want to risk losing the voucher.

Gordon noted that the site is located in the Hopkins School District. The school district would be better able to estimate the number of school-age children in the area. Bus routes are planned during the enrollment process. He estimated that a school bus would travel past the site.

Gordon explained that redevelopment has always improved surrounding property values in Minnetonka. A residential apartment building pays the highest rate of property taxes. There is a commercial use underperforming next door. An underperforming commercial use next door could decrease surrounding property values.

Chair Kirk reviewed comments from the public including concern with the size of the building and traffic issues related to Oak Drive Lane and Shady Oak Road.

Calvert clarified that the site is currently zoned for a commercial use. Gordon confirmed that the site is guided by the comprehensive guide plan for commercial and its zoning district is B-2, which would allow offices, gas stations, and fast-
food restaurants with a drive-through window. The proposed zoning change would be a less intensive district than a commercial district.

Calvert asked how a 54-unit apartment building would fit with the city’s housing goals. Gordon reviewed the housing gaps analysis that projected 1,250 units would be located within a half mile of the Shady Oak SWLRT station.

Wischnack reviewed options considered for the site. The city’s goal of purchasing the site was not to make money. It was necessary for the Shady Oak Road improvement project. The city hopes to break even when it is sold.

Powers confirmed with Wischnack that a commercial use could apply to be located on the site, but never did. Wischnack explained that staff met with developers representing each type of use and all of them determined that the location would not be good for retail or commercial. A pharmacy may be the only viable commercial use.

Calvert confirmed with Wischnack that the adjacent house would not be included in the proposal.

Knight thought that the proposal probably is too big, has too many units, and would add to the traffic problems.

Calvert was concerned with the mass. She was excited that the building would be moved away from the road and create green space. Having an on-site manager is important, but she thought that the building would be too big.

Powers did not think the proposal would fit into the neighborhood. Headlights into the house and traffic on Oak Drive Lane are serious issues. He did not like the concept plan.

Calvert clarified that the proposal would provide “affordable housing.” She has no aversion to renters who utilize vouchers.

O’Connell stated that he knows of developments that provide Section 42 housing and the buildings are well maintained and attractive. He stated that multi-family housing should be located on a busy, arterial road. The issue with access to travel north is real and the proposal would increase that problem. The use of the site is better as multi-family residential than its current zoning. The site is an eyesore. It would benefit the neighborhood to fix it.
Sewell felt that apartments would be an appropriate use, but the scale of the building may not fit and could adversely impact the neighborhood.

Chair Kirk noted that the utility easement limits what can be done on the site. The proposed building would be too tall and long. There would be no transition from the proposed building to single-family residences. The entrance would need to be on the west side to provide better traffic flow. There should be no more than one driveway off of Oak Drive Lane.

Chair Kirk thanked the neighbors for their attendance.

9. Adjournment

Sewell moved, second by Calvert, to adjourn the meeting at 9:33 p.m. Motion carried unanimously.

By: ____________________________
Lois T. Mason
Planning Secretary
Bergstedt moved, Wiersum seconded a motion to grant the license. All voted “yes.” Motion carried.

14. Other Business:

A. Concept plan review for the Shady Oak Redevelopment located at 4312 Shady Oak Road

Wischnack gave the staff report.

Mike Waldo, Ron Clark Construction, said the company really likes the site and has enjoyed working with the city. During the concept plan review process the developer was trying to understand what the neighborhood, planning commission and council was looking for. He felt that the apartment use was a great transitional zoning.

Tim Whitten, Whitten Associates, said currently pretty much the entire site was covered by impervious surface. There was an opportunity to add a lot of green space. The current building was a walkout on the west side. The proposal would put a parking structure in place of the walkout. He said there was an easement on the west side that defined the site. The building can’t go past that. A number of different options were looked at as they prepared to respond to the request for information. Everything they looked at came back to the same location on the property with one structured building. The solution they are looking at works hard to fit into the available space. The hope is to push the building close to Shady Oak Road to create an urban feel.

Whitten noted there were around 50 people who attended the neighborhood meeting and he was appreciative of the respectful discussion. In looking at the site there was a significant grade difference from the south to the north. The only realistic access was on Oak Drive Lane. This would work well since the site tipped that way. In the middle of the surface parking was the main entrance to the building. A lot of grade needs to be raised to provide the handicap accessibility. This provides the opportunity to cover the structured part of the building. The center of the building on the main floor would be the common area amenities. The idea was to promote direct access for residents to get to the Shady Oak Road sidewalk so they can take advantage of mass transit. There would be ample space for bikes in the building.

Ann Aanestad, 4255 Oak Drive Lane, said the roadway off Shady Oak Road was actually preferred but because property to the south of the proposed building was privately owned, it could not be purchased. Due to the reconstruction of Shady Oak Road there already was a lot of traffic
coming from the upper neighborhoods into her neighborhood. She said the proposed building would cause massive traffic concerns and was too big. The building was surrounded by wetlands that already were disturbed by the road reconstruction. She said the wetlands should be preserved. She asked that the city consider making it into a preserve area to preserve water quality and the wetlands.

David Cousins, 4531 Greenwood Drive, said the consensus at the neighborhood meeting was there wasn’t a lot of support for the project. The building as rendered looks nothing like the other buildings in the area. He said planning commissioners made comments about the site continually being looked at as some type of transitional site, but the height of the building was too much. There were several comments about too much mass. There were also concerns about the traffic situation. He suggested re-thinking what should be done with the site.

Elizabeth Miller, 4408 Crawford Road, said she shared the same concerns as the other two testifiers including traffic issues. The area needed more community development as it was cut off from any nearby amenities such as parks. She felt the option was taken off the table from the very beginning. She said one of the planning commissioners agreed that the project would hurt neighborhood property values. Sustainable agriculture was something the city was lacking. Nationwide there are school to garden programs that are very positive to the community.

Kyle Holm, 4234 Oak Drive Lane, asked what the developer was thinking the roof peak height would be. His house’s roof peak height was 19 feet and he thought this was comparable to the rest of the neighborhood. He said the foundation size of the proposed building would double from the current building. He shared the concerns about traffic. The neighborhood was starting to turn over with a lot of young families so he liked the idea of gardening for the property.

Wagner noted the other property was not being included at this point and asked for more information about that. There had been a lot of discussion during the council study session about whether to include the other property as part of this project and the council seemed to be split on the issue. Wischnack said that on the original submission there were townhomes placed on the location. Because of the neighboring single family homes staff felt it seemed odd to place a twin home on the property. It could still be added to the plan.

Wiersum said the fact the city owned both the parcels it begged the question if there could be more creativity with the transition. He asked what options existed, given the easement, to bridge the two properties in a
way that made sense. Whitten said it would be a terrific opportunity to use both properties as one if not for the easement between the two. The variety of different site solutions would have been extraordinary. Wiersum asked what the dollar value was for the smaller lot. Wischnack said the average house value in the neighborhood was $205,000. Wiersum said while the ideas for a park were nice, $1.9 million for a one acre park seemed too spendy but maybe using the separated property creatively to create an amenity might take the sting out of the some of the options being considered.

Allendorf said his recollection of the council’s discussion during the study session was the same as Wagner’s. He thought the majority of the council was leaning on looking at a proposal that would use both properties not together, because of the easement, but the townhouse idea on the west property provided a good transition into the neighborhood. He asked if it was anticipated a traffic study would be done if the project moved forward. Wischnack said a traffic study along with all the environmental work and storm water analysis would be done if the project proceeded. She noted there had been discussion about gaining access off the Mainstreet and those discussions would continue.

Ellingson said during the neighborhood meeting it was pointed out it was possible to turn left or right on Oak Drive Lane but it was difficult to turn left especially during rush hour. He questioned how the traffic would be directed to Mainstreet.

Acomb said housing made sense for the site. She had concerns about the size of the building compared to the single-family homes and businesses in the area. The multi-level housing in Hopkins along Mainstreet doesn’t have such a large look. She drove the neighborhood earlier in the day and said it was a charming neighborhood. She thought it would be a great place to live given the proximity to the light rail station. There were parts of the plan she appreciates like the green space and the bicycle accommodations. She had concerns about circulation on the site and the two access points. She recalled the discussions about including the other property and at the time it was more appealing to her than it currently was. There’s no buffer between the building and the neighborhood. She liked the idea of having some open space.

Wagner said this location was studied by the council for a number of years. The council had always considered the area as part of the light rail walkshed. The discussion was about ensuring this site was attractive and blended in with what the future of the corridor will be. It will not fit in with the current strip mall or the empty lots. The council would love to have open space everywhere but that wasn’t why this particular parcel was
purchased by the city. He thought the site outlived its life as a commercial site and housing was appropriate. He was not as concerned with the 54 units because the other options looked had even more units. He liked the look that made it feel more “townhome-ish” versus the current look with one entrance that looked too “apartment building-ish.” He would like to have it feel more residential in the look.

Bergstedt said there were a lot of constraints on the site. When the city purchased the property, it was not done with the intention to have a park and he thought residential was appropriate. It looked like a very urban apartment building with its proximity to the road. If there was a way to soften the look and make it look more “townhome-ish” that would be good. His biggest concern was with the traffic. If people can’t easily and safely get on to Shady Oak Road then the number of units and how well the building was designed didn’t matter. He noted the site was a contaminated site and asked how that would be addressed with whatever was developed on the site and how that would be funded. Wischnack said the site cleanup was part of the negotiation. With other contaminated sites the city applied for available funding from the county, state and Metropolitan Council. Typically, the cleanup was done as part of the development process. The cleanup can’t be done without removing the building and contaminated soil. Currently staff was writing the response action plan. This had to be done regardless of how the site was developed.

Wiersum said a number of things had been looked at for the property. The proposal for 54 units was the smallest that was looked at other than the townhomes, which simply were not feasible. If done right, 54 units would work if the traffic works. He looked at the stacking on Oak Drive Lane as being an issue. He said looking at the multi-unit buildings the council approved during the last five years, many of them very attractive buildings, he has never driven by one and thought, ‘that’s smaller than I expected it would be. For him that was a challenge. With the peaked roof, even though from a zoning standpoint it was a three-story building, he could understand the concerns that it looked like a four-story building. He challenged the architect to make the building look smaller. He said the site could be developed as commercial, but residential was less intrusive. Whatever ultimately was approved would be a dramatic improvement over what exists today. He wouldn’t want to live next to what currently is on the site. The traffic study would tell a lot and would likely reveal some issues. He would like the building to have less scale and mass so it looked smaller.

Schneider said the use of housing and the potential to do workforce housing on the site was a great advantage for the city. It was very difficult to do and there was a certain critical mass needed to attract the attention
of the funders to make it happen. He thought 54 units was about the right number and would not push for a two-story building or a significantly different footprint. His guess was the traffic study would show the streets can handle traffic, and there would be a wait and a challenge with the people parked in the garage exiting during rush hour. He strongly suggested losing the efficiency of having the driveway go in direct but rather going in to the west. He would be willing to grant a parking variance because it would serve the neighborhood and make the development better. Having the driveway that close to the intersection was problematic. He also suggested widening the city street so there was a right turn in and left turn out. He said the current design while very attractive but lost some of the charm and “wow” factor that was initially shown. For him there were a couple of options. One was going forward with what was currently shown with a little less pitched roof to reduce the appearance. Another option would be adding a front porch and a patio to the first level units facing Excelsior Boulevard. This would be a huge benefit to the character and look.

Wischnack said the next steps would be to have more neighborhood meetings and another concept plan review.

15. Appointments and Reappointments:

A. Appointment of advisors for the 2017 Local Board of Appeal and Equalization

Schneider moved, Bergstedt seconded a motion to approve the appointment of Mr. Powers, Ms. Frost, Mr. Kriedberg and Ms. Miller as advisors for the 2017 Minnetonka Local Board of Appeal and Equalization. All voted “yes.” Motion carried.

16. Adjournment

Bergstedt moved, Wiersum seconded a motion to adjourn the meeting at 8:29 p.m. All voted “yes.” Motion carried.

Respectfully submitted,

[Signature]
David E. Maeda
City Clerk
March 27, 2017 Council Meeting
Petition with Comments
7. Reports from City Manager & Council Members
Barone reported on upcoming council meetings and city events.
Wiersum noted that he attended the League of Minnesota Cities Legislative Conference along with Barone and Assistant City Manager Perry Vetter. They were provided a legislative update and were able to meet with several of the city's legislative members. He urged people to pay attention to what was going on this year and said there were many proposals that would limit local decision-making.

8. Citizens Wishing to Discuss Matters not on the Agenda
Robert Ashmun, 3529 Orchard Lane, thanked the city for the services it provides. He said eight years after moving into his home he received a letter from the city indicating he owed $40,000 for a hookup fee plus interest. Interest was at 7½ percent. He has spent three and a half years fighting this charge with the title company and the people who sold him the title insurance. He also has talked with city staff, met with the previous owner and his title company and closing company. He has just gotten denials. He has no recourse because the statute of limitations has run out. He asked the council to forgive the interest that was charged with no notification at all. Had he known the first year he could have gone to the seller and had recourse or would have paid the hookup fee.

Schneider said similar situations have occurred in the past. It was not within the council’s prerogative to waive the charges. He suggested Ashmun meet with city staff to see what the options might be.

Ashmun said he knew of no city, state, or country in the civilized world that could bill someone for something they had no idea they had or at least not put them on notice. He said the city bared some responsibility.

Barone said she would talk with staff and have the appropriate staff person contact Ashmun.

Schneider said the last time this came up staff identified the few people who were still in a similar situation. Notices were sent to those people.
Chris Aanestad, 4255 Oak Drive Lane, said the key strategies and major goals listed on the city’s website stated the city “would support a well-planned, responsible community development carefully balancing individual property rights with community-wide interests while respecting the unique character of Minnetonka’s neighborhoods.” It also stated “supporting business retention and expansion and attracting new businesses to help the private sector be economically competitive.” He said city’s plan to build a 54-unit apartment building on the Shady Oak Road property it purchased would differ from all the other one-story buildings along that stretch of Shady Oak Road and would be too massive. There would be a big loss of privacy and safety for residents in Minnetonka and Hopkins.

Geri Massengill, 4272 Oak Drive Lane, said the neighbors have been alarmed at how quickly the proposed multi-story, high-density apartment building was moving forward. She said the neighbors have been loud and clear that the apartment building did not fit into the neighborhood and was too big and tall. There already were excessive traffic problems due to the road reconstruction and the closure of multiple access points. Adding 50 to 100 more cars would not help. Natural resources were hurt by the Shady Oak Road reconstruction as hundreds of mature trees were removed. The site plan only shows a few trees along the parking lot. If it was meant for multi-family living, the place children would end up playing would be on Oak Drive Lane or they would cross four lanes of traffic to get to the park in Hopkins. She encouraged the planning commission to continue its objections to the plan and for staff to listen to the concerns. She asked that meetings not be held during business hours because it made it difficult for people to attend.

Rebecca Aspelund, 4237 Oak Drive Lane, said she moved into the neighborhood for the community, security, safety and beautiful nature that the city offers. Since the trees were removed for the road reconstruction she can now see all the traffic from her kitchen window. She used to hear
birds and now all she hears is traffic. It makes her sad that the whole neighborhood could be wrecked by adding the traffic from the apartment building.

Elizabeth Miller, 4408 Crawford Road, presented a petition and said as she had been going door to door to collect signatures she was hearing similar comments to those brought up by those who had spoken before her. She noted there were traffic issues on her side of the neighborhood as well. At all the meetings neighborhoods indicated they did not want a three story building.

Barone noted there was an upcoming open house to review the revised concept plan. She said the city had not received a formal application from the developer. Once a formal application is received it would go through the formal public hearing process.

Ann Aanestad, 4255 Oak Drive Lane, submitted additional petitions and noted the proposal had really brought the neighborhood together.

Ellen Cousins, 4531 Greenwood Drive, said a couple of things caught her eye reading the meeting notes from February 6. She noted Schneider had commented about liking the “urban feel” of another development. Similar comments were made about the Shady Oak project. She questioned when Minnetonka became a community with an urban feel. She also noted comments Schneider made during the February 6 meeting about petitions and sometimes there wasn’t a lot of meat behind the petition. She asked what kind of meat was needed for a petition to be meaningful. Schneider said when the city gets a petition signed by 100 people stating they were opposed to something because they didn’t like it, it was not that useful. What is meaningful is substantive information and specific facts. The neighbors who spoke earlier had brought up some factual concerns like traffic and view shed. He said his comments about urban feel were not that the city was going to become a city with an urban feel. There were certain sites around the city that would benefit from some urban feel.

Kyle Holm, 4234 Oak Drive Lane, said the emails received from the city’s development page on the website include just the neighborhood meetings and not planning commission and council meetings.

Schneider said there were several comments about the neighbors not knowing about the concept plan or wanting to have known sooner. He noted over a hundred residents have been involved and there wasn’t even a formal application yet. He was surprised by comments from residents saying they hadn’t been notified when so many people have turned out and been engaged already.
Wiersum said before the city started using the concept review process, a neighborhood typically would not know about a proposal until a formal application was submitted. The city has been very purposeful in increasing the engagement and awareness. There was no proposal. If people were opposed to something it was an idea being discussed. The city welcomed the engagement. The community was better when people got involved. A proposal for a 54-unit apartment building would probably be submitted but it wasn’t a certainty. All he knew was he had seen a concept plan and what came forward would be different than what he had seen. He said the city council agenda was posted on the website every week.
PLEASE SAY NO TO HIGH DENSITY RESIDENTIAL APARTMENT AT
SHADY OAK RD and OAK DRIVE LANE

BACKGROUND:
The City of Minnetonka is considering a 54 Unit, 3+ story apartment building, on the site of 4312-4342
Shady Oak Road. We oppose this and any other redevelopment on this site that has height, high-density and
major safety and traffic issues.

This proposed apartment building would blight the skyline and impact the local character and living
conditions of the existing neighborhoods throughout this area.

This site is currently zoned commercial with no change to its status in the Minnetonka Comprehensive plan.

New and existing buildings (commercial & residential) along Shady Oak Road are all one story/low profile.
We do not want to start a precedent of allowing oversized, multi-story buildings.

With the construction of Shady Oak Rd complete, we see the negative impact it has already had on local
traffic. Further study and options need to be evaluated for this site. Rushing to develop this, based on old
data and former traffic patterns, will have irreversible consequences.

**PLEASE SIGN THIS PETITION!**

We, the undersigned, say NO to large, high-density housing on this parcel. We demand the city re-evaluate
the use of this site in regards to the Minnetonka Comprehensive Plan and forbid the construction of tall
buildings on this site.

Online Petition
https://www.ipetitions.com/petition/say-no-to-high-density-apartment

<table>
<thead>
<tr>
<th>Name</th>
<th>Email Address</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>P. Christmas</td>
<td>310 West Park Rd</td>
<td>3/11/17</td>
</tr>
<tr>
<td>Robert Smith</td>
<td>226 N. PK Rd</td>
<td>3/11/17</td>
</tr>
<tr>
<td>James Johnson</td>
<td>4366 Woodhall Hill Dr</td>
<td>3/11/17</td>
</tr>
<tr>
<td>Todd O'Connors</td>
<td>2166 Windham Hill Dr</td>
<td>3/11/17</td>
</tr>
<tr>
<td>David Harris</td>
<td>4043 Woodhall Hill Dr</td>
<td>3/11/17</td>
</tr>
<tr>
<td>Jim Brown</td>
<td>23-75 Park Rd</td>
<td>3/11/17</td>
</tr>
<tr>
<td>Jack Jones</td>
<td>207 North Rd</td>
<td>3/11/17</td>
</tr>
<tr>
<td>Jessica Johnson</td>
<td>310 N. West Rd</td>
<td>3/11/17</td>
</tr>
<tr>
<td>Roy Vollbrock</td>
<td>215 21st Ave</td>
<td>3/11/17</td>
</tr>
<tr>
<td>Madison Thomas</td>
<td>238 21st Ave N</td>
<td>3/11/17</td>
</tr>
<tr>
<td>Elizabeth Walker</td>
<td>1207 21st Ave W</td>
<td>3/11/17</td>
</tr>
</tbody>
</table>
PLEASE SAY NO TO HIGH DENSITY RESIDENTIAL APARTMENT AT
SHADY OAK RD and OAK DRIVE LANE

BACKGROUND:
The City of Minnetonka is considering a 54 Unit, 3+ story apartment building, on the site of 4312-4342 Shady Oak Road. We oppose this and any other redevelopment on this site that has height, high-density and major safety and traffic issues.

This proposed apartment building would blight the skyline and impact the local character and living conditions of the existing neighborhoods throughout this area.

This site is currently zoned commercial with no change to its status in the Minnetonka Comprehensive plan.

New and existing buildings (commercial & residential) along Shady Oak Road are all one story/low profile. We do not want to start a precedent of allowing oversized, multi-story buildings.

With the construction of Shady Oak Rd complete, we see the negative impact it has already had on local traffic. Further study and options need to be evaluated for this site. Rushing to develop this, based on old data and former traffic patterns, will have irreversible consequences.

PLEASE SIGN THIS PETITION!

We, the undersigned, say NO to large, high-density housing on this parcel. We demand the city re-evaluate the use of this site in regards to the Minnetonka Comprehensive Plan and forbid the construction of tall buildings on this site.

Online Petition
https://www.ipetitions.com/petition/say-no-to-high-density-apartment

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tori Muscogull</td>
<td>4372 Oak Drive Lane</td>
<td>&quot;Lit&quot;</td>
<td>3/12/2017</td>
</tr>
<tr>
<td>Judy Janetz</td>
<td>4332 Oak Drive Lane</td>
<td>&quot;Judy&quot;</td>
<td>3/12/2017</td>
</tr>
<tr>
<td>Jim Reinth</td>
<td>4252 Oak Drive Lane</td>
<td>&quot;Judy Janetz&quot;</td>
<td>3-12-17</td>
</tr>
<tr>
<td>Helen Cousins</td>
<td>4531 Greenwood Dr Naka</td>
<td>&quot;Ellen&quot;</td>
<td>3-15-17</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
PLEASE SAY NO TO HIGH DENSITY RESIDENTIAL APARTMENT AT
SHADY OAK RD and OAK DRIVE LANE

BACKGROUND:
The City of Minnetonka is considering a 54 Unit, 3+ story apartment building, on the site of 4312-4342
Shady Oak Road. We oppose this and any other redevelopment on this site that has height, high-density and
major safety and traffic issues.

This proposed apartment building would blight the skyline and impact the local character and living
conditions of the existing neighborhoods throughout this area.

This site is currently zoned commercial with no change to its status in the Minnetonka Comprehensive plan.

New and existing buildings [commercial & residential] along Shady Oak Road are all one story/low profile.
We do not want to start a precedent of allowing oversized, multi-story buildings.

With the construction of Shady Oak Rd complete, we see the negative impact it has already had on local
traffic. Further study and options need to be evaluated for this site. Rushing to develop this, based on old
data and former traffic patterns, will have irreversible consequences.

PLEASE SIGN THIS PETITION!

We, the undersigned, say NO to large, high-density housing on this parcel. We demand the city re-evaluate
the use of this site in regards to the Minnetonka Comprehensive Plan and forbid the construction of tall
buildings on this site.

Online Petition
https://www.ipetitions.com/petition/say-no-to-high-density-apartment

| Name             | Address 1          | Address 2          | Date  
|------------------|--------------------|--------------------|--------
| Luke MacKinnon   | 4601 Crawford Rd.  |                    | 3-11-17 |
| John Theis       | 4435 Orleans Rd.   |                    | 3-11-17 |
| Penny Sarchia    | 11709 Bradford Rd  |                    | 3-11-17 |
| Nancy Thompson   | 11714 Bradford Rd. |                    | 3-11-17 |
| Kevin Anderson   | 11801 Bradford Rd. |                    | 3-11-17 |
| Thomas Gleson    | 11809 Bradford Rd. |                    | 3-11-17 |
| Blanca Giron     | 11901 Bradford Rd. |                    | 3-11-17 |
| Pamela Pinto     | 11901 Bradford Rd. |                    | 3-11-17 |
| Blanca Giron     | 11901 Bradford Rd. |                    | 3-11-17 |
| Jack Peterson    | 11905 Bradford Rd. |                    | 3-11-17 |
| Cantara Black    | 11913 Bradford Rd. |                    | 3-11-17 |
PLEASE SAY NO TO HIGH DENSITY RESIDENTIAL APARTMENT AT
SHADY OAK RD and OAK DRIVE LANE

BACKGROUND:
The City of Minnetonka is considering a 54 Unit, 3+ story apartment building, on the site of 4312-4342
Shady Oak Road. We oppose this and any other redevelopment on this site that has height, high-density and
major safety and traffic issues.

This proposed apartment building would blight the skyline and impact the local character and living
conditions of the existing neighborhoods throughout this area.

This site is currently zoned commercial with no change to its status in the Minnetonka Comprehensive plan.

New and existing buildings (commercial & residential) along Shady Oak Road are all one story/low profile.
We do not want to start a precedent of allowing oversized, multi-story buildings.

With the construction of Shady Oak Rd complete, we see the negative impact it has already had on local
traffic. Further study and options need to be evaluated for this site. Rushing to develop this, based on old
data and former traffic patterns, will have irreversible consequences.

PLEASE SIGN THIS PETITION:

We, the undersigned, say NO to large, high-density housing on this parcel. We demand the city re-evaluate
the use of this site in regards to the Minnetonka Comprehensive Plan and forbid the construction of tall
buildings on this site.

Online Petition
https://www.ipetitions.com/petition/say-no-to-high-density-apartment

<table>
<thead>
<tr>
<th>BRUCE WEBER</th>
<th>11919 BRADFORD</th>
</tr>
</thead>
<tbody>
<tr>
<td>3-11-17</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Brian Allison</th>
<th>1137 Bradford Rd</th>
</tr>
</thead>
<tbody>
<tr>
<td>11-17</td>
<td></td>
</tr>
</tbody>
</table>

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
PLEASE SAY NO TO HIGH DENSITY RESIDENTIAL APARTMENT AT
SHADY OAK RD and OAK DRIVE LANE

BACKGROUND:
The City of Minnetonka is considering a 54 Unit, 3+ story apartment building on the site of 4312-4342
Shady Oak Road. We oppose this and any other redevelopment on this site that has height, high-density and
major safety and traffic issues.

This proposed apartment building would blight the skyline and impact the local character and living
conditions of the existing neighborhoods throughout this area.

This site is currently zoned commercial with no change to its status in the Minnetonka Comprehensive plan.

New and existing buildings (commercial & residential) along Shady Oak Road are all one story/low profile.
We do not want to start a precedent of allowing oversized, multi-story buildings.

With the construction of Shady Oak Rd complete, we see the negative impact it has already had on local
traffic. Further study and options need to be evaluated for this site. Rushing to develop this, based on old
data and former traffic patterns, will have irreversible consequences.

PLEASE SIGN THIS PETITION!

We, the undersigned, say NO to large, high-density housing on this parcel. We demand the city re-evaluate
the use of this site in regards to the Minnetonka Comprehensive Plan and forbid the construction of tall
buildings on this site.

Online Petition
https://www.ipetitions.com/petition/say-no-to-high-density-apartment

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chris Aanstad</td>
<td>4255 Oak Drive Lane</td>
<td>Chris</td>
<td>3/1/17</td>
</tr>
<tr>
<td>Ann Aanstad</td>
<td>4255 Oak Drive Lane</td>
<td>An</td>
<td>3/10/17</td>
</tr>
<tr>
<td>Debra Gantley</td>
<td>12015 James Rd</td>
<td>Debra</td>
<td>3/10/17</td>
</tr>
<tr>
<td>Carol Lamire</td>
<td>12100 Robin Circle</td>
<td>Ceral</td>
<td>3/10/17</td>
</tr>
<tr>
<td>Jim Gantley</td>
<td>12015 James Rd</td>
<td>Jim</td>
<td>3/10/17</td>
</tr>
<tr>
<td>Steve Cook</td>
<td>12000 James Rd</td>
<td>Steve</td>
<td>3/10/17</td>
</tr>
<tr>
<td>Kathy Cook</td>
<td>12000 James Rd</td>
<td>Kathy</td>
<td>3/10/17</td>
</tr>
<tr>
<td>Pat Futterer</td>
<td>1389 Frandrich Dr.</td>
<td>Pat</td>
<td>3/10/17</td>
</tr>
<tr>
<td>Kevin Thiemann</td>
<td>12107 James Road</td>
<td>Kevin</td>
<td>3/10/17</td>
</tr>
<tr>
<td>May Thiemann</td>
<td>12107 James Rd</td>
<td>May</td>
<td>3/10/17</td>
</tr>
<tr>
<td>Barbara</td>
<td>11900 James Rd</td>
<td>Barbara</td>
<td>3/10/17</td>
</tr>
<tr>
<td>Beverly</td>
<td>12031 Townview Rd</td>
<td>Beverly</td>
<td>3/11/17</td>
</tr>
</tbody>
</table>
BACKGROUND:
The City of Minnetonka is considering a 54 Unit, 3+ story apartment building, on the site of 4312-4342 Shady Oak Road. We oppose this and any other redevelopment on this site that has height, high-density and major safety and traffic issues.

This proposed apartment building would blight the skyline and impact the local character and living conditions of the existing neighborhoods throughout this area.

This site is currently zoned commercial with no change to its status in the Minnetonka Comprehensive plan.

New and existing buildings (commercial & residential) along Shady Oak Road are all one story/low profile. We do not want to start a precedent of allowing oversized, multi-story buildings.

With the construction of Shady Oak Rd complete, we see the negative impact it has already had on local traffic. Further study and options need to be evaluated for this site. Rushing to develop this, based on old data and former traffic patterns, will have irreversible consequences.

**PLEASE SIGN THIS PETITION!**

We, the unsersigned, say NO to large, high-density housing on this parcel. We demand the city re-evaluate the use of this site in regards to the Minnetonka Comprehensive Plan and forbid the construction of tall buildings on this site.

Online Petition
https://www.ipetitions.com/petition/say-no-to-high-density-apartment

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>David Dietz</td>
<td>12031 Townview Rd 55132</td>
<td>[Signature]</td>
<td>3-11-17</td>
</tr>
<tr>
<td>Kathy Dols</td>
<td>4228 Oak Dr LN 55343</td>
<td>[Signature]</td>
<td>3-15-17</td>
</tr>
<tr>
<td>Alan Stevens</td>
<td>42128 Oak Dr Ln 55343</td>
<td>[Signature]</td>
<td>3-15-17</td>
</tr>
</tbody>
</table>
PLEASE SAY NO TO HIGH DENSITY RESIDENTIAL APARTMENT AT
SHADY OAK RD and OAK DRIVE LANE

BACKGROUND:
The City of Minnetonka is considering a 54 Unit, 3+ story apartment building, on the site of 4312-4342 Shady Oak Road. We oppose this and any other redevelopment on this site that has height, high-density and major safety and traffic issues.

This proposed apartment building would blight the skyline and impact the local character and living conditions of the existing neighborhoods throughout this area.

This site is currently zoned commercial with no change to its status in the Minnetonka Comprehensive plan.

New and existing buildings (commercial & residential) along Shady Oak Road are all one story/low profile. We do not want to start a precedent of allowing oversized, multi-story buildings.

With the construction of Shady Oak Rd complete, we see the negative impact it has already had on local traffic. Further study and options need to be evaluated for this site. Rushing to develop this, based on old data and former traffic patterns, will have Irreversible consequences.

PLEASE SIGN THIS PETITION!

We, the undersigned, say NO to large, high-density housing on this parcel. We demand the city re-evaluate the use of this site in regards to the Minnetonka Comprehensive Plan and forbid the construction of tall buildings on this site.

Online Petition
https://www.ipetitions.com/petition/say-no-to-high-density-apartment

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marie Robinson</td>
<td>2032 Mainstreet, Hopkins</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Perry Robinson</td>
<td>2012 Midstreet, Hopkins</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Pat Johnson</td>
<td>11942 Bradford Rd, Hopkins</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Allison Bittner</td>
<td>4371 Briarwood Ln, MN</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Ken Bittner</td>
<td>4371 Briarwood Ln, MN</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Shawn McNulty</td>
<td>1619th Ave N, Hopkins, MN</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Bridgett McNulty</td>
<td>16 19th Ave N, Hopkins, MN</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Robert G-Moore</td>
<td>4416 Briarwood Dr, 55343</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Jasmine Strate</td>
<td>5517 Pennsylvania, 55343</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Jim Reinitz</td>
<td>4252 Oak Drive Lane, 55343</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Debra Carterley</td>
<td>12015 James Rd</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Jim Carterley</td>
<td>12015 James Rd</td>
<td></td>
<td>3/25/17</td>
</tr>
</tbody>
</table>
BACKGROUND:
The City of Minnetonka is considering a 54 Unit, 3+ story apartment building, on the site of 4312-4342 Shady Oak Road. We oppose this and any other redevelopment on this site that has height, high-density and major safety and traffic issues.

This proposed apartment building would blight the skyline and impact the local character and living conditions of the existing neighborhoods throughout this area.

This site is currently zoned commercial with no change to its status in the Minnetonka Comprehensive plan.

New and existing buildings (commercial & residential) along Shady Oak Road are all one story/low profile. We do not want to start a precedent of allowing oversized, multi-story buildings.

With the construction of Shady Oak Rd complete, we see the negative impact it has already had on local traffic. Further study and options need to be evaluated for this site. Rushing to develop this, based on old data and former traffic patterns, will have irreversible consequences.

**PLEASE SIGN THIS PETITION!**

We, the undersigned, say NO to large, high-density housing on this parcel. We demand the city re-evaluate the use of this site in regards to the Minnetonka Comprehensive Plan and forbid the construction of tall buildings on this site.

Online Petition
https://www.ipetitions.com/petition/say-no-to-high-density-apartment

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kim Todd</td>
<td>4231 Oak Dr. lan, Miska 55343</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Nathan Todd</td>
<td>4231 Oak Dr. lan, Miska 55343</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Tammy Peterson</td>
<td>1008 Woodly ln Miska 55335</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Emma Peterson</td>
<td>3008 Woodly ln Miska 55335</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>David Corwin</td>
<td>4531 Greenwood Drive Miska</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Beth Miller</td>
<td>4408 Crawford Rd</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Jeff Niska</td>
<td>11934 James Road</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Bennett Niska</td>
<td>1307 Greenwood Rd</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Jim Bennett</td>
<td>1209 Greenwood Trails Miska</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Britta Lang</td>
<td>1307 Greenwood Rd Miska 55343</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Nicole Hagen</td>
<td>168 17th Ave. N Hopkins</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Kim Aanestad</td>
<td>4255 Oak Drive Lane Miska 55313</td>
<td></td>
<td>3/26/17</td>
</tr>
</tbody>
</table>
PLEASE SAY NO TO HIGH DENSITY RESIDENTIAL APARTMENT AT
SHADY OAK RD and OAK DRIVE LANE

BACKGROUND:
The City of Minnetonka is considering a 54 Unit, 3+ story apartment building, on the site of 4312-4342 Shady Oak Road. We oppose this and any other redevelopment on this site that has height, high-density and major safety and traffic issues.

This proposed apartment building would blight the skyline and impact the local character and living conditions of the existing neighborhoods throughout this area.

This site is currently zoned commercial with no change to its status in the Minnetonka Comprehensive plan.

New and existing buildings (commercial & residential) along Shady Oak Road are all one story/low profile. We do not want to start a precedent of allowing oversized, multi-story buildings.

With the construction of Shady Oak Rd complete, we see the negative impact it has already had on local traffic. Further study and options need to be evaluated for this site. Rushing to develop this, based on old data and former traffic patterns, will have irreversible consequences.

PLEASE SIGN THIS PETITION!

We, the undersigned, say NO to large, high-density housing on this parcel. We demand the city re-evaluate the use of this site in regards to the Minnetonka Comprehensive Plan and forbid the construction of tall buildings on this site.

Online Petition
https://www.ipetitions.com/petition/say-no-to-high-density-apartment

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alex &amp; April Lewis</td>
<td>4075 Oak Drive Ln</td>
<td></td>
<td>3-25-17</td>
</tr>
<tr>
<td>Andy Brown</td>
<td>4408 Crawford Rd</td>
<td></td>
<td>3-25-17</td>
</tr>
<tr>
<td>Jon Knuzen</td>
<td>4286 Oak Drive Lane</td>
<td></td>
<td>3-25-17</td>
</tr>
<tr>
<td>John Hawkins</td>
<td>4280 Oak Dr Ln</td>
<td></td>
<td>3-25-17</td>
</tr>
<tr>
<td>Mark Bauer</td>
<td>4266 Oak Drive Ln</td>
<td></td>
<td>3-25-17</td>
</tr>
<tr>
<td>Ruth Bergman</td>
<td>4295 Oak Drive Ln</td>
<td></td>
<td>3-25-17</td>
</tr>
<tr>
<td>Megan Bergman</td>
<td>4295 Oak Drive Ln</td>
<td></td>
<td>3-25-17</td>
</tr>
<tr>
<td>Susan Byce</td>
<td>4248 Wilson Street</td>
<td></td>
<td>3-25-17</td>
</tr>
<tr>
<td>Ethan Miller</td>
<td>139 Ashley Road</td>
<td></td>
<td>3-25-17</td>
</tr>
<tr>
<td>Sheyla Longnecker</td>
<td>2361 Fairview Lane, Mound, MN</td>
<td></td>
<td>3-25-17</td>
</tr>
<tr>
<td>Katie Landsman</td>
<td>5470 Three Points Blvd, Mound</td>
<td></td>
<td>3-25-17</td>
</tr>
<tr>
<td>Abby Longnecker</td>
<td>4076 Tower Street, St. Paul, MN</td>
<td></td>
<td>3-25-17</td>
</tr>
</tbody>
</table>
PLEASE SAY NO TO HIGH DENSITY RESIDENTIAL APARTMENT AT
SHADY OAK RD and OAK DRIVE LANE

BACKGROUND:
The City of Minnetonka is considering a 54 Unit, 3+ story apartment building, on the site of 4312-4342 Shady Oak Road. We oppose this and any other redevelopment on this site that has height, high-density and major safety and traffic issues.

This proposed apartment building would blight the skyline and impact the local character and living conditions of the existing neighborhoods throughout this area.

This site is currently zoned commercial with no change to its status in the Minnetonka Comprehensive plan.

New and existing buildings (commercial & residential) along Shady Oak Road are all one story/low profile. We do not want to start a precedent of allowing oversized, multi-story buildings.

With the construction of Shady Oak Rd complete, we see the negative impact it has already had on local traffic. Further study and options need to be evaluated for this site. Rushing to develop this, based on old data and former traffic patterns, will have irreversible consequences.

PLEASE SIGN THIS PETITION!

We, the undersigned, say NO to large, high-density housing on this parcel. We demand the city re-evaluate the use of this site in regards to the Minnetonka Comprehensive Plan and forbid the construction of tall buildings on this site.

Online Petition
https://www.ipetitions.com/petition/say-no-to-high-density-apartment

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nathan Franklin</td>
<td>407 N Towac St</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Rebecca Aspelund</td>
<td>4237 Oak Dr, Lane MN</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Kyle Holm</td>
<td>4239 Oak Dr, IN MN</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Jean Zhang</td>
<td>448 Brookwood Dr MN</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Abigail Holm</td>
<td>4934 Oak Drive Lane</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Thomas L Steckel</td>
<td>5524 Dominick</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Bob West</td>
<td>1260 James Rd, MN</td>
<td></td>
<td>3/24/17</td>
</tr>
<tr>
<td>Allison Goodson</td>
<td>1269 James Rd, MN</td>
<td></td>
<td>3/24/17</td>
</tr>
<tr>
<td>David Ateson</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mitch Aspelund</td>
<td>4237 Oak Dr, Lane MN</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>Victoria Farley</td>
<td>11008 Bradford Rd</td>
<td></td>
<td>3/25/17</td>
</tr>
<tr>
<td>James R Farley</td>
<td>5900 Wynoka Lane, MN</td>
<td></td>
<td>3/25/17</td>
</tr>
</tbody>
</table>
PLEASE SAY NO TO HIGH DENSITY RESIDENTIAL APARTMENT AT
SHADY OAK RD and OAK DRIVE LANE

BACKGROUND:
The City of Minnetonka is considering a 54 Unit, 3+ story apartment building, on the site of 4312-4342 Shady Oak Road. We oppose this and any other redevelopment on this site that has height, high-density and major safety and traffic issues.

This proposed apartment building would blight the skyline and impact the local character and living conditions of the existing neighborhoods throughout this area.

This site is currently zoned commercial with no change to its status in the Minnetonka Comprehensive plan.

New and existing buildings (commercial & residential) along Shady Oak Road are all one story/low profile. We do not want to start a precedent of allowing oversized, multi-story buildings.

With the construction of Shady Oak Rd complete, we see the negative impact it has already had on local traffic. Further study and options need to be evaluated for this site. Rushing to develop this, based on old data and former traffic patterns, will have irreversible consequences.

PLEASE SIGN THIS PETITION!

We, the undersigned, say NO to large, high-density housing on this parcel. We demand the city re-evaluate the use of this site in regards to the Minnetonka Comprehensive Plan and forbid the construction of tall buildings on this site.

Online Petition
https://www.ipetitions.com/petition/say-no-to-high-density-apartment

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Address</th>
<th>City, State, Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taylor</td>
<td>Jordan</td>
<td>1142 Broadway Rd</td>
<td>Minnetonka, MN 55343</td>
</tr>
<tr>
<td>Michael</td>
<td>Chen</td>
<td>11812 Crawford Rd</td>
<td>Minnetonka, MN 55343</td>
</tr>
<tr>
<td>John</td>
<td>Smith</td>
<td>4506 Crawford Rd</td>
<td>Minnetonka, MN 55343</td>
</tr>
<tr>
<td>Dave</td>
<td>Jones</td>
<td>4512 Crawford Rd</td>
<td>Minnetonka, MN 55343</td>
</tr>
<tr>
<td>Bill</td>
<td>Lee</td>
<td>1806 Bradford Rd</td>
<td>Minnetonka, MN 55343</td>
</tr>
<tr>
<td>Mike</td>
<td>Brown</td>
<td>11800 Bradford Rd</td>
<td>Minneapolis, MN 55433</td>
</tr>
<tr>
<td>Sarah</td>
<td>Turner</td>
<td>11900 Bradford Rd</td>
<td>Minneapolis, MN 55433</td>
</tr>
</tbody>
</table>
Morgan Sills
310 21st Ave N
55301

Dave Sills
313 21st Ave N
55301

Paula Rinehart
517 10th St E
55413

Lisa Robb
26 20th Ave N
Hopkins

Tara Buettner
21 20th Ave N
Hopkins

Anna Buetines
12514 orchard Rd
Minnetonka

Andrew Black
8020 Timberlake Dr

Jon Bevins
4833 Georgia Ave No
Crystal MN

Kristi Gerst
7001 Lytton Ave S
Richfield MN

Paul Gerst
632 Conrad Ave
St Louis MN, 55424
1. John Hawkins
4280 Oak Drive Lane, Minnetonka
Mar 13, 2017
We do not want this apartment for all the reasons stated.

2. Norman Irgens
4246 Oak Drive Lane, Minnetonka
Mar 12, 2017
We do not need an apartment complex at this location. The rise in traffic will be terrible.

3. Jeri Massengill
4272 Oak Drive Lane, Minnetonka
Mar 12, 2017
I am strongly opposed to this proposed development. I have lived on Oak Drive Lane with my family for almost 15 years. This proposed high density apartment building will have too many residents with too many cars. The tall, large footprint building is too high and so looks down on and blocks the view from nearby properties. This development will also result in increased traffic problems for our neighborhood. No, no, no.

4. Abbey Holm
4234 Oak Drive Lane, Minnetonka
Mar 12, 2017
I hate the proposed plan. It would be devastating to the neighborhood.

5. Thomas Knutson
4286 Oak Drive Lane, Minnetonka
Mar 11, 2017
I agree that this Building proposal looks out of place for our region and that using the existing entrance and exit from Oak Drive Lane to Shady Oak with the quoted density is not acceptable. Then this Shady Oak Rd 4 lane project first was proposed was not the planners objective to limit access to this thoroughfare.
6. Nathan Toldt  
4231 Oak Drive Lane, Minnetonka  
Mar 11, 2017  
This proposal is too large for the area.  
And the traffic for any new development on this site needs to go through the stop light, not directly onto Oak Drive Lane to avoid traffic congestion.

7. Jennifer Bauer  
4266 Oak Drive Lane, Minnetonka  
Mar 11, 2017  
To large. Does not fit the area.  
Mixed use would be better.

8. Mark Bauer  
4266 Oak Drive Lane, Minnetonka  
Mar 11, 2017  
To high density.

9. Jessica Brandt  
Minnetonka  
Mar 10, 2017  
I do not want this many people at the edge of my quiet and safe neighborhood.  
It would also create additional traffic issues on Shady Oak and would be an eye sore as it doesn't match the area.
SAY NO TO HIGH DENSITY RESIDENTIAL APARTMENT AT SHADY OAK RD and OAK DRIVE LANE

180 Signatures

Goal: 1,000

SIGN PETITION

https://www.ipetitions.com/petition/say-no-to-high-density-apartment
SAY NO TO HIGH DENSITY RESIDENTIAL APARTMENT AT

SHADY OAK RD and OAK DRIVE LANE

***Minnetonka Residence, for tracking purposes, please identify yourself as a "Resident of Minnetonka." For privacy purposes please don't include your personal contact information. Please contact your representative directly! *** We encourage all members of the community to sign and contact your local representatives.

BACKGROUND:

The City of Minnetonka is considering a 54 Unit, 3+ story apartment building, on the site of 4312-4342 Shady Oak Road. We oppose this and any other redevelopment on this site that has height, high-density and major safety and traffic issues.

This proposed apartment building would blight the skyline and impact the local character and living conditions of the existing neighborhoods throughout this area.

This site is currently zoned commercial with no change to its status in the Minnetonka Comprehensive plan.

New and existing buildings (commercial & residential) along Shady Oak Road are all one story/low profile. We do not want to start a precedent of allowing oversized, multi-story buildings.

With the construction of Shady Oak Rd complete, we see the negative impact it has already had on local traffic. Further study and options need to be evaluated for this site. Rushing to develop this, based on old data and former traffic patterns, will have irreversible consequences.

PLEASE SIGN THIS PETITION!

We, the undersigned, say NO to large, high-density housing on this parcel. We demand the city re-evaluate the use of this site in regards to the Minnetonka Comprehensive Plan and forbid the construction of tall buildings on this site.

https://www.ipetitions.com/petition/say-no-to-high-density-apartment
Link to the City's project webpage.

https://eminnetonka.com/current-projects/planning-...

1 HIGHLIGHT

March 9
We are now live!

64 COMMENTS

Anonymous
Mar 16, 2017

Mar 16, 2017
upvote reply show

I am a Minnetonka resident.

Tara Buettner United States, Saint Paul
Mar 14, 2017

Mar 14, 2017
upvote reply show

NO TO HIGH DENSITY RESIDENTIAL APARTMENT AT SHADY OAK RD and OAK DRIVE LANE
G burdick United States, Hopkins
Mar 14, 2017

This is just another push by the UNELECTED met Council to increase the urban density for a LRT that likely won't be built!

Anonymous
Mar 13, 2017

We have already seen a significant increase in traffic to the side streets over the years and especially since the redesign of Shady Oak. Since 1st Street was closed as an available exit from Shady Oak, that traffic now attempts to jump the waiting line on Shady Oak to Hwy 7 East by exiting on 2nd Street. Depending on Shady Oak congestion 2nd street is frequently a raceway during rush hour. An increase in population density (with an increase in vehicle traffic) in the immediate area along Shady Oak is going to further increase traffic and noise to (previously quiet) side streets. I oppose the proposed high density residential apartment at 4312-4342 Shady Oak. Higher population density in the area is not going to be good for the neighborhood.

Andy Braun United States, Minneapolis
Mar 13, 2017

***Minnetonka Residence, for tracking purposes, please identify yourself as a "Resident of Minnetonka." For privacy purposes please don't include your personal contact information. Please contact your representative directly! ***
We encourage all members of the community to sign and contact your local representatives.

John Hawkins United States, Hopkins
Mar 13, 2017
Mar 13, 2017
upvote reply show

We do not want this apartment for all the reasons stated.

Daniel Browning United States, Hopkins
Mar 13, 2017
Mar 13, 2017
upvote reply show

I am concerned about excessive congestion and traffic issues.

Andy Braun United States, Minneapolis
Mar 13, 2017
Mar 13, 2017
upvote reply show

****PLEASE CONTACT YOUR REPRESENTATIVES!!!!**
This is ultimately in the hands of the City Council, and its up to us to make our voices heard!

MINNETONKA:
First Name Last Name Address Phone email Title
Terry Schneider 952-939-8389 tschneider@eminnetonka.com Mayor
Dick Allendorf 952-820-1656 dallendorf@eminnetonka.com Council Member, At
Large, seat A
Patty Acomb 952-807-8635 pacomb@eminnetonka.com Council Member, At
Large, seat B
Bob Ellingson 612-741-5706 bellingson@eminnetonka.com Council Member
Ward 1
Tony Wagner 612-382-5212 twagner@eminnetonka.com Council Member Ward 2
Brad Weirsum 612-723-3907 bwiersum@eminnetonka.com Council Member
Ward 3
Tim Bergstedt 612-598-8544 tbergstedt@eminnetonka.com Council Member
Ward 4

John Powers 952-939-8290 jpowers@eminnetonka.com Planning Commission
Deborah Calvert 952-939-8290 dcalvert@eminnetonka.com Planning
Commission
David Knight 952-939-8290 dknight@eminnetonka.com Planning Commission
Sean O’Connel 952-939-8290 soconnell@eminnetonka.com Planning
Commission
Rebecca Schack 952-939-8290 rschack@eminnetonka.com Planning
Commission
Joshua Sewall 952-939-8290 jsewall@eminnetonka.com Planning Commission

Julie Wischnack 952-939-8282 jwischnack@eminnetonka.com Community
Development Director
Alisha Gray 952-939-8285 agray@eminnetonka.com EconomicDevelopement and
Housing Manager
Loren Gordon 952-939-8296 lgordon@eminnetonka.com City Planner
Susan Thomas 952-939-8292 sthomas@eminnetonka.com Assistant City Planner
Ashley Cauley 952-939-8298 acauley@eminnetonka.com Senior Planner
Drew Ingvalson 952-939-8293 dingvalson@eminnetonka.com Planner

John Weinand 952-939-8272 jweinand@eminnetonka.com Environmental Health
Supervisor
Lisa Gyswyt 952-939-8279 lgyswyt@eminnetonka.com Environmental Health
Specialist
Nichelle Manchester 952-939-8382 nmanchester@eminnetonka.com
Environmental Health Specialist
Michael Greene 952-939-8280 mgreene@eminnetonka.com Environmental
Health Specialist

-----------------------------

HOPKINS
First Name Last Name Address Phone email Title
Molly Cummings 952-933-4452 mcummings@hopkinsmn.com Mayor
Katy Campbell 612-293-5711 kcampbell@hopkinsmn.com Council
Jason Gadd 612-839-7030 jgadd@hopkinsmn.com Council
Kristi Halverson 952-935-3865 khalverson@hopkinsmn.com Council
Aaron Kuznia 952-913-6582 akuznia@hopkinsmn.com Council

Mike Morson 952-548-6301 mmorson@hopkinsmn.com City Manager
Ari Lenz 952-548-6303 alenz@hopkinsmn.com Assistant City Manager

Dave Johnson 952-939-8203 djohnson@eminnetonka.com Recreational Service Director
Jay Strachota 952-548-6372 jstrachota@hopkinsmn.com Streets and Parks Superintendent

Steve Sadler 952-548-6350 ssadler@hopkinsmn.com Public Works Director

Kersten Elverum 952-548-6340 kelverum@hopkinsmn.com Director of Economic Development & Planning
Shannon Smith 952-548-6341 ssmit@hopkinsmn.com Economic Development & Planning Secretary

ParkBoard parkboard@hopkinsmn.com

Steve Smith United States, Milwaukee
Mar 13, 2017

Please keep the history of Mtka planning as is.

Anonymous
Mar 13, 2017

I do not personally want more pedestrian and car traffic near my home. This end of town is NOT designed for high density housing. Don't forget that the developers of this property, no matter how kind they may seem, are in this to make a buck and not to create housing for lower income families. Follow the money...

Drew Cohen United States, Minneapolis
Mar 13, 2017
The last thing Hopkins needs is more generic apartment complexes. The placement of this complex will also take away the views as well as the “neighborhood feel” many of the residents in this part of town live here for. Unacceptable.

Tammy Poplawski United States, Minnetonka  
Mar 13, 2017
Not needed in this area.

Jeff Poplawski United States, Minnetonka  
Mar 13, 2017
No more aptts needed in this area.

Anonymous  
Mar 12, 2017
The market value of my house dropped $22,000 (approx 10%) in the two years the Shady Oak Rd project was completed. Thanks Minnetonka council members. The aesthetic and peaceful appeal of the neighborhood dropped significantly. Thanks Minnetonka council members. Loss of trees, widened roads, poor design have all contributed to noise, unsafe conditions and excess speed & traffic in the area & neighborhoods. Thanks Minnetonka council members. We are now surrounded by new business that don't care about residents, much unlike the previous family-owned business that did care. Thanks Minnetonka council.
members. Daily, I see semis, delivery trucks & Domino's drivers cut through Bradford Rd because they want to save 10 seconds. Thanks Minnetonka council members. I watch Hopkins put up privacy fences to help residents while Mtka puts up split rail fences. I watch Hopkins listen to residents while Mtka takes notes but does nothing different. Thanks Minnetonka council members. A year later we still wait for promised trees to be planted and damaged yards from semi drivers to be fixed. Thanks Minnetonka council members. Please don't approve another giant building that doesn't fit into the area or is needed. Stop targeting the Hopkins School District with your affordable housing - it's needed in the Minnetonka School District and you know it. It's time to actively listen to neighborhood input even though we are working middle class. Follow the current single-story building design & zoning plan, enlighten yourselves with Myron Orfield & Met Council's research and do the right thing. Pushing the working middle class backwards is not the answer. This is exactly why people voted for Trump. No one wants more of that. Last thought - Dump Minnetonka Domino's.

G Terrell United States, Minnetonka
Mar 12, 2017

This space needs to a Park...for generations to enjoy! The city of Hopkins should buy this land and then designate a Park space. Keep some of the old, open space as you turn down main street in Hopkins from Shady Oak Road.

Norman Irgens United States, Hopkins
Mar 12, 2017

We do not need an apartment complex at this location. The rise in traffic will be terrible,

Andy Braun United States, Minneapolis
Mar 12, 2017

I understand folks are having some trouble signing. Sorry about that, we're attempting to resolve. Perhaps try a different web browser? or clear your browser cache, cookies or history?
Andy Braun United States, Minneapolis
Mar 12, 2017
http://sailor.mnsun.com/2017/03/06/tonka-considers-shady-oak-redevelopment/

Jeri Massengill United States, Minnetonka
Mar 12, 2017
I am strongly opposed to this proposed development. I have lived on Oak Drive Lane with my family for almost 15 years. This proposed high density apartment building will have too many residents with too many cars. The tall, large footprint building is too high and so looks down on and blocks the view from nearby properties. This development will also result in increased traffic problems for our neighborhood. No, no, no.

Anonymous
Mar 12, 2017
This community does not need more apartments or low income housing. With all of the appartments going up Hopkins is over saturating the rental market. These buildings are eye sores. If you want to build something there build something that will get people with money to come spend it in Hopkins.

Frank Sago United States, Minneapolis
This is not the answer for low income housing. How about buy out the lot on the corner of Hopkins crossroads and excelsior and put them there. The restaurants dint seem to be working there. Or build up over the restaurants???

I hate the proposed plan. It would be devestating to the neighborhood.

Minnetonka, please stop developing every last square inch of real estate into its alleged highest and best use. Keep your fingers off of mature communities. Residents know best what their community requires. People’s interest must always trump monied interests.

My husband Mike Pennella also says NO WAY!
Mar 11, 2017

We just bought our house last year. It's our first. We bought in an up and coming neighborhood with good prospects because those are the considerations of homebuying. I am concerned about the property value dropping, as one commissioner admitted it might in an article I read. We are paying tons of special taxes for this Shady Oak project already. I hope our voices are heard.

Thomas Knutson United States, Saint Paul
Mar 11, 2017

I agree that this Building proposal looks out of place for our region and that using the existing entrance and exit from Oak Drive Lane to Shady Oak with the quoted density is not acceptable. Then this Shady Oak 4 lane project first was proposed was not the planners objective to limit access to this thoroughfare.

Anonymous
Mar 11, 2017

Need a bigger area!

Erin Herdina United States, Hopkins
Mar 11, 2017

This project is not appropriate for area.

Mike Nordquist United States, Hopkins
I live across the pond. I, like most, endured the never ending Shady Oak project. I was also upset at the loss of all of the oak trees, which kept me from looking at the road and area of the proposed housing project. Though I agree something needs to be done, this is definitely not the answer for our neighborhood or community.

David United States, Minneapolis
Mar 11, 2017

No on the low income residential multi story!

Nathan T United States, Hopkins
Mar 11, 2017

This proposal is too large for the area. And the traffic for any new development on this site needs to go through the stop light, not directly onto Oak Drive Lane to avoid traffic congestion.

Jennifer Bauer United States, Minneapolis
Mar 11, 2017

To large. Does not fit the area. Mixed use would be better.

Mark Bauer United States, Minneapolis
Mar 11, 2017
To high density.

Linda Stageberg United States, Minneapolis
Mar 11, 2017
Stay with plan. Don't approve new buildings.

Jessica Mutunga United States, Minneapolis
Mar 11, 2017
Please consider other options that can make Hopkins better for existing residents. Thanks.

Tim Grant United States, Minneapolis
Mar 11, 2017
Local residents first

Adam Amato United States, Hopkins
Gregory C Pope United States, Minneapolis
Mar 10, 2017

I know we have a dearth of low income housing available, and i don’t oppose it. I do oppose any kind of high density housing.
We moved out here from Lake Harriet to get away from the traffic and density. The monstrosities along Minnetonka Blvd are anathema to why we moved here in the first place.
They ruin the whole patina of the Minnetonka, Hopkins experience. Please stop it.

Mary Jensen United States, Hopkins
Mar 10, 2017

Agree with no zoning change for this building.

Tim Greeley United States, Saint Paul
Mar 10, 2017

Do not change the character of shady oak road with high density housing.
Definitely does not fit in the area of single family homes. Our elected representatives need to listen to us.

Please do not build this in our area. We want to preserve Hopkins and keep its citizens safe.

It would be so out of place in the middle of our single family homes it has no place in our neighborhood.

No
Please do not build this - the negative affects are not worth it - please keep this area clean. Why would you want to create this sort of disruption in the community.

GREG SMITH United States, Hopkins
Mar 10, 2017

PLEASE DO NOT DO THIS!!! WE DO NOT WANT TO HAVE ANOTHER BLAKE ROAD AND ALL THE PEOPLE PROBLEM'S THAT'S HAPPENING DOWN THERE. SHADY OAK ROAD IS FINALLY GETTING NICE & FULL OF GOOD BUSINESS'S THIS WOULD RUIN IT!!!

GREG

Cheryl Niska United States, Hopkins
Mar 10, 2017

No - traffic is already an issue between Oak Drive Lane and Shady Oak and that will only make it worse.

Jessica Brandt United States, Minneapolis
Mar 10, 2017

I do not want this many people at the edge of my quiet and safe neighborhood. It would also create additional traffic issues on Shady Oak and would be an eye sore as it doesn't match the area.

Susie Jose United States, Minneapolis
Shady Oak Rd is to busy a road to have an apartment building with a children's play area.

Anonymous

Mar 10, 2017

No! We choose to live here because of the lower density and the quiet natural areas. Shady Oak is already heavily populated with masses of quadplexes and other businesses. Please do not ruin the area by oversaturating it.

Adam Ketcher United States, Hopkins

Mar 10, 2017

I am strongly against a high density living structure being built due to the negative impacts it will have on the neighborhood.

Sarah United States, Minneapolis

Mar 10, 2017

This will negatively impact the single family homes in the surrounding area. Traffic, noise and light pollution as well as a lack of a play space for kids are my main concerns. The building of high density housing is unnecessary as there is so much already within a few blocks of the Hopkins border.

Rebecca Sago United States, Saint Paul
We did not buy our properties with an apartment in our view for a reason!!! Why would we want it now! Are you willing to relocate the residents who are against this???

Nick Knutson United States, Minneapolis
Mar 10, 2017
I strongly am against this! Hopkins is a nice low key area and to "upgrade" this area will drive the mom and pop stores it for good. It will give the feel of it being rich and will increase traffic to an area that is not meant. For that kind of traffic. It is a safety issue.

Evan Gray United States, Hopkins
Mar 10, 2017
I hereby sign this petition.

Cinda Mowers United States, Minneapolis
Mar 10, 2017
I am opposed.

Michael Jorgensen United States, Hopkins
Drive this stretch of road and decide for yourself if a 3-story structure belongs here. Drive anywhere in downtown Hopkins/Minnetonka border and put yourself in the shoes of a homeowner that would be affected by this proposed project. You'll lose a lot of the DNA that contributes to this beautiful neighborhood.

Roxanne Kiely United States, Saint Paul
Mar 10, 2017

Just leave the neighborhood alone. It's not fair to the people already living there!

Denise Jorgensen United States, Hopkins
Mar 09, 2017

Please no multi level, high density development. This is a small quaint community and high density developments are changing the reason people like it here.

Nancy Mattoon United States, Minneapolis
Mar 09, 2017

I don't believe that this is the right thing for our neighborhood. Traffic and safety issues are enormous as well as the building itself. It's too large for that space.
Mar 09, 2017

No

REBECCA CASHIN United States, Saint Paul
Mar 09, 2017

Will ruin Hopkins/Minnetonka small town look and bring more trashy buildings into Hopkins. I'm off work today because of drugs being done in a building that is already in Hopkins of that sort and I left work because I didn't want to be exposed. This isn't the first time either!

Andy Braun United States, Minneapolis
Mar 09, 2017

We can do better!

Anonymous
Mar 09, 2017

Residents should have a say in community development!
SIGNATURES

23 hours ago
Mary Hall United States
23 hours ago

2 days ago
Ryan United States
2 days ago

3 days ago
Vincent Buettner United States
3 days ago

3 days ago
Tara Buettner United States
3 days ago
3 days ago
Jennifer Hawkins United States
3 days ago

4 days ago
G burdick United States
4 days ago

4 days ago
Ellen Cousins United States
4 days ago

4 days ago
John Hawkins United States
4 days ago
4 days ago
Daniel Browning United States
4 days ago

4 days ago
Steve Smith United States
4 days ago

4 days ago
Drew Cohen United States
4 days ago

4 days ago
Abbie Seba United States
4 days ago
4 days ago
Tammy Poplawski United States
4 days ago

4 days ago
Jeff Poplawski United States
4 days ago

5 days ago
Joan United States
5 days ago

5 days ago
Chris Bergman United States
5 days ago
5 days ago
Frank sago United States
5 days ago

5 days ago
Kelly Kempf United States
5 days ago

5 days ago
Jean Hedlund United States
5 days ago

5 days ago
Kim Toldt United States
5 days ago
5 days ago
G Terrell United States
5 days ago

5 days ago
Norman Irgens United States
5 days ago

5 days ago
Megan Bergman United States
5 days ago

5 days ago
Jeri Massengill United States
5 days ago
5 days ago
Dave Horner United States
5 days ago

5 days ago
Brandi Westbrook United States
5 days ago

5 days ago
Malcolm Vinger United States
5 days ago

5 days ago
Lucy Lyons United States
5 days ago
5 days ago
Kelly Barta United States
5 days ago

5 days ago
Camille Christopherson United States
5 days ago

5 days ago
Sara Beers United States
5 days ago

5 days ago
Laura Elliott United States
5 days ago
5 days ago
Alexander Browning United States
5 days ago

5 days ago
Meleah Beddor United States
5 days ago

5 days ago
Frank Sago United States
5 days ago

5 days ago
Marty Finke United States
5 days ago
5 days ago
Robin McDougal United States
5 days ago

5 days ago
Abbey Holm United States
5 days ago

5 days ago
Katie Roeber United States
5 days ago

5 days ago
Matt McEathron United States
5 days ago
5 days ago
Layla Gibson United States
5 days ago

6 days ago
Roy E Wirth United States
6 days ago

6 days ago
Pat and Dave Hamilton United States
6 days ago

6 days ago
Chris Kalogerson United States
6 days ago
6 days ago
Thomas Knutson United States
6 days ago

6 days ago
Jennifer Indermaur United States
6 days ago

6 days ago
Jennie Doyle United States
6 days ago

6 days ago
Erin Herdina United States
6 days ago
6 days ago
Mike Nordquist United States
6 days ago

6 days ago
Kyle H United States
6 days ago

6 days ago
Janet Labrecque United States
6 days ago

6 days ago
Steve Olson United States
6 days ago
6 days ago
Douglas Bjork United States
6 days ago

6 days ago
Rebecca Aspelund United States
6 days ago

6 days ago
Anni Dahlgren-Fyten United States
6 days ago

6 days ago
Mitchell aspelund United States
6 days ago
6 days ago
Larry Fyten United States
6 days ago

6 days ago
David United States
6 days ago

6 days ago
Nathan United States
6 days ago

6 days ago
Michelle Carter Seurer United States
6 days ago
6 days ago
Jennifer Bauer United States
6 days ago

6 days ago
Mark Bauer United States
6 days ago

6 days ago
Alex Lewer United States
6 days ago

6 days ago
Scott Wales United States
6 days ago
6 days ago
Laurie Trow United States
6 days ago

6 days ago
Kelly Lazauskas United States
6 days ago

6 days ago
Heidi Huseth United States
6 days ago

6 days ago
Cindy Schaefer United States
6 days ago
6 days ago
Michael Sullivan United States
6 days ago

6 days ago
Scot Rider United States
6 days ago

6 days ago
Linda Stageberg United States
6 days ago

6 days ago
Jessica Mutunga United States
6 days ago
6 days ago
Mary jo Brouillard United States
6 days ago

6 days ago
Tim Grant United States
6 days ago

6 days ago
Adam Amato United States
6 days ago

7 days ago
Timothy Gustafson United States
7 days ago
7 days ago
Jessica may United States
7 days ago

7 days ago
Tim Greeley United States
7 days ago

7 days ago
Kristy Egan United States
7 days ago

7 days ago
CHRISTINA WINTER United States
7 days ago
7 days ago
Patricia Gustafson United States
7 days ago

7 days ago
Sherry Flannagan United States
7 days ago

7 days ago
Wendy Dorn United States
7 days ago

7 days ago
Diana Sweeney United States
7 days ago
7 days ago
Kristi Ryan United States
7 days ago

7 days ago
Jesse Donat United States
7 days ago

7 days ago
Deb Jance United States
7 days ago

7 days ago
Tomas United States
7 days ago
7 days ago
Liz Olson United States
7 days ago

7 days ago
GREG SMITH United States
7 days ago

7 days ago
Cheryl Niska United States
7 days ago

7 days ago
Joan Larkin United States
7 days ago
7 days ago
Christopher Connery United States
7 days ago

7 days ago
Jessica Brandt United States
7 days ago

7 days ago
Susie Jose United States
7 days ago

7 days ago
Benjamin Niedermaier United States
7 days ago

https://www.ipetitions.com/petition/say-no-to-high-density-apartment
7 days ago
Adam Ketcher United States
7 days ago

1 week ago
Sarah United States
1 week ago

1 week ago
Rebecca Sago United States
1 week ago

1 week ago
Angela Otto United States
1 week ago
1 week ago
Victoria F United States
1 week ago

1 week ago
Jenny G United States
1 week ago

1 week ago
Michael Jorgensen United States
1 week ago

1 week ago
Roxanne Kiely United States
1 week ago
1 week ago
Denise Jorgensen United States
1 week ago

1 week ago
Nancy Mattoon United States
1 week ago

1 week ago
Sonya Tangen United States
1 week ago

1 week ago
Katy Yannitelli United States
1 week ago
1 week ago
Peter McDermott United States
1 week ago

1 week ago
Tracy L Downing United States
1 week ago

1 week ago
Marie Robinson United States
1 week ago

1 week ago
Sarah Gunderson United States
1 week ago
1 week ago
Jenny United States
1 week ago

1 week ago
Jenny Osberg United States
1 week ago

1 week ago
REBECCA CASHIN United States
1 week ago

1 week ago
Justin Grumbir United States
1 week ago
1 week ago
Andy Braun United States
1 week ago
<table>
<thead>
<tr>
<th>Major Goals</th>
<th>Key Strategies</th>
</tr>
</thead>
</table>
| We will be **responsible stewards** of the city’s physical assets, human capital and financial resources | → Providing good value for the dollars entrusted to us.  
→ Managing for the long-term to ensure the city's ongoing ability to provide quality services at a reasonable price.  
→ Sustaining core services and continuing infrastructure investments, while living within our means. |
| We will protect and enhance the unique **natural environment** of our community | → Carefully balancing growth and development with preservation efforts that protect the highly valued water and woodland resources of our community.  
→ Developing and implementing realistic long-term plans to mitigate threats to water quality, urban forests, and the unique natural character of Minnetonka.  
→ Taking an active role in promoting energy and water conservation, sustainable operations and infrastructure, recycling and environmental stewardship. |
| We will maintain quality **public safety** for our residents and businesses | → Implementing appropriate recommendations in the Public Safety Management and Operations Study to address the evolving police, fire and emergency service needs of our community, including an aging and more diverse population.  
→ Providing seamless, coordinated and integrated public safety services through common protocols and shared practices among departments and personnel.  
→ Leading collaborative efforts with other agencies to cost-effectively provide quality public safety services, with an emphasis on coordinated technology, equipment and programs. |
| We will work to meet the **transportation** needs of our residents and businesses | → Providing and preserving a quality local street system, based on a financially sustainable plan for reconstruction and ongoing maintenance.  
→ Collaborating with our state, regional and local partners in the timely development of shared highways and streets.  
→ Actively participating in regional light rail planning and development to ensure that community needs and interests are served. |
| We will support well-planned, responsible **community development**          | → Carefully balancing individual property rights with community-wide interests, while respecting the unique character of Minnetonka’s neighborhoods.  
→ Initiating programs and policies that broaden housing choices to both meet the needs of our aging population and attract young residents.  
→ Actively promoting the vitality of designated village centers, which integrate uses and connect people to commercial, residential, employment, and public activities.  
→ Supporting business retention and expansion and attracting new businesses to help our private sector be economically competitive. |
| We will provide excellent **recreational amenities**                        | → Offering a full range of programs for people of all ages and ability levels.  
→ Responsibly maintaining our parks, trails and recreational facilities, while fairly balancing user fees with general community support.  
→ Renewing, expanding and maintaining a trail system to encourage outdoor recreation, and improve the connectivity and walkability of the community. |
Looking N on Steady Oak Rd.

3/26/19

Keep Buildings LOW
Proposed building will DOUBLE length

194' from corner of building to street sign

Chalet Pizza Building - Parking Lot
Looking NW

3/26/17  C.
Chalet Pizza Building
Looking NW

3/26/17

192'
Loss of Privacy

Residents

Hinckley at Hopkins

Oak Drive Lane

Looking East

11/21/17

G4
New Snap Fuel Building 3/26/17

NE Corner Shady Oak & Hair St
3/26/17
Looking SE on Shady Oak 3/26/17

21st Ave Looking West across Shady Oak 3/26/17
April 6, 2017 Open House
Memorandum

To: Loren Gordon, City Planner
   City of Minnetonka

From: Anthony Heppelmann, PE

Date: April 5, 2017

Re: Shady Oak Redevelopment
   WSB Project No. 1502-70

Introduction
This traffic impact study addresses a proposed redevelopment of the property at 4312 Shady Oak Road with a 54 Unit apartment building. The project location is shown on Figure 1. The development would replace the existing retail building on this site. The proposed site layout is shown on Figure 2. The proposed development would have access to Oak Drive Lane via two proposed access points, one to a 32 space surface parking lot and one to proposed underground parking. The primary issue for this project is the potential queues and delays on Oak Drive Lane at Shady Oak Road and the potential impact on safety and the proposed access to the site.

Existing Conditions
Shady Oak Road was recently reconstructed as a four lane divided roadway. The reconstructed Shady Oak Road has a median at the north entrance of Oak Drive Lane onto Shady Oak Road so this access only allows right-turns in and right-turns out. The southerly access of Oak Drive Lane to Shady Oak Road is full access. WSB set a video traffic counter at the southerly Oak Drive Lane access to Shady Oak Road in March, 2017. The am and pm peak hour turning movement volumes recorded at this intersection are shown on Figure 3. The peak hour traffic volumes on Oak Drive Lane are relatively low in both the am and pm peak hours.

Hennepin County conducted peak hour counts on Shady Oak Road near this intersection in 2004 and in 2012. The peak hour volumes in 2012 were lower than in 2004. In 2004, there were 940 vehicles per hour (vph) in the am peak hour and 1260 vph in the pm peak hour. In 2012, there were 815 vph in the am peak hour and 1063 vph in the pm peak hour. The 2017 peak hour volumes based on the most recent counts taken by WSB are 1253 vph in the am peak hour and 1712 vph in the pm peak hour. The reason current traffic counts are much higher than in 2004 and 2012 is because TH 169 was closed north of Bren Road when these counts were taken and Shady Oak Road is being used as an alternative route. Peak hour volumes on Shady Oak Road can be expected to decrease once TH 169 is reopened to traffic. The traffic operations analysis is based on the higher peak hour counts from 2017.
Figure 1
Project Location

![Map showing Project Site 4312 Shady Oak Road]
Figure 2
Proposed Site Plan

![Proposed Site Plan](image)

Figure 3
Existing (2017) Traffic Volumes

![Existing Traffic Volumes](image)
The southerly access of Oak Drive Lane is 24 feet wide and has one inbound and one outbound lane at Shady Oak Road. WSB conducted a traffic operations analysis for the Oak Drive Lane and Shady Oak Road intersection for the am and pm peak hours based on the traffic counts shown in Figure 3. The analysis was conducted using SimTraffic software which is a microsimulation model that models each vehicle through the intersection. The results of that analysis are shown in Table 1.

### Table 1
Delay and Level of Service at Oak Drive Lane and Shady Oak Road—Existing Conditions

#### AM Peak Hour

<table>
<thead>
<tr>
<th>Location</th>
<th>Appr</th>
<th>Total Delay by Movement</th>
<th>LOS by Movement</th>
<th>LOS by Approach (Sec/Veh)</th>
<th>LOS by Intersection (Sec/Veh)</th>
<th>Appr</th>
<th>Average &amp; Maximum Traffic Queueing (ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>L</td>
<td>T</td>
<td>R</td>
<td>L</td>
<td>T</td>
<td>R</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4: CSAH 61/Shady Oak Road &amp; Oak Drive Lane</td>
<td>NB</td>
<td>7</td>
<td>1</td>
<td>0</td>
<td>A</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td></td>
<td>WB</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>A</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td></td>
<td>EB</td>
<td>15</td>
<td>0</td>
<td>5</td>
<td>C</td>
<td>A</td>
<td>A</td>
</tr>
</tbody>
</table>

#### PM Peak Hour

<table>
<thead>
<tr>
<th>Location</th>
<th>Appr</th>
<th>Total Delay by Movement</th>
<th>LOS by Movement</th>
<th>LOS by Approach (Sec/Veh)</th>
<th>LOS by Intersection (Sec/Veh)</th>
<th>Appr</th>
<th>Average &amp; Maximum Traffic Queueing (ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>L</td>
<td>T</td>
<td>R</td>
<td>L</td>
<td>T</td>
<td>R</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4: CSAH 61/Shady Oak Road &amp; Oak Drive Lane</td>
<td>NB</td>
<td>6</td>
<td>2</td>
<td>0</td>
<td>A</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td></td>
<td>WB</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>A</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td></td>
<td>EB</td>
<td>19</td>
<td>0</td>
<td>6</td>
<td>C</td>
<td>A</td>
<td>A</td>
</tr>
</tbody>
</table>

Intersection operations are evaluated in terms of average seconds of delay per vehicle for the intersection, and for each approach and turning movement. The average number of seconds of delay is broken into six ranges assigned letter grades A through F defining each level of service (LOS) as shown in Figure 4. The ranges for unsignalized intersections are narrower than the ranges for signalized intersections. This is because many factors including the intangible factors of driver discomfort and frustration are considered.

A one-minute delay at a red light is perceived as being more tolerable than one minute waiting for a gap in traffic at a stop sign, especially when there are vehicles queued behind. It is generally recognized that LOS D is the lowest acceptable LOS for urban intersections. Intersection capacity is also defined in terms of queue lengths of stopped vehicles. A 100-foot queue is approximately equal to four cars.

The analysis shows the eastbound approach operates at LOS “A” in the am peak hour and LOS “B” in the pm peak hour with an average delay of 9 seconds/vehicle in the am peak hour and 13 seconds/vehicle in the pm peak hour. The analysis indicates there is potential for there to be up to two vehicles waiting at this intersection during the peak hours. Review of the video logs for the intersection revealed that there was never more than one vehicle waiting on the eastbound approach of Oak Drive Lane during either the am or pm peak hours when the counts were taken.
Traffic Forecasts

The estimated trip generation for the site is shown in Table 2 below. The estimated trips are based on trip generation rates from the Institute of Transportation Engineers Trip Generation Manual 9th Edition. The site is expected to generate 30 trips in the am peak hour and 47 trips in the pm peak hour.

Table 2
Site Trip Generation

<table>
<thead>
<tr>
<th>Description/ITE Code</th>
<th>Units</th>
<th>Expected Units (independent variable)</th>
<th>Calculated Daily Trips</th>
<th>AM Peak Trips - Total</th>
<th>AM In</th>
<th>AM Out</th>
<th>PM Peak Trips - Total</th>
<th>PM In</th>
<th>PM Out</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apartment 220 (adjacent street)</td>
<td>Dwelling Unit</td>
<td>54</td>
<td>451</td>
<td>30</td>
<td>6</td>
<td>24</td>
<td>47</td>
<td>31</td>
<td>16</td>
</tr>
</tbody>
</table>
In order to develop the traffic forecasts with the proposed development the above site generated trips were added to existing counts.

In this study, WSB did not reduce the forecasts by the trips generated by the current use. The table below shows the trip generation for two other potential scenarios for this site. The estimated trips are based on trip generation rates from the Institute of Transportation Engineers Trip Generation Manual 9th Edition. The first row in the table below shows the potential trip generation of the current use if the building were fully occupied. The existing building has almost 26,000 square feet and would generate more than 1000 trips per day and 95 pm peak hour trips if the building were fully occupied. The second row in the table below shows the potential trip generation if the site were redeveloped as a pharmacy similar to an approved plan on the southeast corner of Shady Oak Road and Excelsior Boulevard. This would be an approved use under the current zoning. In this scenario the site would generate over 1200 daily trips and 129 pm peak hour trips. This is more than twice the number of trips generated by the proposed 54 unit apartment building.

Table 3
Alternative Trip Generation for the Site

<table>
<thead>
<tr>
<th>Description/ITE Code</th>
<th>Units</th>
<th>Units (independent variable)</th>
<th>Calculated Daily Trips</th>
<th>AM Peak Trips - Total</th>
<th>AM In</th>
<th>AM Out</th>
<th>PM Peak Trips - Total</th>
<th>PM In</th>
<th>PM Out</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alternate Scenario—Existing Retail</td>
<td>1000 KSF</td>
<td>25.7</td>
<td>1,097</td>
<td>25</td>
<td>15</td>
<td>9</td>
<td>95</td>
<td>46</td>
<td>50</td>
</tr>
<tr>
<td>Alternate Scenario--Pharmacy</td>
<td>1000 KSF</td>
<td>13.0</td>
<td>1,260</td>
<td>45</td>
<td>23</td>
<td>22</td>
<td>129</td>
<td>64</td>
<td>64</td>
</tr>
</tbody>
</table>

Site Trip Distribution
Almost all of the trips are expected to use Oak Drive Lane to access Shady Oak Road. Unless there are major delays at Shady Oak Road there is no reason that a vehicle would find it convenient to use Oak Drive Lane into the neighborhood. At Shady Oak Road about half will turn right and half will turn left which is the pattern of the existing traffic at this intersection. Figure 4 shows the trips that would be added to the Oak Drive Lane and Shady Oak Road intersection as a result of the proposed development.

Figure 5 shows the forecast traffic volumes with the proposed project.
Figure 4
Site Trips at Oak Drive Lane and Shady Oak Road

Figure 5
Forecast Volumes at Oak Drive Lane and Shady Oak Road with Development
## Future Traffic Operations

WSB conducted a traffic operations analysis of the forecast traffic volumes with the development to determine how delays, level of service and vehicle queues may change with the proposed project. Table 3 shows the results for one year after opening of the development. The analysis shows that the eastbound approach operates at LOS “A” in the am peak hour and LOS “C” in the pm peak hour with an average delay of 12 seconds/vehicle in the am peak hour and 16 seconds/vehicle in the pm peak hour. The increase in delay over the existing conditions is 3 seconds per vehicle on this approach. The analysis indicates that the potential queue length is still about two vehicles. However most of the time there would not be more than one vehicle waiting at the intersection.

### Table 3

Delay and Level of Service at Oak Drive Lane and Shady Oak Road With Development

#### AM Peak Hour

<table>
<thead>
<tr>
<th>Location</th>
<th>Appr</th>
<th>Total Delay by Movement (Sec/Veh)</th>
<th>LOS by Movement</th>
<th>LOS by Approach (Sec/Veh)</th>
<th>LOS by Intersection (Sec/Veh)</th>
<th>Appr</th>
<th>Average &amp; Maximum Traffic Queueing (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>L</td>
<td>T</td>
<td>R</td>
<td>L</td>
<td>T</td>
<td>R</td>
<td>Through</td>
</tr>
<tr>
<td></td>
<td>Delay</td>
<td>LOS</td>
<td>Delay</td>
<td>LOS</td>
<td>Delay</td>
<td>LOS</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ave Queue</td>
<td>Max Queue</td>
<td>Storage</td>
<td>Ave Queue</td>
<td>Max Queue</td>
<td>Storage</td>
<td>Ave Queue</td>
</tr>
<tr>
<td>NB</td>
<td>7</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>5</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>WS</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>SB</td>
<td>0</td>
<td>4</td>
<td>5</td>
<td>0</td>
<td>4</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>EB</td>
<td>19</td>
<td>0</td>
<td>7</td>
<td>C</td>
<td>A</td>
<td>12</td>
<td>B</td>
</tr>
</tbody>
</table>

#### PM Peak Hour

<table>
<thead>
<tr>
<th>Location</th>
<th>Appr</th>
<th>Total Delay by Movement (Sec/Veh)</th>
<th>LOS by Movement</th>
<th>LOS by Approach (Sec/Veh)</th>
<th>LOS by Intersection (Sec/Veh)</th>
<th>Appr</th>
<th>Average &amp; Maximum Traffic Queueing (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>L</td>
<td>T</td>
<td>R</td>
<td>L</td>
<td>T</td>
<td>R</td>
<td>Through</td>
</tr>
<tr>
<td></td>
<td>Delay</td>
<td>LOS</td>
<td>Delay</td>
<td>LOS</td>
<td>Delay</td>
<td>LOS</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ave Queue</td>
<td>Max Queue</td>
<td>Storage</td>
<td>Ave Queue</td>
<td>Max Queue</td>
<td>Storage</td>
<td>Ave Queue</td>
</tr>
<tr>
<td>NB</td>
<td>6</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>WS</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>SB</td>
<td>0</td>
<td>4</td>
<td>4</td>
<td>A</td>
<td>A</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>EB</td>
<td>24</td>
<td>0</td>
<td>7</td>
<td>C</td>
<td>A</td>
<td>16</td>
<td>C</td>
</tr>
</tbody>
</table>
Conclusions and Recommendations

- The following conclusions and recommendations were reached from the analysis that was conducted for this traffic study of the proposed 54 unit apartment at 4312 Shady Oak Road.
- The level of service for traffic on Oak Drive Lane approaching Shady Oak Road at the development site is LOS “A” in the am peak hour and LOS “B” in the pm peak hour with a maximum queue of two vehicles under existing conditions.
- The proposed site will generate 30 trip ends in the am peak hour and 47 trip ends in the pm peak hour with almost all of the traffic using the Oak Drive Lane and Shady Oak Road intersection. Very little if any traffic would use Oak Drive Lane to go west.
- With the development of the site, the level of service for traffic on Oak Drive Lane approaching Shady Oak Road at the development site is LOS “B” in the am peak hour and LOS “C” in the pm peak hour. The average increase in delay is 3 seconds/vehicle and the maximum queue length is still two vehicles.
- Based on the above WSB recommends that the access from the proposed development site be located at least 100 feet to the west of the intersection to allow traffic to exit the site without conflicts with traffic queued at the intersection. One access from the site to Oak Drive Lane is preferable to minimize vehicle conflicts.
- Separate right and left turn lanes on Oak Drive Lane at Shady Oak Road could slightly reduce delays but is not required to provide an acceptable level of service at this intersection.
A concept plan was reviewed by the Minnetonka Planning Commission and City Council in February 2017. At that time, the council provided general direction to proceed with design. Since then, Ron Clark Construction has been updating the design plans in response to comments received at those meetings. Please review the revised concept plan (attached above) submitted to the city April 6, 2017 and provide feedback on the following:

a) Building layout and design
b) Consolidation of driveways onto Oak Lane Drive

Traffic has increased substantially over many years. Backups occur sometimes as far south as main street. cb

Response:

elizabeth miller  ·  Citizen  ·  (Postal Code: unknown)  ·  Apr 10, 2017 11:07 am

Traffic from the Bradford exits (south a few blocks) is extremely dangerous as you add more cars too. There is not a light or a stop sign to get out onto Shady Oak nor Excelsior. It was not planned well and will become more and more dangerous with more traffic. I don’t want to have this apartment building shoved down my throat on top of it either.

Minnetonka Matters  ·  Admin  ·  (Postal Code: unknown)  ·  Apr 06, 2017  5:08 pm

Need to purchase the vacant lot to the south and have traffic move through the stoplight. Leave a wider green buffer between Oak Drive Lane and the building. Becky Aspelund
Concerned about lower income units because of the road finally being redone, the commercial businesses seem to be successful at this time and it would be nice for it to stay that way. Don't want it to be like Blake Road in Hopkins (crime). Traffic concerns going onto Oak Drive Lane versus stop light access would make more sense at Main Street and Shady Oak Road. gs

As recent community needs assessment have shown there is need for more affordable housing in Minnetonka. This development has been well thought out and will be an advantage to our community so that families with children can live in the district where their children attend school. Jen Bouchard

Jen, I am curious how close you live to the redevelopment project? Do you own or rent your home close to this?

In response to Jen's comment, if a community needs assessment has shown that there is a need for affordable housing in MINNETONKA, then why is the proposal to locate it on the very edge of the city in a place that is walking distance to HOPKINS, in the HOPKINS school system, and using the HOPKINS mail system. If the need for affordable housing is in Minnetonka then lets put it in the center of Minnetonka where its residents will actually be able to utilize Minnetonka's resources. This location seems like a way for Minnetonka to say they've added affordable housing while its really supported by the city of Hopkins.

Disappointed that we are still entertaining the Ron Clark proposal and doesn't seem to be much change from previous meetings and proposals. I think the city needs to wait on this piece and look for other developers. I think there should be a commercial developer to propose ideas as well. Why has there hasn't been a for sale sign posted on this property? I don't think it fits the neighborhood or this area because of safety, traffic or height and high density housing. I feel the neighborhood input from this process was disregarded and continues to be disregarded with this proposal. I don't like the project - its the same thing as before.

Traffic concerns big time. It will be a major issue. It leads to street parking - the entrance is by our driveway. Don't like access onto Oak Drive Lane. More landscaping
on Oak Drive Lane. Put more trees on that side. Don't want the home to the west in the development plan as it is currently.

Minnetonka Matters · Admin · (Postal Code: unknown) · Apr 06, 2017 6:33 pm

Safety concerns for the children. Oak Drive Lane is quiet. Children tend to play in the streets. 54 units would add more kids and there would be potential for kids crossing Shady Oak Road. Very concerned about the safety. Who is going to watch the kids?

mm mckee · Citizen · (Postal Code: unknown) · Apr 07, 2017 4:23 pm

Very busy road to try to cross - can developer build a footbridge over Shady Oak Road? I really am concerned about over building of multiple living complexes in Minnetonka. Wonder why city council continues to push for this trend when residents don't want.

Nathan Toldt · Citizen · (Postal Code: unknown) · Apr 07, 2017 4:37 pm

Here are my greatest concerns with this proposal:

- It doesn't fit the feel of the neighborhood. We are a neighborhood of small single family homes. The size and scale of this building would fit much better in downtown Hopkins or Minnetonka, rather than right on our quiet street.

- There is no nearby public outdoor space to support this density of housing. The nearest park is a mile away, so where will kids from the apartment play? The streets in our neighborhood. Please consider adding a size-able outdoor public space as part of the development or nearby to accompany this influx of families.

- Traffic safety while turning onto Shady Oak Road has gotten worse since the redevelopment project. Sure, I am eventually able to turn across the 4 lanes of traffic but I'm typically flooring it to avoid getting t-boned. It is only going to get worse over time with this new development and increased traffic on Shady Oak Road. Wasn't the original reason for the Shady Oak Road redevelopment to make it safer for drivers because the I would REALLY like the city and developers to continue pursuing the entry/exit for the new development to be through the traffic light at mainstreet. Can you do an easement on that property without purchasing it?

Mitch Aspelund · Citizen · (Postal Code: unknown) · Apr 07, 2017 4:42 pm

It is too large for this area. Put it on excelsior and shady oak. That has been an eye sore for quite some time and would be a much better fit. We purchased our home away from apartment buildings for a reason. The quiet, quaint neighborhood with beautiful nature has already been impacted heavily by the widening of the road. Instead of birds singing, I now hear traffic all day.

PLEASE do not ruin our neighborhood!
Alex Lewer · Citizen · (Postal Code: unknown) · Apr 07, 2017 4:45 pm

I am very concerned about a few things that will greatly affect the neighborhood.
- Property values will be negatively affected.
- Traffic problems will increase significantly
- Does not fit with the neighborhood
- Crime rates will increase. Just look at Blake rd in Hopkins
- Privacy for the immediate homes will be compromised.

Minnetonka, please go back to the drawing board and take your time. I say no to high density and low income housing.

Andy Braun · Citizen · (Postal Code: unknown) · Apr 07, 2017 4:48 pm

The only benefits are
1) It allows the city of Minnetonka to 'get out' of the commercial landlord business.
2) It allows the city of Minnetonka to potentially recoup the costs of acquiring the property.
3) It allows the city of Minnetonka to help reach their Met Council affordable housing goal of 144 units of 60AMI for 2030.

All other aspects are to the demise of to the neighborhood.

It is unreasonable to favor the needs and minimum requirements of the developer over the needs and minimum requirements of the city and neighborhood.

This concept provide's no meaningful benefit to the neighborhood. It will not be a positive asset, but instead only a detriment.

Nathan Toldt · Citizen · (Postal Code: unknown) · Apr 07, 2017 4:54 pm

Per the Hopkins project website (http://hopkinsmn.com/development/current/shadyoak/index.php), one of the primary reasons for the Shady Oak Road development project was that there were too many traffic incidents.

"The countywide 3-year (1999-2001) crash rate was exceeded on Shady Oak Road between Excelsior Blvd and Mainstreet. Six crashes occurred, four crashes were clustered near the intersection of Bradford Rd, and two crashes occurred just south of Mainstreet. The lack of access control and channelization may be contributing factors to the accident history."

If the primary motivator for this project was to improve traffic safety, why are we now proposing funneling 54 more families through the same crowded, dangerous intersection? Any new development on this site should go through the traffic light.
Response:

Andy Braun  · Citizen · (Postal Code: unknown) · Apr 10, 2017  9:09 am
Good find, very interesting.

Andy Braun  · Citizen · (Postal Code: unknown) · Apr 07, 2017  4:57 pm
The parcels at the SE corner of Shady Oak and Excelsior are currently available
11525 and 11523 Excelsior Blvd.
Put the apartments there?
They would be perfect for a larger scale-high density apartment. There's plenty of
space, and the intersection is already developed, would not impact direct local single
family residence, and the area is slated for extensive Light Rail redevelopment.

There's also a lot of space at the Music Barn location 5740 Shady Oak Road. There was a
proposed mid-density, Section 42 development that didn't 'score' well enough to receive
the subsidy, so it could not go through. we need to have that proposal refined (just like
for 4312 Shady Oak road-Chalet building) and make it more viable!

Le Roy Chappell  · Citizen · (Postal Code: unknown) · Apr 07, 2017  5:15 pm
How does this project deal with the potential traffic congestion on the streets running
parallel to Shady Oak Road? Have there been any traffic studies? If so, are they
publically available? The materials I've received just had site plans (limited drawings of
the exterior).

Response:

Andy Braun  · Citizen · (Postal Code: unknown) · Apr 10, 2017  9:32 am
There was a limited traffic study (with admitted errors), from the intersection of Oak
Drive Lane and Shady Oak. It was provided at the Open House on April 6th.

The study showed 'very little'/'negligible' impact, even during peak rush hour.
However, the Planning Commission has previously stated "Traffic studies tend to be
wrong, once the job is completed, and we can measure actual traffic", so this is not a
good sign.

Julie and Loren can send it over to you.

jwischnack@eminnetonka.com
lgordon@eminnetonka.com

Kim Toldt  · Citizen · (Postal Code: unknown) · Apr 07, 2017  6:04 pm
One of my biggest concerns is that the city is not listening to the people of the
neighborhood. Every person I have talked to has said that they are not in favor of this 54
unit apartment building. Most people agree something needs to happen with the property but building a large apartment building will not help the neighborhood, traffic, safety and health of the city. Every person that is “for” this project does not have to live by this. It seems that there would be a better place for a large apartment building of this size.

Personally, I have 2 children under the age of 2. Currently, I feel comfortable and safe in my neighborhood letting my kids play outside and know who my neighbors are. If a large apartment building is located down the street it will increase crime and decrease our level of privacy. We purchased a home in this neighborhood because we loved how quiet, private and safe it felt. All of those things would be compromised with this proposal.

Stephen Philbrook  · Citizen  · (Postal Code: unknown) · Apr 07, 2017  6:57 pm

As it is right now there are times where you can sit at the intersection of Shady Oak and Oak Drive Lane for many minutes trying to head either North or South. Shady Oak backs up as it is. Adding at a minimum of 54 cars into the mix of trying to use the same intersection will only make it worse. Let alone the fact that several families with small kids live on Oak Drive Lane. With the street being as narrow as it is the increase of traffic will decrease the level of safety for everyone who walks dogs, rides bikes, pushes a child in a stroller. Lets not put a profit over people's safety.

Rachel Anderson  · Citizen  · (Postal Code: unknown) · Apr 07, 2017 11:43 pm

If I understand, the purpose of this is to integrate more low income housing to Minnetonka. Part of living in Minnetonka includes access to green space ( a big part of why I moved here was the ½ acre lot minimum). Another part is for the excellent schools and easy freeway access. I do not see how cramming a bunch of apartments into a concrete corner on the edge of Hopkins is going to give these families the same experience. These children will not have access to Minnetonka, edina or St. Louis park schools , they will not have green space or even easy freeway access. I would like to see this project on the northern edge of Minnetonka near deephaven, wayzata or Plymouth. Even near St. Louis park or ridgedale tucked up against a park,pond or green space. This seems like a bad case of just meeting the minimums...and an even worse case of nimby

Rachel Anderson  · Citizen  · (Postal Code: unknown) · Apr 08, 2017 12:12 am

P.s. Since when does the met counsel, not the people of Minnetonka decide what is happening in our community?

Response:
Andy Braun  · Citizen  · (Postal Code: unknown) · Apr 10, 2017  9:23 am

Good question. As we understand it. the met council sets targets for the whole metro. There is some sort of 'responsibility' or 'agreement' to hold the city to meeting those targets, but we have not been informed what that is (is there any teeth to the agreement)

Its up the the city to determine how best to meet those targets. So naturally its best to
keep the 'low income' folks out of the 'heart' of Minnetonka, stick them on the outskirts- in a lower end neighborhoods (relatively), butted up against Hopkins, where it will have 'minimal impact' and get the least resistance. Its all very deceptive.

Jessica Philbrook · Citizen · (Postal Code: unknown) · Apr 09, 2017  8:08 am

I am not opposed to building apartments, but why can't you build something smaller. Why not have a 2 story building with businesses on the bottom and maybe a couple of apartments above? If a large apartment building is added to that lot, it will dramatically increase the traffic on Oak Drive Lane. As it is now, people fly down the road to either turn off onto James Rd, or continue to Shady Oak. There are small children that live in the neighborhood, but also older couples that enjoy going for walks around the neighborhood. You increase traffic, and that is just asking for an accident to happen. I am not opposed to the idea of rebuilding what is already existing, I'm just asking that you scale it back and think about the surrounding neighborhood and its residents.

Response:
Andy Braun · Citizen · (Postal Code: unknown) · Apr 10, 2017  9:34 am

It's because this is the smallest that Ron Clark (or any developer for that matter) has been able to design, and still meet their "Viability."

Nancy Mattoon · Citizen · (Postal Code: unknown) · Apr 09, 2017  8:10 am

I don't see "changes". I see a plan to push this through regardless of our concerns and the consequences. Frankly, it's unloading the City of Minnetonka's white elephant on Hopkins, who will be forced to deal with the outcome. Look, nothing has changed. It is still too big and it's still in the wrong place. Traffic is a huge concern, heck, during rush hour, it's tough now. Come on guys, your own city planner didn't approve. Do the right thing and consider everyone's situation, not just your own goals to meet affordable housing requirements and get more than your purchase price back.

Response:
elizabeth miller · Citizen · (Postal Code: unknown) · Apr 10, 2017 10:57 am

certainly looks and feels that way to me too.

Alex Lewer · Citizen · (Postal Code: unknown) · Apr 09, 2017  9:19 am

I see a community that is loud and clear in opposition of this project. What do you see Minnetonka?

Response:
Question for the developer: How many guest parking spots are there in this proposal? Any overflow parking will likely end up on Oak Drive Lane.

The only changes for this proposal is now the building is not all on Shady Oak Rd, and they lost parking spots. This will only add to congestion on Oak Drive Ln. This proposal doesn't fit the community or neighborhood at all. One story commercial buildings up and down Shady Oak Rd. 1 and 1.5 story homes surrounding this site. Ron Clark is not listening, City of Minnetonka is not listening.

The traffic study is not accurate. Two days over spring break weeks doesn't give you accurate numbers.

Even if we had 50 proposals from high density developers for this site, we wouldn't find what is need for the city of Minnetonka, it's residents, and this neighborhood. We need a different type of proposal, not a high density apartment building. There wasn't enough effort put into advertising this property which short changes the residents of Minnetonka.

The city council has received over 200 petitions, comments & letters from residents against this proposal already. Residents have been involved & keep giving ideas & input. However, after seeing the "new" drawings from Ron Clark Construction at the April 6th meeting, it was extremely disappointing to see basically the same MASSIVE apartment building proposal. No change or consideration was given to resident concerns: Height, mass, loss of privacy, safety, traffic-high density, property values, safety, & wetland issues. The Minnetonka planning committee had many concerns with this proposal as well & said they did not like it. Yet, the city continues to move forward & disregard the residents input.

*At EVERY meeting residents were in favor of keeping it commercial like it is now. I learned that the city did not even market to commercial developers. That is not okay. Start over!

*At EVERY meeting residents were in favor of low profile development. Start over!

*Key Strategies(Minnetonka Website) “Carefully balancing individual property rights with community-wide interests, while respecting the unique character of Minnetonka's neighborhoods." "Supporting business retention."

*Neighborhoods have already been impacted with the reconstruction of Shady Oak Road. There was the loss of many mature trees & homes. The wetlands were greatly disturbed. A high-density massive building would have further negative environmental issues.

*It is not a safe place to put 54 families. Next to a busy road, Very limited green space, no parks nearby. (It is a 1.12 acre buildable area) We can do better!

*The city purchased & owns this land. This proposal seems a bit too"self-serving" to meet any city goals for affordable housing. At a cost to everyone!

*Say no to re-zoning
This comment page is the same as what the neighborhoods already did online without having to create a password & go through the log-in process. (We handed copies to city council: There are 80 comments and 216 signatures, plus the hand signatures that were turned in at city council. Please Read them: https://www.ipetitions.com/petition/say-no-to-high-density-apartment). The city is doing everything again and again with the same results--this building is too massive & not wanted. If the city is really willing to listen to the community, I think we could have a welcoming development that benefits the community.

Let's market this parcel again to ALL developers & put a FOR SALE sign on the lot.

Thank you. Neighborhoods are important. Let's keep them intact.

elizabeth miller  ·  Citizen · (Postal Code: unknown) · Apr 10, 2017 10:56 am

The redraw for the proposal was a complete and utter fail. The developer had one job, to make it smaller they can't and won't, I want them off the job.

Site needs to be better managed and marketed. It is not the fault of the smaller single family homes that this area was so poorly planned and designed so don't make us pay for it.

Traffic is a huge issue for all surrounding neighborhoods that still has not been addressed.

This is clearly meant to benefit some while hurting others and proposed monstrosity is like a big middle finger for all the residents that have been speaking up and speaking out against it for over a year.

Response:

Andy Braun  ·  Citizen · (Postal Code: unknown) · Apr 10, 2017 11:13 am

I've been calling it a 'sore thumb' but 'middle finger' is much more accurate.

elizabeth miller  ·  Citizen · (Postal Code: unknown) · Apr 10, 2017 11:10 am

I'm also concerned that emergency vehicles will not be able to safely get in and out.

elizabeth miller  ·  Citizen · (Postal Code: unknown) · Apr 10, 2017 11:25 am

I really think that our neighborhood is a great one and that this high density development hundreds of feet away, looking down into our homes and backyards will absolutely ruin it. That type of development would pose a threat to any community. The residents have been clear about this from the get go, it is unbelievable that we still have to waste time 'viewing' a revised proposal that does not address any of the concerns the developers were sent back to the table to fix.

Tracy Downing  ·  Citizen · (Postal Code: unknown) · Apr 10, 2017 11:49 am

9 of 16  Full Report
This monstrous apartment-building-on-a-postage-stamp design is an eyesore, will lower neighborhood property values, will create traffic problems and will surely become a long-term albatross around the neck of every person who has invested in this neighborhood. This is not a proposal that anyone who lives near this site supports. The Minnetonka planning commission has agreed with every point that the residents of the area object to, yet we see the SAME plan put forward to be built. Too big. Too tall. Too dense. Too obtuse. Do the right thing, Minnetonka. Show you care about your own residents and your neighbors who live near this site in Hopkins. Do not approve this plan.

Abbey Holm · Citizen · (Postal Code: unknown) · Apr 10, 2017 12:55 pm

Everything we've loved about living here is in jeopardy. The proposed plan feels like you're reaching into our pockets and stealing - stealing our property values, stealing our privacy, stealing our lovely wooded views, stealing the safety of our peaceful neighborhood roads and stealing the hope that you're for us. A high density multi story apartment building is drastically out of place in our neighborhood of one to one and a half story single family homes on large lots. Let's go back to the drawing board and get creative. What about a combination of garden and one story commercial? Or a park and small grocery store co-op? Access should only be through the light at Shady Oak and Main Street, absolutely not through our neighborhood. There are so many options that would enrich our community. The proposed plan only detracts.

Rebecca Sago · Citizen · (Postal Code: unknown) · Apr 10, 2017 3:30 pm

I was planning on buying in this area, now I may reconsider. I moved here to get away from a similar situation. Why don't you build it near where the higher value homes are to see how they respond. Our vehicles were broken into many times due to increase in "traffic". More people will be zooming through our neighborhood to avoid the light on Shady Oak and Excelcior. It's sad that Minnetonka thinks this is helping anyone! By the way Minnetonka, these people will only benefit from Hopkins!! Build it closer to the Minnetonka are off 101 and Minnetonka Blvd.

elizabeth miller · Citizen · (Postal Code: unknown) · Apr 10, 2017 3:33 pm

Hello- Here is an online petition organized by the residents:
https://www.ipetitions.com/petition/say-no-to-high-density-apartment

Kathy Richards · Citizen · (Postal Code: unknown) · Apr 11, 2017 11:58 am

This is a ridiculous proposal. There are more than enough low income apartments in this area. Adding 54 more families that will use Hopkins School Districts, Hopkins roads, Hopkins recreation programs, Hopkins parks, etc. will not aid in the illusion that Minnetonka is supporting diversity. It looks like an ugly, cheap apartment building that will look even worse in a few years. I have lived here for 20 years and this area is becoming a place I want to move away from. I can visualize an annoying mess of traffic,
crime and people constantly moving in and out of these apartments if this proposal continues to have any credibility! Please look for an alternative for this property that will enhance rather than detract from our neighborhood.

Jeri Massengill · Citizen · (Postal Code: unknown) · Apr 11, 2017 12:25 pm

I am very disappointed that the concerns of the residents in the immediate area of this proposed redevelopment continue to be ignored. This comes on the heels of the same unconcern for impacts to our neighborhood that we now live with after the reconstruction of Shady Oak Road. After the removal of hundreds of trees, the Shady Oak Road corridor is now a wide concrete and asphalt highway. We no longer see natural areas or have access to any green space along the road. We have views of traffic where we used to look at trees. We have increase in traffic noise from Shady Oak. To add insult to injury, some traffic “expert” at the open house last week told my neighbor that residents would never have to wait more than 9 seconds to exit from the south leg of Oak Drive Lane onto Shady Oak Road after this development is complete. What a complete fabrication! Yesterday morning, I waited 80 seconds until there was just enough time for me to floor-it across Shady Oak to turn left. Of course the speeding northbound traffic rushes up on my rear bumper and then two cars sped around me because I was obeying the 30 mph signage. This type of thing happens daily! What will it be like after adding 50 to 100 more cars as part of this high density, multi-story apartment building? I live four houses away from this site and expect the development will result in increased noise, apartment building residents and guests parking on my street, traffic backups, yet another increase in vehicles cutting through our neighborhood to avoid Shady Oak Road, obnoxious parking lot lights and an increased risk of car-pedestrian-bike accidents. This huge building is too big for our single family home neighborhood and there are already tons of apartment buildings nearby with more on the way. I invite the City Council members to select a location in their own neighborhoods for multifamily housing since our area of east Minnetonka/downtown Hopkins has plenty.

Brenda Heim · Citizen · (Postal Code: unknown) · Apr 11, 2017 1:55 pm

My husband and I are very much in favor of considering all opportunities to increase affordable housing units in the city of Minnetonka. We support moving forward with proposals that meet city standards and are approved by council/planning commission. Brenda and David Heim

Response:

Kyle Holm · Citizen · (Postal Code: unknown) · Apr 11, 2017 3:54 pm

Brenda how close do you live to this location?

Chris Aanestad · Citizen · (Postal Code: unknown) · Apr 11, 2017 5:52 pm

I am so displeased with this whole concept and the way it is being handled by Minnetonka City Council. It took me 20 minutes to sign into this site just so I say the
same things. The building is TOO MASSIVE. LOSS of PRIVACY, TRAFFIC and SAFETY concerns. Why do we need another forum to to say these things. Read the PETITION and COMMENTS posted already. If this Forum is the only PUBLIC OPINION GUAGE , I will be further disappointed in our City Council and the way they seem to be undermining everything we as a neighborhood bring to them. It either gets filtered or dismissed. You want facts? OK I measured the building and provided drawings with an actual prospective on how MASSIVE the building will be. Ask the Architect at the OPEN HOUSE last week for the DIMENSIONS of the proposed building-I don't know. Come on, we are all adults here. Lets get to what is really going on here. The City is under pressure from the Met Council to build Affordable Housing and get rid of the "PICLKE" they bought. The City obviously favors Ron Clark . Look at the way the RFI was written. It was targeted toward "High Density" with an "Affordable" component. That sure dropped into Ron Clark's lap. Thanks City for making this so convenient in so many ways. This FORUM-not. The TRAFFIC STUDY-done on Minnetonka and Edina Spring Breaks. OPEN HOUSE MEETING at 4:30 on a Thursday Afternoon- who is that convenient for? Oh by the way, I sat at Oak Drive Lane and Shady Oak today at 8:10 turning left- I waited 2 MINUTES and still went south to go north. Spring has sprung and I am re-energized to fight this. Chris

elizabeth miller  · Citizen · (Postal Code: unknown) · Apr 12, 2017 11:44 pm

This site is another example of the marathon the city is asking its residents to run simply to be heard. This site after months and months of petitions, letters, emails, phone calls, meetings etc etc is embarrassingly too hard to sign into. This is a terrible plan that will further condemn this neighborhood to terrible traffic issues. Not to mention, we can't get to a park (walking) with out crossing 4 lane roads (no traffic signs/signals). This neighborhood is not ready for high density living, particularly the one proposed by this developer because it is short sighted for the issues that have been outlined at every single council meeting, planning commission meeting, and neighborhood meeting for the last 15 months. To the hundreds of residents opposed that continue to to tirelessly work for your own tax paying rights, happy 15 month anniversary of saying the same thing. NO TO HIGH DENSITY MULTI STORY.

Ann Aanestad  · Citizen · (Postal Code: unknown) · Apr 13, 2017 10:03 am

We are against the MASSIVE apartment building that will have so many balconies that will tower over our small homes( Lights, noise, safety, traffic ,environmental, loss of mature trees..many issues) .

Let’s find a developer that is willing to build a modest commercial or small housing unit that fits the area neighborhoods. Save our businesses! Protect the Wetlands that are throughout this area!

Ron Clark Const. is not willing to significantly scale back this monstrous building-this is NOT the right developer for this area, so lets work together to get a reasonable proposal.

It’s time to re-market this parcel. Citizens are willing to reach out to developers and help come up with alternatives for this site. Let’s work together.
When Shady Oak Road was being reconstructed the city asked for neighborhood input. The input was basically ignored. Now 2 years later the same neighborhoods are asked for input on this development parcel. At the meetings it was asked multiple times if our input really mattered. We were assured it did. How much money is wasted on all these “input meetings” that have done nothing to try to work with the neighborhoods so far? This should be a concern for all residents.

City Council you are seeing in all these comments, emails & letters pure frustration on the part of Minnetonka residents that purchased property & want to keep the neighborhood characteristics intact that live near this parcel. (And Hopkins residents as it impacts them as well.)

Community is important. A massive apartment building is NOT.

Also, whatever goes in this redevelopment needs to have access from the light at mainstreet or Shady Oak Road. The Strip Mall(Tonka Cycle) next to this parcel has only one entrance off Shady Oak Rd. If they can do it, so can this parcel. Or the city/county needs to step in and make it a major traffic safety issue to gain access to the MAINSTREET LIGHT. It is not okay to put the extra traffic stress on a small neighborhood road that is already extra busy with the reconstruction of Shady Oak Rd. WHY was that stoplight & turn lane on mainstreet/Shady Oak Rd. built to that empty property if it is not being used? Was it built for 1 private land owner? Who paid for that?

At the April 6th meeting the “history” documentation that the city displayed only showed a copy of the 2nd meeting, first page, where ONE comment showed that “three stories might be ok.” That was pointed out to me at that meeting! Misleading! EVERYTHING else on that page as well as at ALL the other meetings were AGAINST anything 3 stories or higher. Neighborhood input has NEVER waivered in wanting something that will work with the existing neighborhoods and surrounding community. LOW PROFILE! /Shady Oak Road is all Low-profile buildings, as are the neighborhoods. Save the character of existing neighborhoods.

The Minnetonka Planning Committee saw the same concerns as the residents and did not like it. (Too High, Too Massive, Traffic, Lights, Negative Neighborhood impact., etc.)
This proposal is so out of character with the area.

When the city council decided to purchase this parcel, it was with the intent that whatever was built would work with the area. Let’s come up with a workable solution & compromise that will benefit the city and its residents in a positive way.

This comment site created by the city has been hard to access by many people I talked too. Plus all of this stuff is done over Spring Breaks/Holidays. Please go to the neighborhood site to read further comments. Thank You.

https://www.ipetitions.com/petition/say-no-to-high-density-apartment

Jessica Brandt · Citizen · (Postal Code: unknown) · Apr 13, 2017 10:54 am
4 Votes
Please find a different developer that is more inline with the needs of the direct community. This is commercial property and I believe it will be better service to the community to have it remain commercial property. How about a grassy area to the east of the house on Oak, and build a one or two story complex for business on the bottom level and if you must, then put some apartments on the upper level. Let's get some small restaurants and other businesses there to bring more money to Minnetonka. Grandfather in Chalet as they are a community favorite and basically historical to the site. Have a restaurant with rooftop seating- we don't have that in the area! Be more creative while keeping the scale of the building low. We all have plenty of ideas, but we are not being taken seriously. This huge apartment building is not the answer and is not welcome in/near my neighborhood.

Sherry Flannagan · Citizen · (Postal Code: unknown) · Apr 13, 2017 3:23 pm

The size and scale of this proposal does NOT fit into the area - in addition to the traffic concerns already mentioned. Please reduce - to at least 2 stories, need special consideration for parking and traffic flows.

Rachel Klick · Citizen · (Postal Code: unknown) · Apr 13, 2017 8:31 pm

The Minnetonka city government page proclaims: "this is *your* government". Well, I sincerely hope that the actions of the city council do not make those words ring hollow for the citizens of Minnetonka. We live further in the neighborhood adjacent to the proposed apartment complex and often walk down Oak Drive Lane to access downtown Hopkins and frequent the businesses there. With the increased traffic with 54 apartments I can guarantee that we will no longer be taking that walk and will likely take our business elsewhere-something that I'm sure Hopkins would be less than thrilled to hear from the residents in this neighborhood. The size of this complex does not integrate into neighborhood. Additionally, to think that jamming 54 families into a small lot with a "play area" (ha! any parent will tell you that the "tot lot" is not sufficient) is providing any sort of meaningful housing for these residents is absurd. The Planning Committee clearly stated their opposition to this development and the city council has the obligation to listen to their planning committee AND the residents who will be directly impacted by this site.

Rachel Klick · Citizen · (Postal Code: unknown) · Apr 13, 2017 8:43 pm

Per the planning packet from 11/14/16: "The goal of the project is to prepare and form a feasible redevelopment plan that is acceptable to the city, neighborhood and local stakeholders." This plan is clearly not acceptable to the neighborhood.

"Based on the site alternatives that were considered, the feedback received was that people liked green space, lower density housing, and less or hidden parking. The community disliked the options that were generally higher density, development that would increase traffic, and too much surface parking." So the proposed redevelopment is high density and increases traffic? Why were community members' opinions solicited if they were going to be ignored?
Al Stevenson · Citizen · (Postal Code: unknown) · Apr 14, 2017  4:38 pm

We do not believe the current proposal of a 54 unit 3+ story apartment building for this site is the best purpose for this site. The influx of that many people and density on that small parcel is inappropriate for the neighborhood. The additional traffic would be frightful to our quiet neighborhood (which we appreciate so much). We have stayed here for 35 years because of the quality of the area and would hate to make a move because of this proposal and the negative impact it will have on traffic, safety and property values. I further hope that these comments will be considered by the city council and that this forum is not just here for neighbors to "blow off some steam". I suspect the latter is the case but please prove me wrong.

Nathan Toldt · Citizen · (Postal Code: unknown) · Apr 14, 2017  5:10 pm

The city of Minnetonka clearly has a need for more affordable housing. But let's be clear about about this proposed development site... Aside from the address saying Minnetonka, everything else about it is Hopkins. The school system, the mail system, the nearby downtown, etc.

While the greater city of Minnetonka is in need of more affordable housing, this particular site is not at all in need of it. Downtown Hopkins already has one of the highest concentrations of affordable housing of any city in the Twin Cities (next only to Minneapolis). This abundance of affordable housing is within 1 mile of the proposed dev site. In fact, looking at a map there are currently 8 affordable housing apartments within a one mile radius of Chalet pizza, and 15 within a 2 mile radius! Why are we proposing yet another in this same area? Clearly there is a much larger need for affordable housing in other parts of Minnetonka. By contrast, there are ZERO affordable housing apartments within a 1 mile radius of Minnetonka City Hall. Where is the greater need for affordable housing distribution?

Some Reference Sources:
https://patch.com/minnesota/hopkins/map-affordable-housing
https://thexs-mapping.firebaseapp.com/mapping.html?fid=0B8ukvtLBtoLpZVJNaEjBaXNKSEE

Pete Barta · Citizen · (Postal Code: unknown) · Apr 17, 2017  8:16 pm

I strongly encourage the residents in the area of the proposed building to continue efforts for a “no” vote and press for a better solution. If allowed to proceed, your concerns for traffic, noise and privacy will become fact. There will be no going back to the neighborhood you have now. Below are my comments posted on the original neighborhood site:

We moved to Hopkins 30 years ago to enjoy the “small town” feel with many single family homes and a fantastic Mainstreet envied by many small suburbs.
Over the years Hopkins has allowed more multi-story buildings to be built. I can tell you first hand that a large multi-story building recently constructed next to a residential neighborhood has added noise, traffic, and light pollution. (Lights are left on all night)
The building has reduced privacy to our house and yard as it towers over our rambler.
Please do not permit a 3+ story building to be built next to a residential neighborhood
that will create noise and traffic issues for that neighborhood. Large towering structures are diluting the small town feel for Hopkins.

Andy Braun · Citizen · (Postal Code: unknown) · Apr 18, 2017 1:02 pm

I'm trying to understand how it fits with our cities Mission and Goals, and Comp Plan, I can't figure it out, and nobody on the commission nor council has been able to explain it.

https://eminnetonka.com/mission-and-goals
https://eminnetonka.com/planning/comprehensive-guide-plan

Perhaps its an 'optional - as needed basis' kind of thing.
Neighborhood Feedback
Subject: 4312 Shady Oak Road Parcel Redevelopment Idea

Good Morning City of Minnetonka City Council,

I am Chris Aanestad and live at 4255 Oak Drive Lane. My wife Ann and I have lived there for 26 years. We own our home free and clear and plan to live here throughout our retirement. Ann has been Block Captain for 20 years. I am the guy that cooks for all the neighbors that attend our Neighborhood Night Out every August. We have a pretty tight knit neighborhood that extends up James Road to Fairview. We (speaking for our neighborhood) have been very active throughout the Redevelopment process and have some varied ideas.

First of all I want to thank the Planning Commission for hearing our thoughts and ideas fully against an apartment building. We who attended the Planning Commission Meeting on Feb. 16th all walked away feeling that the 54 Unit Affordable Housing Apartment Building is now completely off the table. Please read and view that meeting for how we and the Planning Commissions feels about that.

I would like to bring the discussion back to a couple of different ideas floated before.

1. A small townhome development. A couple of great examples exist within a small radius of 4312 Shady Oak Rd. These are very nice low profile homes that are OWNED!

> Wyndham Hill in Hopkins. SE Corner of Shady Oak Road and Hwy 7.
> 4066 Wyndham Hill Road is currently on Zillow for an estimated $360,000

> The Oaks of Mainstreet in Hopkins. SE Corner of Main Street Hopkin and Shady Oak Rd.
> 2028 Main Street is currently Listed on Zillow for estimated $240,000.

That being pointed out, this is a very small "Buildable Site" at **1.12 ACRES**.
Can a builder build 10 tuckunder units there? Is it viable for the builder? Maybe?

So, that brings up the discussion of should the city lose money on their hasty investment to make a project like this work? **YES.** The city will eventually make it up on property taxes.

I would ask the Owner, The City of Minnetonka to get going and start to "Market" this property to smaller townhome developers.
Get some reasonable small scale ideas on the table with some green space.

2. A 1.12 acre Open Space Preservation. This is another great idea! The site is mostly an easement, is not buildable and directly on a wetland.
Please read the attached letter from Ann Aanestad. It points out that the City of Minnetonka has a $15 Million Bond to preserve open spaces. We did lose our closest park next to the Shady Oak Goose Pond in Hopkins as a result of the Shady Oak Road Project. This would make up for that.

For now please consider these two alternatives to an apartment that would ruin our neighborhood and lower our property values. I am sure you hear the phrase "NOT IN MY BACKYARD" a lot. This literally in our backyards and front yards for some across the street in Hopkins.

Respectfully Submitted,
-----Original Message-----
From: [redacted]
Sent: Tuesday, February 21, 2017 10:36 AM
To: 'aanestad'
Subject: Attached Image
Community Engagement Process

Background

The residents and business owners surrounding the project site in both Minnetonka and Hopkins were invited to three neighborhood meetings to introduce the project and gather issues/concerns/expectations from the surrounding neighborhood. In addition to meeting with the neighborhood, the city hosted a developer’s roundtable for an invited group of developers to gauge interest and ideas on redevelopment options. Lastly, a project update was given at a City Council work session for consultation on the development options and next steps. The complete meeting notes are posted on the city’s website here: http://eminnetonka.com/current-projects/planning-projects/1490-shady-oak-rd-redevelopment.

Development Alternatives

Site alternatives considered a consolidated parcel (2.21 acres) and two separate parcels (0.67 acres and 1.54 acres). Development options included townhomes, small apartment building (surface parking) and a multi-family building (3 or 5 stories). Plan views of these development options are shown to the right.

Community Feedback

In general, the community preferred small businesses, mixed-use, and new housing options as uses for the sites. Based on the site alternatives that were considered, the feedback received was that people liked seeing green space, lower density housing, and less or hidden parking. The community disliked the options that were generally higher density, development that would increase traffic, and too much surface parking. For the complete meeting summaries, see the project website: http://eminnetonka.com/current-projects/planning-projects/1490-shady-oak-rd-redevelopment.
Summary of Existing Conditions

Existing Conditions

The table below lists the existing conditions of the parcels including size, buildable area, zoning, and future land use.

<table>
<thead>
<tr>
<th></th>
<th>4312 Shady Oak Road</th>
<th>4287 Oak Drive Lane</th>
<th><strong>Combined</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Area</strong></td>
<td>1.60 acres</td>
<td>0.66 acres</td>
<td>2.28 acres</td>
</tr>
<tr>
<td><strong>Buildable Area</strong></td>
<td>1.12 acres</td>
<td>0.23 acres</td>
<td>1.35 acres</td>
</tr>
<tr>
<td><strong>Building Footprint</strong></td>
<td>26,000 sq. ft.</td>
<td>1,625 sq. ft.</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Zoning</strong></td>
<td>B-2, Limited Business</td>
<td>R-1, Low Density Residential</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Future Land Use</strong></td>
<td>Commercial</td>
<td>Low Density Residential</td>
<td>N/A</td>
</tr>
</tbody>
</table>

*Guidance from City of Minnetonka 2030 Comprehensive Plan
**If parcels were combined, area would be 2.21 acres

Site Survey

A survey of the site was completed by the City and is shown in Attachment B. The two parcels are separated by multiple temporary and existing easements for drainage, utilities, and sanitary sewer. An approximately 0.25 acre wetland is also located on the southwest corner of the site.

Environmental

The City conducted environmental studies for the site. The following is an overview of the stormwater requirements, groundwater conditions, key findings from the Phase I and II reports, and soil borings. See the project website for complete reports. [http://eminnetonka.com/current-projects/planning-projects/1490-shady-oak-rd-redevelopment](http://eminnetonka.com/current-projects/planning-projects/1490-shady-oak-rd-redevelopment)

Stormwater

- The project area is located in the Nine Mile Creek Watershed District. The stormwater requirements are Under Rule 4 – Stormwater Management for a redevelopment project. Source: [http://www.ninemilecreek.org/Regulatory/Rule04.pdf](http://www.ninemilecreek.org/Regulatory/Rule04.pdf)
- Stormwater requirements may be covered by the Shady Oak Road reconstruction project; however, the developer will be responsible for ensuring these requirements are met.

Groundwater

- Based on a Phase II ESA that was produced for the parcels, groundwater was encountered at approximately 10 feet below ground surface located on the west side of the building.
- Groundwater was also encountered at approximately 20 feet below grade on the south side of the building starting at a higher elevation.
- The general direction of regional groundwater flow in the area of the subject property is presumed to be to the east-southeast.

Phase I

A Phase I was conducted for the site in November 2014 and was recently updated. The Phase I revealed the following Recognized Environmental Conditions (RECs) relative to the property:

- The presence of historical machine shop and dry cleaner tenants at the property that handled various oils and solvents and operated at the same time as the former septic and cesspool system is considered an REC.
- Heavy oil staining from a leaking compressor located in the northwest corner of the building in a vacant tenant space is considered an REC.

Although not considered RECs, Conditions RECS (CRECS), or Historical RECs (HRECs); the ESA also revealed the following items that constitute environmental business risks:
Greetings Neighbors

http://eminnetonka.granicus.com/MediaPlayer.php?view_id=7&clip_id=1611

This is the link to the City of Minnetonka/Planning Committee Video Streaming to watch the meeting of Feb. 16th. The next step is a meeting on Feb. 27th...6:30/City Council meeting. They will be presented with this proposal and hear comments from the planning committee as well as the community.

This site affects not only our neighborhood, but all the surrounding neighbors as well and extended neighborhoods outside the "blue box."

It is good to know the planning committee at this time is looking at how the development of this site will directly affect all neighbors in the area including the Hopkins side as it is a border site. They felt a project like this would destroy surrounding neighborhoods and affect property values. I thought it was interesting when the planning committee asked why a green space/park was not on the table from the start. the answer was that when it was purchased they (city Council) talked about reselling the parcel from the start. Purchasing land for a park goes through a different process. However, my take was that everything should be back on the table for this site. Not us looking at lesser of choices presented at all those meetings!
I do hope the city takes its time with this parcel and waits for more appropriate project to come along.

What I wish I added to my comments:
* With traffic being such a huge concern, I feel the access that is currently on Shady Oak Road from that parking lot needs to remain. It is a right turn in/out from that parking lot. But, it helps relieve some traffic from Oak Drive Lane.
* The City of Minnetonka has $15 million bond to renew our city parks and preserve open spaces. Open Space Preservation is there for passive-use opportunities to promote the quality of the environment, wetlands and buffers for neighborhoods. This 1.7 acre area is a huge environmental concern. It needs clean up and it directly connects all the water ways that were disturbed and redone with the construction of Shady Oak Rd. Also, the "park" area on the Hopkins side of the road by the pond was removed. A Minnetonka Preserve in this area would help with water quality and wetland preservation.

I was glad the apartment building size-height and mass and traffic issues was seen as not a good option for this area. There are a lot of people in neighborhoods all around that are closely watching this and going to meetings and writing

https://webmail.networksolutionsemail.com/edgedesk/cgi-bin/viewmail.exe?id=01410439e... 2/21/2017
letters expressing their concerns. Let’s keep the communication going and keep attending meetings! Spread the Word!

Ann A. mslovak
1255 Oak Drive Lane

On Thursday, February 16, 2017 9:43 PM, Kathy <kadols100@gmail.com> wrote:

Thanks 🙏 to you and Chris and neighbors for sharing our concerns. The traffic would be awful with adding more vehicles. Backups onto Shady Oak Rd could be dangerous. So glad the planning commission weren’t in favor of the big building. Next step City Council. We will not be able to attend or watch it on cable access. Will have to follow up in March.
Kathy and Al (& Sport)

Sent from my iPhone
February 15, 2017

Dear City of Minnetonka Planning Commissioners and City Planning Staff,

Please accept and lodge the following written comments into the record concerning the Shady Oak Redevelopment project. We are homeowners located at 4408 Crawford Road, Minnetonka, MN 55343. Our home is less than 500 feet from the subject parcel, within a direct line of sight of the property. We purchased our home in August of 2016 due to the immense beauty of the surrounding wetlands and the seclusion it offers, as well as the character of the neighborhood. At that time, we were unaware of the City’s plans to sell the property to real estate developers. We were thus dismayed to learn of the City’s intentions to not only sell the property for redevelopment, but also to facilitate a major rezoning change and corresponding comprehensive land use plan amendment, both of which are legally required before any development can occur. We understand this project has advanced through the preliminary planning stages, but that several hurdles remain before the Planning Commission and City Council can consider these drastic changes to the City’s zoning maps and comprehensive plan. Our property is zoned R-1 Low Density residential, as are all of the surrounding lots to the subject parcel (see attached exhibit, showing current zoning prohibitions). We contend that development of a three-story residential apartment complex does not comport to the surrounding land uses in the area, which are specifically limited to single-family dwellings and accessory structures not exceeding 35 feet in height, 300.10(3)(a). The purpose of R-1 zoning is “to provide a district for single family detached dwellings in those areas where such development is consistent with the low density residential designation of the comprehensive plan and compatible with surrounding land use characteristics.” The PUD zoning ordinance itself recognizes that a PUD must be “appropriately integrated into existing and proposed surrounding development,” 300.22(4)(c). It is simply unfathomable that a 3-story, 54-unit apartment complex, which will dominate the neighborhood skyline, has even a modicum of cohesion with surrounding R-1 low density lots. None of the public benefit criteria at 300.22(2) are satisfied by this proposal.

We ask the Planning Commission meaningful evaluate now the City can legally re-zone and re-define the subject parcel to allow this type of intensive redevelopment, given surrounding land uses. This should be done in consultation with the City attorney. We also ask that the Commission consider now whether the City should re-zone the property, as this legislative decision is vested in the discretion of both the Commission and, ultimately, the City Council. While we agree that some type of redevelopment should go forward, the magnitude and scope of what is currently on the table is untenable.

We have the following additional concerns:
- Loss of privacy as our secluded backyard becomes the backyard for dozens of strangers.
- Decreased aesthetic enjoyment of our property.
- Light and noise pollution from porch lights, parking lights (current plan calls for 32 outdoor

Crawford
parking spaces), and traffic.
- Public safety concerns due to increases in traffic and congestion, as well as any other corresponding transportation changes that would be necessary to accommodate new vehicles.
- Pollution, including large increases in stormwater runoff, flow, and pollutant loading, to nearby wetlands and wild spaces.
- Look and feel of neighborhood negatively impacted.
- Sets precedent of allowing PUD zoning adjacent to R-1 low density housing.
- Decreases in home value and appreciation.
- If property is to be rezoned and redeveloped, it should be done in a manner that is consistent with neighboring R-1 zoning.
- Our neighbors expressed that they had little to no knowledge of the proposal, especially that it would result in a 3-story, 54-unit apartment complex.
- How remediation of the currently-existing pollution on the site will unfold. Will there be long-term monitoring of the remediation? Are the taxpayers paying for the remediation?
- How will proceeds from the sale of the property be used? Are these considered "public" monies?

Sincerely,

Elizabeth Miller

Andrew Braun

---

The stricken language is deleted; the underlined language is inserted.
February 21, 2017

Dear City of Minnetonka City Council,

I would like to express my concern with the proposed apartment complex for the Redevelopment of the parcel of land at 4312 Shady Oak Road and any other future redevelopment of this land.

I would like the city council to seriously consider this parcel as a unique asset to the city by preserving the wetlands and waterways that are throughout this area.

As many of you are aware, wetlands were disturbed during the reconstruction of Shady Oak Road. New drainage and tiles were put in connecting all of these wetlands and the Shady Oak Nature Area (151 Shady Oak Road) on the east side was removed.

This parcel would be a perfect area for Minnetonka to create a green space-Open Space Preservation. With a sign welcoming people to the City of Minnetonka, picnic tables encouraging people to gather for a bite to eat or play a game, and amenities such as bike racks and a drinking fountain, we have the opportunity to turn a blighted site into a beautiful oasis for cyclists and pedestrians.

The people of Minnetonka have generously approved a $15 million bond referendum to renew our city’s parks and preserve open space. Open Space Preservation is there for passive-use opportunities to promote the quality of the environment, wetlands and buffers for neighborhoods.

This parcel has environmental concerns. It needs clean up and it directly connects all the waterways that were disturbed and redone with the construction of Shady Oak Rd. This is a relatively small parcel to develop, but would be a huge improvement to Minnetonka’s dedication to saving wetlands.

In summary, a Minnetonka Preserve in this area would help with water quality and wetland preservation for the benefit of our entire community.

Respectfully,

Ann Aanestad
4255 Oak Drive Lane
Minnetonka, MN 55343
On Wed, Feb 1, 2017 at 2:56 PM, Elizabeth A wrote:

Hello-
We are homesteaders within a stones throw from this location. We are devastated to learn of this project, and we're not the only ones. We will be at the meeting and I will be fighting this proposal as this is a direct threat to my investment in my home and happiness with my home. Not to mention, it will be a pain to my neighbors as well. I'm not sure who was on the planning committee for this but we feel that it wasn't the people who would end up facing an apartment building that looks directly into their back yards and also, we suspect that we were kept in the dark long enough to make it more difficult for our needs to count. In talking this over and thinking through it in the last week there are plenty of creative ideas for this space and I want a chance to discuss them fairly. While the developer and the city may make some money off the investment - us homeowners will pay the price with degradation to the neighborhood in terms of traffic, privacy, the local eco system and in turn our home values.

Low income (lowest prices I've seen in fact) housing with out any investment in sustainable development or a community outreach in this particular neighborhood is a very low blow. You're sticking one of Minnetonka's most blue collar neighborhoods with a proposal that will hurt us and not benefit us. This isn't what this city should be acting like- we need to protect our ecosystem and our neighborhoods.

I look forward to your response.
Sincerely,
Elizabeth Miller

From: Elizabeth A
Date: Mon, Feb 6, 2017 at 5:03 PM
Subject: Re: Shady Oak Project (4312 Shady Oak Rd)
To: bellingson@eminnetonka.com

Hello,

I am looking for a response and a city contact for information regarding the Shady Oak proposal. I am wondering why you haven't responded, as far as I can tell the property is in your ward meaning it should be of concern/interest to you. Can you please forward the information of who ever is in charge.

Thanks,
Elizabeth
From: Elizabeth A [mailto:]
Sent: Tuesday, February 07, 2017 10:57 PM
To: Julie Wischnack; Bob Ellingson
Subject: Fwd: Shady Oak Project (4312 Shady Oak Rd)

Hello-
I have taken it upon myself to figure out who is in charge of the Shady Oak project and educate myself better on the goings on. Seeing as B Ellingson has not responded to my email for over going on a week and apparently this project is still moving at full speed, I would appreciate a prompt response.

Julie- Would you kindly read through my two previous emails to B Ellingson regarding my concerns as a neighbor and home owner in the neighborhood. Additionally, I would really appreciate a time to sit down and discuss the plans. We purchased our house in August of last year for what its worth.

Thank you,
Elizabeth

On Wed, Feb 8, 2017 at 11:44 AM, Julie Wischnack <jwischnack@eminnetonka.com> wrote:

I have reviewed your email and am hoping I can help provide you with information regarding the project. This has not been a fast process. In fact, the city purchased the property in March of 2015 for road reconstruction purposes (Shady Oak Road reconstruction) and about this same time last year (2016), the city engaged with the surrounding neighborhood to brainstorm about potential redevelopment of the site. Because you purchased your home in August of last year, that makes sense why you were not aware of the history. I have the link here that explains the history, an FAQ, and meeting summaries from your area neighbor’s input taken thus far: http://eminnetonka.com/current -projects/planning-projects/ 1490-shady-oak-rd-redevelopmen t

The developer, that the city is negotiating with for the sale of the land, had some preliminary concepts and we requested they get that information out to the neighborhood as soon as the city received it. That is the reason for the meeting next Wednesday evening is to visit with area neighbors about the concept. I would be happy to sit down with you (or via phone) to explain the background and what I understand of the project thus far, with the intention of providing information.

Please let me know if you would like to discuss further.
Thank you Julie for your prompt response.

I can see that there was a longer period of planning already that I wasn't a part of. I have chosen to read up on some of the city council meeting notes and here's what I found:

Last year around this time there were two meetings with community members where they talked about what they wanted and then in the April meeting the tone changed dramatically- there were very few notes or words spoken and mostly only pictures were shown and the community members were asked which one (of two) did they like better. The context seems to have escalated very quickly, from where neighbors were speaking of what they like/did not like or what their preferences were for potential build out on the city's property. Did the community's position change? From the Jan and Feb meetings to the April meeting of last year a multi level multi unit housing complex became a choice the city seemingly would make but there was no community input segue. It seemed as if the community's input had not been not taken into account. (There was not any mention of it being low income). We do not believe that our community would benefit from a major build out and commercial/residential renovation of the scale of the most recently proposed. The sentiment of my (now) neighbors in the January and February meetings (past) was what we identify with best. I do not see where they were convinced to go against their original desires for utilizing the two separate properties. There were many good community ideas. And many good concerns: traffic increase, light pollution, noise pollution, disappearance of our landscape-all of these underscored dramatically by the light rail station now in planning two blocks down.

Could you please fill me in on where and how the deviation from January '16 and February '16 preferences of the community came to be misrepresented or just flatly disregarded by choosing to build out into a multi level multi unit residential complex?

Ultimately, it appears that the community is against, and we share the position that we are against major build out or redevelopment of the two parcels that would lead to a change of our neighborhood's current look and feel. Basically going with any multi level structure would hurt and demean our current community feel and value.
Additionally, I would like to know what is currently being done to remediate the polluted land. I cannot express how disturbing it is that remediation does not seem to be a part of any discussions and that it has not yet begun. I would also like to know exactly how remediation will be attempted and in particular, when building that land out, what is the proposal of the city to keep my marsh on my property free from chemicals that will hurt the environment and prove to be unsafe for living creatures' habitats as well as for the neighborhood children and pets who might wander through the back yards of their owners and parents?

I have to admit, I cannot find where upon exactly it was decided to make this low income housing. I got this letter a couple weeks ago and its the absolute first we have heard of there being any development plans for this space (we purchased our property last summer, and our neighbors bought their house the year before us). The introduction was jarring, I had just read an article in the Star Tribune on low income housing pricing levels in the metro area and these are certainly the lowest rents for this area. It is out of the ball park for our neighborhood to be frank.

Lastly, Kimley Horn was chosen as a partner to over see this city planning project. This company is a gigantic (expensive?) national company, why didn't the city of Minnetonka choose to go with a local planner? Or at the very least have a local planner partner with them so that our city/state that has a (relatively) high level of respect for nature and the health of the communities through nature be a pertinent part of these conversations and developments?

Clearly, I have questions- I also have solutions. Some of my solutions sound like the community members' from the January and February meetings last year: green spaces, 2 stories or less, local businesses, smaller scale housing, keeping the house property as a separate parcel, etc...One solution that I did not see was a park and a food coop. We only have Lakewinds here in Minnetonka, if we want to make a commitment to the community and the future, we can't only offer Domino's pizza (not that there's anything wrong with a slice here and there) but to not offer these socially responsible healthy choices for eating, we are passively turning the neighborhood into a food desert. This is a serious concern for us, we want a healthy environment and healthy neighbors. I can't make them all take their vitamins but I would like to help make it clear to the planning community that not having healthy choices can be far worse for a neighborhood (community) than the few individuals who may choose not to utilize the resources.

I really appreciate your promptness in responding to me. I also really appreciate that you are willing to meet and or talk things over. Email is the best option for me at the moment, but I do look forward to working with you more in person in the future.

On Fri, Feb 10, 2017 at 8:17 AM, Julie Wischnack <iwischnack@eminnetonka.com> wrote:
The length of your email and questions you pose are obviously requiring more discussion. It seems that you are catching up on the information. I hope you are able to attend next week’s meetings to share your concerns.

Again, thank you for reaching out and if you would like this email shared with the planning commission and city council in a public forum, please let me know and I will include it in the packet.

Julie

From: Elizabeth A [mailto:]
Sent: Friday, February 10, 2017 9:31 AM
To: Julie Wischnack
Cc: Loren Gordon; Alisha Gray; Bob Ellingson
Subject: Re: Shady Oak Project (4312 Shady Oak Rd)

Good Morning,

The point of taking the time writing questions was to get answers and to get them ahead of the meeting on the 15th. It's really hard for me coming into this this late in the game, I am facing years worth of construction right out my front door and a future of an apartment building staring into my back yard, destruction of our wetland and ultimately erosion of the home value and neighborhood-basically my future will be destroyed and I want to know why, yesterday.

I realize some of these questions might be out of the scope of a single person's desk so by all means forward and request, or let me know who where to go to find the answers. I am happy to communicate with anyone.

Why did the city of Minnetonka never update their calendar with the details for the Shady Oak project meeting on the 15th? Please have it updated immediately or let me know who to ask- I would think it's pertinent community planning to have this meeting on the calendar. I am all the more confident that it wasn’t my negligence that lead to being caught off guard by this potentially damning project.

From: Julie Wischnack
Sent: Friday, February 10, 2017 11:00 AM
To: 'Elizabeth A' [mailto:]
Cc: Loren Gordon <lgordon@eminnetonka.com>; Alisha Gray <agray@eminnetonka.com>; Bob Ellingson <bellingson@eminnetonka.com>
Subject: RE: Shady Oak Project (4312 Shady Oak Rd)

We do not put all meetings staff will be attending on the main city calendar as this is for official meetings of the council or commissions. Each project page has a list of the meetings and location for specific meetings. I can go point by point in your email and
fill in where there are questions, but I will not debate your opinion points as that is the purpose of the neighborhood, planning commission and council meetings. I was hoping for a conversation rather than an email. I have a few other deadlines this morning, and will get back to you later today.

Julie

On Fri, Feb 10, 2017 at 2:17 PM, Julie Wischnack <jwischnack@eminnetonka.com> wrote:

The comments below are from the email you sent me (your words in black) and the red indicates my response. It is difficult to encapsulate the history of this property in a back and forth type of exchange. Again, I would encourage your participation in the upcoming continued process for review of this proposal.

Julie

I can see that there was a longer period of planning already that I wasn't a part of. I have chosen to read up on some of the city council meeting notes and here's what I found:

Last year around this time there were two meetings (There were actually 5 public meetings held between January of 2016 and November of 2016 – 3 of which were specifically to engage with community members) with community members where they talked about what they wanted and then in the April meeting the tone changed dramatically- there were very few notes or words spoken and mostly only pictures were shown and the community members were asked which one (of two) did they like better (Yes it was a meeting to talk about visual preferences for design features, different than the March meeting which was to discuss the actual development concepts). The context seems to have escalated very quickly, from where neighbors were speaking of what they like/did not like or what their preferences were for potential build out on the city's property. Did the community's position change? (Not in my opinion. The community provided input on concepts in March and they were very specific about the likes and dislikes of each concept. That did not change in April, as they were not reacting to concepts, but rather giving input on further design details.) From the Jan and Feb meetings to the April meeting of last year a multi level multi unit housing complex became a choice the city seemingly would make but there was no community input segue. It seemed as if the community's input had not been not taken into account. (Opinion. I would only add the multi level housing complex became a “choice” is inaccurate in that the process is specifically designed to determine if that is indeed what the city council would ultimately consider.) (There was not any mention of it being low income) (This is not considered “low income”. In fact, the rental rates are in line with other potential single family home mortgage payments in this neighborhood, that has an average home value of $205,000. To support a rent of the amounts of $800-$1200 a month, you would have to have an annual salary between $40,000 and $50,000 per year. The developer proposed those rental amounts). We do not believe that our community would benefit from a major build out and commercial/residential renovation of the scale of the most recently proposed. (Opinion) The sentiment of my (now)
neighbors in the January and February meetings (past) was what we identify with best. I do not see where they were convinced to go against their original desires for utilizing the two separate properties. (Need clarification on that point as I am not understanding.) There were many good community ideas. And many good concerns: traffic increase, light pollution, noise pollution, disappearance of our landscape—all of these underscored dramatically by the light rail station now in planning two blocks down. (Opinion)

Could you please fill me in on where and how the deviation from January '16 and February '16 preferences of the community came to be misrepresented or just flatly disregarded by choosing to build out into a multi level multi unit residential complex? (Again, the notes of all comments were provided to the city council and also to the developers proposing on this site. It is clear that none of the options would be accepted by all members of the public or council as there is a “like and dislike” column. The process was not misrepresented or disregarded. The process continues the conversation, and is set up to discuss the issues and see if there is an approach that works.)

Ultimately, it appears that the community is against, and we share the position that we are against major build out or redevelopment of the two parcels that would lead to a change of our neighborhood's current look and feel. Basically going with any multi level structure would hurt and demean our current community feel and value. (Opinion)

Additionally, I would like to know what is currently being done to remediate the polluted land. I cannot express how disturbing it is that remediation does not seem to be a part of any discussions and that it has not yet begun. I would also like to know exactly how remediation will be attempted and in particular, when building that land out, what is the proposal of the city to keep my marsh on my property free from chemicals that will hurt the environment and prove to be unsafe for living creatures' habitats as well as for the neighborhood children and pets who might wander through the back yards of their owners and parents? (The contamination is currently on the property and was there for some time previous to the city acquiring the land. The city has been methodical about addressing the issue in the Phase I, Phase II and follow up soil investigation environmental documentation and that information is detailed on the website. The remediation would occur concurrently with a redevelopment and be monitored and enforced by the city and its consultant to follow all state laws associated with the discovered contamination.)

I have to admit, I cannot find where upon exactly it was decided to make this low income housing. (see previous note about low income) I got this letter a couple weeks ago and its the absolute first we have heard of there being any development plans for this space (we purchased our property last summer, and our neighbors bought their house the year before us). (It is unfortunate that you were not aware and that the 550 area residents that are email members of the city website specific to this project did not mention it to you, nearly 500 paper notices were distributed as well). Every posting on the website; throughout 2016 automatically notified these participants) The introduction was jarring, I had just read an article in the Star Tribune on low income housing pricing
levels in the metro area and these are certainly the lowest rents for this area. It is out of the ball park for our neighborhood to be frank.

Lastly, Kimley Horn was chosen as a partner to over see this city planning project. This company is a gigantic (expensive?) national company, why didn't the city of Minnetonka choose to go with a local planner? (The specific person working on the project from this company had great familiarity with Minnetonka and has family that lives in the city and has for decades. His personal knowledge of the city and its attributes were very helpful in the process.) Or at the very least have a local planner partner with them so that our city/state that has a (relatively) high level of respect for nature and the health of the communities through nature be a pertinent part of these conversations and developments? (The fact that the city is interested in ensuring that a dilapidated building with environmental contamination is resolved is a major indication that the city is committed to nature and the health of the community.)

Clearly, I have questions- I also have solutions. Some of my solutions sound like the community members' from the January and February meetings last year: green spaces, 2 stories or less, local businesses, smaller scale housing, keeping the house property as a separate parcel, etc...One solution that I did not see was a park and a food coop. (The city and county heavily invested in open space amenities, green space and storm water treatment with the Shady Oak Road reconstruction project. The area, locally known as the duck pond, was greatly improved and many buildings were removed to be retained as open space as part of the project. The city established that this property would not be considered for additional park space and did not purchase it with that intention.) We only have Lakewinds here in Minnetonka, if we want to make a commitment to the community and the future, we can't only offer Domino's pizza (not that there's anything wrong with a slice here and there) but to not offer these socially responsible healthy choices for eating, we are passively turning the neighborhood into a food desert. (We did contact developers and requested information about whether this would be a potential retail site, food or otherwise. It was clear that the downtown Hopkins amenities and services are in direct competition with this site and therefore would be difficult to redevelop for that purpose. Food desert is a strong word and infers that there are no abilities to obtain fresh foods in this neighborhood. This is not a defined “food desert” in that there is an ability to shop, without a car, to a grocery store or summer time farmers markets. If you said “food insecure”, I would not dispute that. This is a serious concern for us, we want a healthy environment and healthy neighbors. I can't make them all take their vitamins but I would like to help make it clear to the planning community that not having healthy choices can be far worse for a neighborhood (community) than the few individuals who may choose not to utilize the resources.

I really appreciate your promptness in responding to me. I also really appreciate that you are willing to meet and or talk things over. Email is the best option for me at the moment, but I do look forward to working with you more in person in the future.
Hello-

I realize you don't want to deal with me- its Friday and its very inconvenient for you. I do plan to come to the meeting - but a 3 minute platform at the 6th planning committee meeting is not going to be satisfactory. My house and my neighbor's house are very likely to bare the brunt of the highest devaluations.

This plan to build this absolutely changes EVERYTHING for us, in particular if we're treated as though our land and yards are less important than others in Minnetonka (like the duck pond you referenced across the (4 LANE STREET) which will be so lovingly maintained) while we're left with our backyard turning into a view for your new tax payers and low income tax write offs.

**We do not want to be put on display.**

Hennepin County Interactive Maps clearly lists every single home's taxable value, correct? All the houses in our neighborhood are higher than $205K. Except for our neighbor's who were actually recently reduced 10K to 20K...and so it appears our home devaluation begins- the planning is literally pulling 10 - 20 K out of their house (they purchased summer of 2015) and it is only the begining is the way it appears.

Aside from their home, all the houses in this area are paying taxes off based off of pricing listed well above $205K so where did you get that number from? There isn't anyone of us who paid taxes based off of a home value of $205 last year.

Adding multi level, multi unit housing does add to traffic congestion and light pollution and a loss of landscape view. That is not an opinion, as you say it is, that is a fact. You saying that makes me wonder if you really are considering how this is literally destroying the reasons we bought here and paid the price we paid to do so.

I want to do the right thing here, I don't know how to just be ok or move forward with getting the rug of my future pulled out from underneath me. I paid a premium for my tiny tiny house based on what I saw to be my surroundings- now that's changing just 7 months after purchase. From the city planners or the tax payers that owned the house before us it's a big slap in the face and the planning committee needs to know that we will continue to stand our ground. We do not want an apartment building over looking our back yards, we do not want the traffic, lights, air pollution.

Elizabeth

---

**FEBRUARY 14, 2017**

From: Elizabeth A
To: Julie Wischnack <jwischnack@eminnetonka.com>
Cc: Loren Gordon <lgordon@eminnetonka.com>; Alisha Gray <agray@eminnetonka.com>; Bob Ellingson <bellingson@eminnetonka.com>
Hi Julie,

I have not heard back from anyone regarding my last email looking for answers on
1) How you valued our houses to be at 205K.
2) How you can claim that this will not affect traffic and light pollution.

Additionally, please tell us exactly what section of the city's comprehensive land use
plan would require amendment. Where can we find it? Where are the procedures and
guidelines for amending the land use plan?

Again, just trying to preserve the inherent value in our home by protecting the ecology,
our privacy and right to our private land. Again, feel free to share with any pertinent
party.

Thank you,
Elizabeth

---

From: Andy Braun <andy.braun@eminnetonka.com>
Sent: Tuesday, February 14, 2017 9:14 PM
To: Julie Wischnack
Cc: Loren Gordon; Alisha Gray; Bob Ellingson
Subject: Re: Shady Oak Project (4312 Shady Oak Rd)
ATTACHMENT: Letter to Planning Commission and Land Plat

Hi Julie, can you please submit the two attachments to the public record, review and
advise?
thanks for your attention to this matter.

Andy Braun

---

From: Julie Wischnack <jwischnack@eminnetonka.com>
To: ‘andy braun’ <andy.braun@eminnetonka.com>; Elizabeth A
Cc: Loren Gordon <lgordon@eminnetonka.com>; Alisha Gray <agray@eminnetonka.com>; Bob Ellingson <bellingson@eminnetonka.com>
Sent: Wednesday, February 15, 2017 11:17 AM
Subject: RE: Shady Oak Project (4312 Shady Oak Rd)
ATTACHMENT: SHADY OAK RD PROPERTY VALUE

Thank you for your most recent emails. We will include your letter and map for the
planning commission meeting tomorrow evening.
Elizabeth, the map of the area property values is attached. As far as your traffic question, that will be researched at a future point, as this project is at a conceptual level and no decisions are being made. This part of the process (concept review) is intended to provide a forum for area property owners, developer and the city to have a conversation about an idea. At later points in the process, there will be technical reviews of detailed plans if the project develops further.

Julie

FEbruary 17, 2017

From: andy braun
Sent: Friday, February 17, 2017 5:53 PM
To: Julie Wischnack
Cc: Loren Gordon; Alisha Gray; Bob Ellingson
Subject: Re: Shady Oak Project (4312 Shady Oak Rd)

Hi Julie and team, thank you for support on the Shady Oak project, and your review of the apartment proposal.

A few questions.

1) pollution/contamination. How deep does the contamination go? does it affect the whole footprint of the property? does it creep into the adjacent properties? what is the cost, and who pays for what part of fix? or is that perhaps part of the potential negotiation after/if the proposal gets approved? I imagine the developer has identified this cost and any assistance from outside funding sources that you referred to. Do you know how the clean up actually occurs? that is, do they remove say 20 vertical feet of the soil/earth from the entire site?, then simply fill it in with clean fill? If so, then aren't the costs to the development (digging out the underground parking ramp for example) being covered at least in part by our tax dollars and public grants, thereby further subsidizing their costs? Not just by supporting the clean up, but by also digging out their parking garage? where these topics weighed in the developers feasibility/cost/benefit analyses and presented to you? meaning what is the city/county/state/fed on the hook for?

2) In the developers financial feasibility analysts I'm sure they factor in the cost to purchase the property, I understand the city isn't intending to profit. Therefore lets say the sale price is 1 million, What happens if the developer comes back and says "we can bring it down to 2 stories, with a smaller footprint etc" (making it fit into the neighborhood, traffic etc) but would need a 'price break' on the property. Have you considered this scenario? Is the city open to considering this? I worry that they may continue to scale back the project, look for additional support, incentives, or subsidies and be in a position that a smaller high density housing development would possibly be approved. If you're considering reducing the price, to make the sale, then I'd ask that consideration to apply to any/all other possible redevelopment project proposal.
It just seems there are many cost unknowns/variables (sale price, various sources of possible funding for the contamination fix) to the actual costs of the project, that I don't understand how the developer could arrive at a comfortable 54 unit count, without enough 'headroom' in the project to take the risks associated with these unknowns. In which case they're cabling with our public subsidies, and that doesn't feel right.

It also seems to me that with all of the input and expert analysis from 3rd party independent consultants and developers, that the "best" we can come up with is generally seen as unfavorable. And this doesn't sit right. someone referred to the circumstances of the site and development potential as a "pickle" and I think we're all seeing that now. So if this is the "best" we can do while also being unfavorable, then I'd suggest that we're now desperate for a solution. I'd actually suggest that its an amazing opportunity, because it forces us to re imagine the space. I feel its viewed as an 'orphaned-misfit' lot, but I see nothing but potential and opportunity for it to provide true benefit to the neighborhood and city of Minnetonka and Hopkins.

I imagine an RFP call out on the concept of a Community Garden, slated to scale and develop over time to a full scale-community based food production site and organization. Focusing on advancing the technology and production of localized and sustainable food assets. It would function as a year round green house, and serve the demand for localized and distributed community based food systems. There is a massive amount of interest in these assets, and a massive amount of resources available to make these projects come together and be successful. Its being done all over the world. They can rejuvenate and benefit the community in countless ways, especially because of the public facing location of the site. All I'm asking at this point is that we consider the concept on a high level, and take some metrics on interest from the community and an RFP opportunity. Essentially it would start as an open slate concept, welcoming all creative input, and offering it as an opportunity to the public. I believe this is really the best use of the space on so many levels and for so many different reasons, I hope you'll agree and be open to looking at this opportunity.

Thank you again

Andy Braun
4408 Crawford Rd.

---

**FEBRUARY 21, 2017**

*From: Julie Wischnack*
*Sent: Tuesday, February 21, 2017 11:38 AM*
*To: 'andy braun'*
*Cc: Loren Gordon <lgordon@eminnetonka.com>; Alisha Gray <agray@eminnetonka.com>; Bob Ellingson <bellingson@eminnetonka.com>*
*Subject: RE: Shady Oak Project (4312 Shady Oak Rd)*
Hi Andy. To answer your questions, I have them numbered to correspond somewhat to your email:

1. A lot of your questions are very detailed regarding contamination and would be addressed in the response action plan that is submitted to the state. That plan is now being developed. The cost issues are not definitive at this point, as the plan needs to be completed and bids obtained.

2. As I described at the planning commission meeting and with various folks at the neighborhood meeting, we will not discuss the negotiations with the developer. When there is a final proposal for the city council consider, all of those details will be addressed in an open forum.

3. I don't feel like the project is in a “pickle” as you note. All redevelopment is difficult, complicated, and requires a lot of collaboration and input. The process is absolutely intended to discuss issues, challenges and potential solutions or amendments to the plans.

4. The rest of your email are thoughts and ideas you can share with the council.

Julie
"I don't think it does fit."
"It is very clear it does not fit into the neighborhood."
"Our concern is for the neighborhood."
"I don't like it."

Sean O'Connell: "Access going north is very real."
"Lower Profile"

David Knight: "Impacts on traffic in a very negative way."
"Probably too big."
"It bothers me."

Deborah Calvert: "Too much mass."
"I hear concerns from neighbors of mass."

Joshua Sewall: "Scale may not fit the area and will adversely effect residents."

Brian Kirk: "We don't want to cheat this."
"Way too high."
"It's really in your face."
"It's just too long."
"It's too tall and probably too long for the site."
"One driveway off Oak Drive Lane."
"Fox watching the hen house."

These are all taken directly from the meeting video.

I would really like you to take what the Planning Commission is saying to heart. What if this was in your neighborhood? We are all Minnetonka residents. Please view the Planning Commission video.

If you have read any of my other letter and emails, you know I am in favor of a townhome development on this site. We asked several times in all of the meetings for OWNER OCCUPIED. Since the City of Minnetonka owns this land, they need to do their due diligence and market this piece and come forward some other ideas that our neighborhood can live with. A 54 Unit Affordable Apartment with upwards of 200 people living on 1.12 acres is ridiculous. No place to play for children. 10’ away from a very busy road. 120 cars coming and going. How many car accidents will happen? Noise on the weekends. People walking dogs through the neighborhood. It might be affordable housing but at great cost to our neighborhoods. Come on Minnetonka- WE can do better than this.

Respectfully submitted,
Good Morning-

We met Monday night after the meeting. Thanks for taking time to talk with me. It gets to be a long evening I'm sure. You have certainly got a lot of experience and perspective, I am looking forward to working with you. I would be happy to take you out for a coffee sometime to discuss community values and where and how you see the future looking in Minnetonka, and perhaps where I could be of help.

In regards to the average home value in the area being 205K - I haven't been able to reconcile that number with sale prices and or the Hennepin County Property Tax site information. (I would be happy to supply you with documentation to support this). End game, I know that our mortgages will amount to a higher price than the proposed rental prices listed for the development, and to boot they would have a nice view of the private properties we maintain our selves. It really doesn't seem fair that we're sacrificing our safety and privacy for this development.

I am sure you've seen the video (or perhaps read the minutes) of the Planning Commission's meeting from the 16th of February. I included it, for your convenience, because I did not hear the sentiment reported nor responded to in the city council meeting. Nor did we hear how the neighborhood meeting response was overtly negative to this size and scale of development. I think it important to consider how the planning commission closed the subject with all members saying that they found it to not fit in with the neighborhood well and part of that reasoning was size and scope, some of this was addressed by council members, Monday by saying that it looked too big, a solution was not identified.

When I compare this to the closest types of Minnetonka projects (recently) everyone ends up saying that it was soooo much larger than they thought it would have ended up
being and that that resulted in poor aesthetics (among other complaints). And to think those projects did not abut and have a view of the neighbor's houses/private property, as to where the current proposal does do this.

https://www.youtube.com/watch?v=dN8fVXQMJVU
1 hour 17 minutes 45 seconds is where the Shady Oak Project starts.

I want to be a good neighbor and live in a healthy community, that is why I bought my house last summer and 4 of the 5 on my cul de sac bought in the last year and a half (all of us only became aware of the proposal after the city chose a developer last month). Our houses are very small and modest and the value of them is purely in the yards. We love it, and we love that Minnetonka has a priority to serve the wetlands/parks/trails and community. We hope to enjoy the safety, privacy and add to the great community feel for years to come-having our private home/yards/property put on display will counter the ability to do this.

Thank you again for your time and commitment to seeing we keep our community strong by seeing to it that all residents are served fairly.

Looking forward to working with you,
Elizabeth Miller
4408 Crawford Rd

MARCH 2, 2017

From: Elizabeth A
Sent: Thursday, March 02, 2017 1:27 PM
To: Julie Wischnack <jwischnack@eminnetonka.com>; Bob Ellingson <bellingson@eminnetonka.com>; Alisha Gray <agray@eminnetonka.com>
Subject: Shady Oak Road

Good Afternoon,

Any ideas for a time/date on the next community meeting- I’d like to get it in my calendar.
Thank you –

From: Julie Wischnack
Sent: Thursday, March 02, 2017 1:54 PM
To: 'Elizabeth A'＜jwischnack@eminnetonka.com＞; Bob Ellingson <bellingson@eminnetonka.com>; Alisha Gray <agray@eminnetonka.com>
Subject: RE: Shady Oak Road

I do not have any scheduled at this time. We need to meet with the developer about redesign options and that will take some time. As I said at the council meeting, I would
like to go over more concepts and hold another neighborhood meeting. I would say check back in a couple of weeks. Of course we will post anything on our website, which we try to get out at least two weeks in advance.

Julie

---

MARCH 3, 2017

From: andy braun
To: "kelverum@hopkinsmn.com" <kelverum@hopkinsmn.com>; "ssmith@hopkinsmn.com" <ssmith@hopkinsmn.com>; "mbeekman@hopkinsmn.com" <mbeekman@hopkinsmn.com>; "jlindahl@hopkinsmn.com" <jlindahl@hopkinsmn.com>; "sunowsky@hopkinsmn.com" <sunowsky@hopkinsmn.com>; "djohnson@eminnetonka.com" <djohnson@eminnetonka.com>; "parkboard@hopkinsmn.com" <parkboard@hopkinsmn.com>; "N.Evenrud@eminnetonka.com" <N.Evenrud@eminnetonka.com>; "J.Durbin@eminnetonka.com" <J.Durbin@eminnetonka.com>; "C.Gabler@eminnetonka.com" <C.Gabler@eminnetonka.com>; "C.Kist@eminnetonka.com" <C.Kist@eminnetonka.com>; "P.Kvam@eminnetonka.com" <P.Kvam@eminnetonka.com>; "M.Seveland@eminnetonka.com" <M.Seveland@eminnetonka.com>; "C.Walick@eminnetonka.com" <C.Walick@eminnetonka.com>; Bob Ellingson <bellingson@eminnetonka.com>; "tschneider@eminnetonka.com" <tschneider@eminnetonka.com>; "dallendorf@eminnetonka.com" <dallendorf@eminnetonka.com>; "pacomb@eminnetonka.com" <pacomb@eminnetonka.com>; "BEllingson@eminnetonka.com" <BEllingson@eminnetonka.com>; "twagner@eminnetonka.com" <twagner@eminnetonka.com>; "bwiersum@eminnetonka.com" <bwiersum@eminnetonka.com>; "tbergstedt@eminnetonka.com" <tbergstedt@eminnetonka.com>; "JWischnack@eminnetonka.com" <JWischnack@eminnetonka.com>; "jpowers@eminnetonka.com" <jpowers@eminnetonka.com>; "soconnell@eminnetonka.com" <soconnell@eminnetonka.com>; "dknight@eminnetonka.com" <dknight@eminnetonka.com>; "dcalvert@eminnetonka.com" <dcalvert@eminnetonka.com>; "jsowell@eminnetonka.com" <jsowell@eminnetonka.com>; "bkirk@eminnetonka.com" <bkirk@eminnetonka.com>

Sent: Friday, March 3, 2017 8:59 PM

Subject: Development Concept at 4312 Shady Oak Rd & 2 Shady Oak Rd.

ATTACHMENT: Community Supported Greenhouse

Hello members of the City of Minnetonka and City of Hopkins.
We've been working diligently to develop and document a high level concept that we'd like to submit to the city of Minnetonka and Hopkins for consideration.
We've had significant engagement with both cities and members of the community, and we believe this is a compelling option for the development of these properties.
We believe this could provide a real and positive impact on the community.

We're in favor of a lot of the alternative ideas that many of us and other members of the community have suggested, so please consider this as compilation of many of those ideas.

I think the only real concern, or potential for lack of feasibility is "who pays for it?" My response to that is, anyone and everyone who wants to, both public and private. And further to argue that if we can pay to subsidize things like the USBank stadium, corporate welfare for WalMart and the like, and things like libraries and other public facilities and organizations, then financing and support for a project like this will be easily attainable.

Please have a look and please give it serious consideration. Also please forward as needed and let us know what you think.

Thank you for your attention and continued support.
I appreciate your commitment to the development of these properties and value your input and engagement.

Andy Braun and Beth Miller
4408 Crawford Rd, Minnetonka MN

MARCH 5, 2017

From: John Powers <jpowers@eminnetonka.com>
To: andy braun
Sent: Sunday, March 5, 2017 10:48 AM
Subject: Re: Development Concept at 4312 Shady Oak Rd & 2 Shady Oak Rd.

Mr. Braun,

I like that you're presenting a very interesting concept for the properties that is dramatically different than other ideas which have been presented to me.

Before I go into a more detailed thinking and hopefully understanding of your idea(s), may I ask if you've approached the owner(s) of the private property to learn the level of interest they have in selling to anyone at this time or the near future? Your entire concept seems to depend on the crucial first step of obtaining the private property and joining it to the now city owned parcel.

Thanks,

John Powers
On Mar 5, 2017, at 1:42 PM, andy braun wrote:

Hi John. based on what Julie indicated the owner is willing to entertain ideas however the owner was not willing to pursue the apartment concept in particular. Julie didn't offer any further background or explanation.

I did speak with Jesse at Jesse's barber shop (a tenant in the Suburban Square where the Dunn Brothers is located) about the Apartment proposal while I was in for a haircut, Jesse told me that the Suburban Square and the adjacent vacant lot are owned by the same person, and that Jesse cuts his hair and sees him pretty regularly. Jesse says the owner is just kind of sitting on the property, kind of passively trying to figure out what to do with it. This seems pretty strange to me, but sounds like the owner is entertaining ideas.

Do you think Julie can provide any more information?

thanks.

Andy Braun

From: John Powers <jpowers@eminnetonka.com>
To: andy braun
Sent: Sunday, March 5, 2017 7:20 PM
Subject: Re: Development Concept at 4312 Shady Oak Rd & 2 Shady Oak Rd.

Hi Andy,

You know as much as I do about the owner's state of mind. You may want to explore this with him directly, even though barbers can be a great source for news, sometimes reliable but sometimes not.

If you want more information from Julie, just ask. If she can help you, she will.

In the mean time I'll read more about your idea. Again I like very much that you are proposing something imaginative.

Have a nice evening,

John
Hi Julie, I don't believe we've received a response to the email inline below from Elizabeth dated March 1. I've also included additional questions below.

1) Aren't there any set back ordinances for reasons of safety, consistent visual appeal, smog/pollution or other reasons? I know for my home the city won't let me build within "x" feet of the road, and it has to be "inline" of the two adjacent dwellings. Why is it that this proposal can be so close to the road? is there a special easement granted? I think the concept was slated at 10 feet at its closest point to the road. Isn't there concern for pedestrian safety, tailpipe exhaust and noise pollution right outside their windows? That can't be safe nor healthy.

2) Contamination. What's the summary and conclusion? How bad is it? Is it affecting neighboring property and waterways? and what's the fix? I read the report and I can't make any sense of it. It appears to be written for a subject matter expert, not a lehman or member of the general public. We feel we are entitled to a 'human readable' summary. This information should be made very clear and presented in an upfront manner that can be understood easily by the general public.

3) how much of the cost of the proposal would be covered by the section 42 subsidy?

4) What was the cost of purchasing only the easement? vs the cost of purchasing the property? and any net difference between the two at the end of the day? I recall during the meetings it was indicated that the cost to purchase the property was less than the cost to purchase only the easement, is this the case?

5) Aren't there any height restrictions along this section of the corridor? Perhaps from the County, or City of Minnetonka or Hopkins? The proposal is for what is effectively a 4 story building, even if modifying for a flat roof, its still 3 stories taller than anything around it, residential or commercial. We're very concerned it sets a precedence for future developments of tall-multi story buildings, so we're very adamant about preventing the 'first' development of this scale, so as to prevent any chance of a future 'domino affect.'
6) Can you please explain more about the background and relationship with the adjoining vacant lot at 2 Shady Oak Road? I think we're all very curious about the circumstances of those discussions and why the property owner isn't interested. Is it because of the nature of the project? They don't want high density section 42 apartments either? Their concern for the 2020 Comprehensive plan vs 2040 Comprehensive Plan? Do they have any idea what they'd like to do with the property?

7) Has there been any actual assessment about the affects on property value for the nearby homes? or plan for remediation if property values are shown to decrease? I know this concern has come up several times, and there is a general rule of thumb that suggests it would help to increase property value, however this is all speculation. For the immediate neighbors I'd argue it would grossly decrease our property value in that the building would be encroaching and degrading on our private-natural landscape, leave the residence to feel like 'sitting ducks,' decrease road access and safety, and degrade the character of our charming neighborhood. (the same arguments as provided by the planning commission and council members)

I'd like to reiterate that everyone seems to be in favor of positive redevelopment that reflects and enhances the character and wellbeing of the neighborhood, and I'd argue this proposal only detracts from that goal.

Again, thank you (and team) very much for all of your time, attention and effort in supporting the community on this project. We really appreciate the engagement you're providing. I apologize if I(we) seem 'long winded' or redundant. I know we're all striving for meaningful substance in these conversations, and I know we don't want to bog you down or detract from your efficiency, but we just have so many concerns, questions and feedback on this project, and feel very passionately about the well-being of our neighborhood.

Thank you.

Andy Braun
4408 Crawford Rd.

---

From: Andy Braun
Sent: Monday, March 06, 2017 9:47 AM
To: John Powers <jpowers@eminnetonka.com>; Julie Wischnack <jwischnack@eminnetonka.com>
Subject: Re: Development Concept at 4312 Shady Oak Rd & 2 Shady Oak Rd.

I'd love to contact the owner to understand their side/state of mind. Do you have their contact information?

Andy Braun

---

From: Andy Braun
To: "kelverum@hopkinsmn.com" <kelverum@hopkinsmn.com>; "ssmith@hopkinsmn.com" <ssmith@hopkinsmn.com>; "mbeekman@hopkinsmn.com"
Hello team, I've received inquiry about financial and economic viability

I agree the funding is a fundamental factor, and the concept proposal doesn't detail a plan, however it wasn't intended to.

The purpose of the concept proposal was to initiate serious consideration from Minnetonka and Hopkins, perhaps the county, residence and any other public or private entity which might be interested. Also to request to engage a consultant to conduct a feasibility study (just as was performed for the Commercial/Residential study, prior to engaging the developers). at which point a financial feasibility could be determined.

The concept does detail several reference projects, consultant services, sources of funding, and example RFP's, so I think its a really strong first step, and does highlight how easily attainable an asset like this can be.

The actual framework/model, especially as it relates to financing and economics of such a project I think would best be determined from a 'bottom up' approach rather than a 'top down.' but would likely be a mix of both. I think the model could be completely
scalable, meaning that it could be developed in increments as participants choose to engage. That is something like an 'opt-in' approach.

A lot of the framework/models on the example projects leverage a vast array of public and private support, and that seems to stem from the nature of the asset, that is, a resource for the people, by the people.

Example framework/models.

1) One concept is to treat it as a public library. Rather than the 'product' being books/media resources/facility/network, the product is food/facility/network, and rather than it being a 'one way exchange' of providing resources to the public, its actually a 'two way exchange' of gaining directs support from the public while providing direct benefit to the public. Not everyone uses the library, but I think everyone agrees its a benefit, and is happy to pay their share of taxes to support it. Everyone however does eat food, and does value accessibility to fresh nutritious foods, and needs green space to recreate during all 4 seasons.

2) Another concept is that of a arboretum, but rather than it being curated by a top down approach for the purposes of non-native/exotic/ornamental plants, it is instead curated by the users/public for the purposes of food production as a shared resource.

3) Another concept is a 'buy a brick' campaign where the community can pledge to buy a brick, and perhaps with matching grants/funding from other public/private sources, and if various targets/metrics can be met then various stages of the scalable/incremental project can go through.

4) Some models include a simple 'opt-in, Co-op membership' That is a member-owner model which provides increased engagement/benefit to/from the member-owners, while still being available to any member of the public for 'guest' access. Profits could pay back in dividends or be used to support future developments etc.

5) Some models mix a food-for-free (no out of pocket expenses at the 'point of sale' and provides tax/charity write off) and food-for-fee (charging just less than market rate at the point of sale, using the income to pay for the asset).

6) Some follow the CSA - Community Supported Agriculture model. that is an independent/private (for profit or non-for profit) entity sells Shares at a fixed price, and produces food based on the number of shares.

I actually see funding as being one of the most accessible attributes of the concept.

thanks for your attention and willingness to entertain the concept.

Andy Braun
Hello team, have you heard of the Hennepin County CHIP (Community Health Improvement Partnership) program?

"Community partnerships help communities create, improve, and sustain physical and social environments that keep residents healthy and actively engaged in life."

Seems like a great resource for this project.

It seems we need to pursue this from many angles, Planning & Zoning, Department of Commerce, Parks and Recreation, Health and Human Services, So I'd like to ask that we can engage as many of those support resources as possible.

Kind regards.

Andy Braun
I just wanted to let you know I received several emails from you today and I will have time to review them tomorrow.

Julie

---

**Subject:** RE: Shady Oak Road development check in

**From:** Elizabeth A
**Sent:** Wednesday, March 08, 2017 4:44 PM
**To:** Julie Wischnack <jwischnack@eminnetonka.com>; Yahoo
**Cc:** Bob Ellingson <bellingson@eminnetonka.com>; Alisha Gray <agray@eminnetonka.com>

Hi Julie -

We have not heard back from you from the other day yet- I am watching for the next neighborhood engagement meeting? Is Bob the only city council member who ever shows up to them?

Quick question, I am wondering why the plans to the redevelopment weren't reworked when the county cut off the access on the Shady Oak side?

Alisha,

It was really nice to meet you the other night. Your girl was so cute, thanks for bringing her. I have a couple questions for you though: what kind of smog and pollutant tests are done for low income housing build on busy roads here? The fact is that children's lungs are damaged by going to school on busy streets (let me know if you'd like me to cite that).

Perhaps the nature that the neighbors are paying for would help to mitigate, but if you're stuck on a corner out there and sleeping right next to its different. It seems predatory for low income housing where people don't have a choice of where to live. I'm disheartened that Minnetonka would treat this socially disenfranchised group in a way where if they want to live in this city- they have to live on a strange ill fitting parcel of land where they're likely to be exposed to harmful pollutants and where by they are labeled as the low income building. I'd love to table this argument so please let me
know what the city of Minnetonka will do to ensure the safety of the potential future residents.

Perhaps, it would be easier to meet and have a coffee instead of email? we are open to either.

Thanks,
Elizabeth

From: Andy Braun
Sent: Wednesday, March 08, 2017 4:52 PM
To: Julie Wischnack <jwischnack@eminnetonka.com>
Subject: Shady Oak Rd. Development

Hi Julie, its been suggested that we should start providing you with details on what would help us to accept this project...so here's a short list.

1) Mandate that all new developments install either a living roof or Solar/PV roof.
2) Mandate that all new developments are LEED certified.
3) Mandate that all new developments are not more than 25% taller than any other building in a 1/2 mile radius.
4) Mandate that all subsidies are matched and distribute equally to the neighboring properties in a 1/2 mile radius.
5) Mandate that this development include a full privacy wall with full tree-line screening.
6) Mandate that all future developments are inline and consistent with the 2040 Comp Plan, Met Council plan and Hopkins-Minnetonka Shady Oak Road/Light Rail development plan.
7) Mandate the County fix the access/Shady Oak road traffic flow.
8) Mandate the City of Minnetonka/Hopkins/County install pedestrian vestibules/canopies/rest areas/common areas/overpasses at the main intersections of Shady Oak & Excelsior and Shady Oak & Main Street.
9) Mandate to provide studies which can verify health, safety and wellbeing.

You may have questions about some of these

4) It has been determined that the average property in the area is worth 205K, and the apartments rent range is inline-equal to that metric. OK, so based on that assessment our home is 205k and the apartment is 205k The apartment however gets a subsidy in order to achieve that 205K price tag. After several inquiries, we still don’t know how much that subsidy is. So lets say for arguments sake that its 25%, that makes the actual value of the apartment worth 256K. Therefore the apartments value is significantly higher than the surrounding homes. Further, some of that value comes from our private property in the form of a 'scenic overlook', while simultaneously reducing our value by encroaching on our 'scenic overlook' and degrading our security and privacy. So, the way it stacks up is, the apartment is getting a subsidy, for a property worth more than ours, while simultaneously causing significant negative impact
on our property value, security and privacy. Therefore we are entitled to an equal share of the subsidy in order to recoup our losses. In addition this Section 42 subsidy allows the developer to build a 'nicer place at a lesser cost' and is therefore a form of corporate welfare, and doesn't actually help with integrating 'low income' residence into the neighborhood. Instead it helps the developers bottom line behind a veil of providing 'low income housing.' I'd argue this is not low income housing at all, instead this is housing pricing that is 'inline and consistent' with the neighborhood, and our neighborhood is not 'low income'. Therefore this builder is misrepresenting the intent of housing subsidy. If the developer is not able to design/build housing that is priced to fit the neighborhood and still be able to meet their profit margins, then they're not very good at their jobs, and the tax payer should not be responsible to make up their profit margins, and we need to find another developer. Or, I might argue that they are good at their jobs, as this subsidy enables them to institutionally target and opportunistically exploit the socially vulnerable, disadvantaged and underrepresented, while we pay for it.

7) As it was assumed that reasonable access would be retained when the city decided to buy the property. Now that the County has blocked the reasonable access, the original scope as a sale for development is no longer feasible.

8) As pedestrian and car traffic will certainly increase, pedestrians will need 'cueing' areas, and areas of refuge, kind of like larger more welcoming bus stop shelters. Like is planned at the light rail stations. Part of what makes access to public transportation so 'accessible' is the infrastructure that ties it into the neighborhood. If the developer wishes to 'leverage' the light rail. then they should also be willing to provide a significant amount of coupling/integration with the light rail.

9) we're concerned about the health and safety for the residence. The demographic of the target market has only limited options for housing, they can't simply go find housing with better health and safety. Some examples of health and safety concerns. 1) Adjacent contaminated lot. 2) smog/tailpipe exhaust from idling diesel semi trucks and buss's right outside their windows. 3)Noise pollution from traffic, and light pollution from direct headlights from vehicle traffic. 4) Direct exposure to a high traffic 4 lane street where speeds regularly exceed 40 MPH. 5) No easily accessible meaningful amount of outdoor space in their immediate vicinity. 6) High traffic congestion area impeding the flow of pedestrian and vehicle traffic. 7) the social stigma and emotional and psychological effects related to social 'classes' as we'll now have 'projects' in the neighborhood.

These are exploited people with nowhere else to go, being crammed into unsafe and unhealthy housing, while the developer profits from our tax dollars. This does not reflect the values of our neighborhood.

Thanks for your attention and support.

Andy Braun
From: John Powers <jpowers@eminnetonka.com>
To: Andy Braun
Cc: Julie Wischnack <jwischnack@eminnetonka.com>
Sent: Thursday, March 9, 2017 7:37 AM
Subject: Re: Development Concept at 4312 Shady Oak Rd & 2 Shady Oak Rd.

Andy,

I continue to read and think about your ideas. I have three questions for now.

1. Assuming that some form of public/private agricultural idea is created, from the different images I see the property becomes highly developed both for height and mass. Wouldn't the hours of operation become extreme during our Minnesota Spring, Summer and Fall seasons...and possible winter for enclosed, climate controlled areas? People might want to work or visit their crops at sunrise or after sunset as it fits their schedules.

2. Would the number of 'out of neighborhood' visitors potentially become very high as more and more people find the benefits of this project, thereby creating a different form of privacy intrusion to the people living in the area, and arguably more consistently troubling than an apartment building and it's residents who operate under more consistent and predictable come and go patterns?

3. Do you know of a project already developed that approximates the size of this site? I ask this because as I read about your ideas and seek to read some of the links you've attached, it seems that this site in Minnetonka may be too small for your ideas.

Thanks,

John Powers

Sent from my iPad

From: Andy Braun
Sent: Thursday, March 09, 2017 9:12 AM
To: John Powers <jpowers@eminnetonka.com>
Cc: Julie Wischnack <jwischnack@eminnetonka.com>
Subject: Re: Development Concept at 4312 Shady Oak Rd & 2 Shady Oak Rd.

Hi John, thanks for the reply.
1) That can be managed/designed for. Height and mass/scope of development is all to be determined. The level of development is up to our choosing, would only become 'highly' developed if we choose to do so. The images were for the purposes of getting a picture in mind, and illustrating a range on perspective of scale. Most greenhouses are 1 story, while some are two or higher. If a structure reached 3 stories it would still be smaller than the apartment proposal, but would not involve 'peeping toms,' so I'd expect it to have minimal to no increase on intrusion of the neighbors privacy than what is currently there, and would significantly less than the apartment. Plus it would be beautiful structure that is an asset to the community, therefore would be likely looked on more favorably than an 'out of place' apartment building. The footprint is to be determined as well, and would likely include a mix of fixed structure (greenhouse(s), services, front of house and back of house operations) and outdoor space (raised beds/gardens/terraces, composting, patio/picnic area, green space). I'd expect the hours of operation to track with sunlight hours. Of course much work/engagement can be accomplished without the sun. I think 24/7 access should be considered and encouraged. A section 42 apartment on the other hand is certainly a 24/7 operation, many of the tenants are likely to work 2nd/3rd shift and will certainly be using food delivery services, taxi/uber, and guests coming to/fro at all hours. I'd expect the impact on 'time of day' traffic/bustle to be far less significant with a public greenhouse than with a high density apartment.

2) That can be manged/designed for. It could become relatively high, and though I hope its a 'draw' for many, I don't expect it to be like a Vikings game. Its already a somewhat busy road, thanks in large part to United Health Group, They shouldn't get priority, thats institutional discrimination. If thats a concern the scope/scale could start small, and scale up as demand increases and find a balance with the public engagement. Thats part of the appeal of this location is that it has great access/visibility and will help to support the other neighborhood business, and draw positive attention, regard and acclaim to the city of Minnetonka and Hopkins. When the county built shady oak, they significantly restricted access, and thats why we believe we need to include the property at 2 Shady Oak. I'd argue this would have significantly less privacy intrusion as the main access would be from the mainstreet/shady oak intersection, and will not have the 'peeping tom' issue that comes with the apartment. again most apartments have varying come/go patterns, especially 'low income' where many tenants work 2nd/3rd shift, multiple jobs and often have 'non traditional' waking hours. Therefore I'd argue the come/go patterns of a greenhouse are most likely to be much more consistent and favorable than a high density apartment. I've lived in section 42 near downtown. The service workers (restaurants/bars) come home at 4-5 in the morning after drinking, then continue to mill around/'loiter' in the parking lot, common areas, order late night delivery, litter and vomit outside and inside the stairwells. Its not a pretty sight, and thats one of the big concerns with the apartment. I don't think that would be an issue at a food production/community facility.

3) The document refers to many projects of all different scales. The U of M design is 24'x24' I've attached the design and link. I'd suggest we could start with one or two of
these, then build more as demand increases, again leveraging the concept of scalability. The U of M is looking for partners, and so are we. This site has many restrictions, which make it generally unfavorable for most 'typical' types of developments. If anything the idea of food production facility is the most flexible/adaptable/scalable, and therefore lends itself well to the site.

I really appreciate your feedback and willingness to consider this concept. I know its out of the ordinary and invites us to consider a new paradigm of community engagement, support, resources and assets.

Deep Winter Greenhouses : Statewide : Regional Sustainable Development Partnerships : University of Minnesota Extension

Thanks again.
Andy Braun

From: andy braun
Sent: Thursday, March 09, 2017 9:28 AM
To: John Powers <jpowers@eminnetonka.com>
Cc: Julie Wischnack <jwischnack@eminnetonka.com>
Subject: Re: Development Concept at 4312 Shady Oak Rd & 2 Shady Oak Rd.
ATTACHMENT: DWG Prototype

John, I'd like to highlight that the U of M is part of a statewide partnership initiative. Its on the website, but thought I'd extract and send an excerpt. I'd argue this is some of the most compelling development of its day.
With kind regards.
Andy Braun

Statewide Prototype 2.0 Initiative
As part of a statewide initiative to advance DWG research and outreach, the University
of Minnesota Extension Regional Sustainable Development Partnerships (RSDP) are supporting the construction of five DWGs using an updated design from the College of Design's Center for Sustainable Building Research. The five DWG 2.0s are being built with the following community partners:

1. Organic Consumers Association in Finland (ribbon cutting February 18, 2017)
2. Bemidji Community Food Shelf (ribbon cutting tentatively planned for September 19, 2017)
3. Central Lakes College in Brainerd
4. Alternative Roots Farm in Madelia
5. Lake City Catholic Worker Farm

Support for the statewide initiative is provided by University of Minnesota Extension, Institute on the Environment, MnDRIVE Global Food Ventures, and a consortium of agriculture lending banks including AgCountry Farm Credit Services, AgriBank, AgStar, and United FCS. Mattson MacDonald Young provided the structural review and structural plans for the statewide DWG campaign prototype.

Andy Braun

On Thu, Mar 9, 2017 at 10:38 AM, Julie Wischnack <jwischnack@eminnetonka.com> wrote:

Sorry for the delay in getting back to you.

As I have done with other emails, I have put my responses below in red. I am not sure what your reference was in the March 1 email, but I didn’t not see a specific question.

Attached also, for your reference, is a historical compilation of all of the emails that you both have shared and my responses, in chronological order. I just thought it would be a good reference.

Julie

From: Kersten Elverum [mailto:kelverum@hopkinsmn.com]
Sent: Thursday, March 09, 2017 10:47 AM
To: andy braun
Cc: Mike Mornson <mmornson@HOPKINSmn.com>; Meg Beekman <mbeekman@HOPKINSmn.com>; Julie Wischnack <jwischnack@eminnetonka.com>
Subject: RE: [EXTERNAL] Re: Development Concept at 4312 Shady Oak Rd & 2 Shady Oak Rd.

Andy-
Thank you for all the time and energy you have put into this development concept which includes property in Hopkins. The City of Hopkins has a process for providing feedback on concepts, but it does require that you have site control or, at a minimum, full consent of the property owner.

The City of Hopkins has not identified this property as a key redevelopment site. It is also our position that our local grocery store serves this area, and when combined with the Farmer’s Market, provides ample supply of fresh produce. While a community greenhouse may be a nice amenity, it is not a need that we have identified. Based on this, I don’t believe there would be support for the City of Hopkins financially supporting this initiative.

Thank you again for your interest.

Kersten Elverum
Director of Planning & Development

From: Julie Wischnack
Sent: Thursday, March 09, 2017 10:53 AM
To: 'Andy Braun'
Cc: Elizabeth A
Subject: RE: Shady Oak Rd. Development

Thank you for this email as well. I understand that you are proposing another solution. The city council has provided guidance on proceeding with the proposal and during the public process for a more formal application, your comments and ideas can be shared. As I stated in my previous email, we are compiling all of the emails received so we can share these with decision makers.

From: Julie Wischnack
Sent: Thursday, March 09, 2017 10:54 AM
To: 'andy braun'
Cc: Elizabeth A
Subject: RE: Development Concept at 4312 Shady Oak Rd & 2 Shady Oak Rd.

Received.

From: Julie Wischnack
Sent: Thursday, March 09, 2017 11:01 AM
To: 'Elizabeth A'
Cc: 'andy braun'
Subject: RE: Shady Oak Road

In response to your email below, as I said in my email from last Thursday, check in about a meeting in a couple of weeks. The situation is still the same, I do not have a
meeting date set yet. As you can imagine, there are many people to coordinate and schedule for various meetings that need to be coordinated.

Alisha’s role at the city is not land use related. I will share your concern about smog and pollutant issues with the city planner, who will consider your comments.

---

**From:** Julie Wischnack  
**Sent:** Thursday, March 09, 2017 11:14 AM  
**To:** 'Elizabeth A'  
**Cc:** 'andy braun'  
**Subject:** RE: Shady Oak Road

As a reminder, we are always willing to sit down and visit. I see you indicated your willingness to do so at the end of your email, but I neglected to respond to that portion. Just provide some potential times/dates.

---

**From:** andy braun  
**Sent:** Thursday, March 09, 2017 11:36 AM  
**To:** Kersten Elverum <kelverum@hopkinsmn.com>  
**Cc:** Mike Mornson <mmornson@HOPKINSmn.com>; Meg Beekman <mbeekman@HOPKINSmn.com>; Julie Wischnack <jwischnack@eminnetonka.com>  
**Subject:** Re: [EXTERNAL] Re: Development Concept at 4312 Shady Oak Rd & 2 Shady Oak Rd.

Thanks Kersten.

I’d like to ask the city to gain site control or full consent of the property owner.  
I’d like to ask that the city identify this property as a key redevelopment site.  
I’d like to ask that the city considers a 4-season Farmers Market. and to reconsider the type of food system and economy their supporting. Currently you’re supporting the import of food from Mexico and California, while exporting our dollars 3 out of 4 seasons (3/4’s of the year). This is not sustainable. Plus produce loses most of it nutrient density after 5 days from harvest. Who wants to eat what is effectively expensive water and cellulose imported from mexico, while exporting our dollars 75% of the year? Nobody does. Therefore everybody would be in favor of this resource.  
I’d like to ask to the city identify it as not just a need but as an Essential Service like water, electricity and police.

Based on this I believe there would be significant support from the city of Hopkins, and Minnetonka, perhaps even financial support.

I’m only asking the city of Hopkins and Minnetonka to consider the concept, and solicit community feedback. Then if the community agrees that its something we’d like to pursue, then to ask the cities for their support.
I don't believe there is any particularly hard challenge with a project like this that doesn't have an easily attainable solution, including the financial aspect.

I understand it may require some 'justification' and 'who pays for it?' But all that's easy.

With kind regards.

Andy Braun
The proposal is being vetted through a process. That process includes the neighborhood, planning commission and city council. I serve as a professional advisor as do other staff members, much like the neighborhood is providing advice and the planning commission is advisory to the city council. The city council, as the decision makers, provide direction on how to proceed. Their direction and guidance was indicated at the February 27th meeting. I understand that you are not supportive of their direction or of the project and I would encourage you to continue to prepare your comments for the various groups for the next steps in the process.

Julie

---

MARCH 12, 2017

On Mar 12, 2017, at 1:21 PM, John Powers <jpowers@eminnetonka.com> wrote:

Andy and Elizabeth,

I continue to think through your ideas.

First I would say that your idea of creating a manufacturing facility in Minnetonka (made in Minnetonka) has a nice homespun ring to it and is backward and forward thinking at the same time. And like any manufacturing plant (excuse the pun or maybe not) it would certainly require continuous monitoring for troublesome side effects, both environmental, legal and social. I agree that 24/7 usage is probably a reality for your facility, whether you intend it or not. This public to whom you refer has no boundary. People can come from anywhere at any time is my understanding of what you are suggesting.

I have to reject your thinking about people whose income is lower than they might want, work two and three jobs to make life work but somehow find the time to get drunk and puke in stairwells and party much of the time. The last time I checked getting drunk and puking were not the exclusive behaviors of people with non-traditional sleeping patterns. Nor is your worry about peeping Toms and Harrys. Like puking, peeping is also not an exclusive section 42 behavior, although if they do peep it might be through tired eyes.

As a planning commissioner I work to find the highest and best use to which a property can be put. And through that use I ask myself, what benefits accrue to all the citizens of Minnetonka and at what lost opportunity cost. Awards don’t interest me much nor thinking about good public relations. Both will take care of themselves, if good ideas are put in place, successfully developed and managed.

So, is that best use a food manufacturing plant or is it an apartment building? Perhaps a two story pet hotel is an even better idea, but that idea has not come forward that I know of. Is a three story traditionally styled residential facility better or is a more leading edge design that looks forward.
Is urban farming, while clever turn of phrase, really a future looking for a present? And if it is, is Minnetonka along Shady Oak Road the proper place? Or does the idea need to be a school where Minnetonka students can go to learn about urban farming, where regular hours are maintained, where traffic patterns are predictable and Minnetonka may be directly enhanced, both today and tomorrow?

What I do know is that everyone wants a brighter future and every reality started as a dream.

I continue to think about your idea.

Thanks,

John

From: Elizabeth A
Sent: Sunday, March 12, 2017 2:05 PM
To: Julie Wischnack <jwischnack@eminnetonka.com>
Cc: andy braun
Subject: Re: Shady Oak Road development check in

Hi Julie,

I appreciate you disclosing your source for the number, but the value still does not reconcile. Could you share with us the method that you'd used to get the 205K number? The number we got using the Hennepin County Property Tax site was an average property value of 295K, so clearly our numbers aren't even close. Maybe you were adding in the city owned lots as 0 dollars, where we simply omitted that property because its status excludes it from having a tax burden? Additionally, if your numbers are dated a year ago - I could understand some discrepancy, but not by nearly 30%. I would like to see your work on this or whoever it was that came up with the 205K average, I would be happy to contact them myself-

I appreciate your advice in the second paragraph, we will continue to voice our own and our community's concerns. Is there a way when communicating with the city council you could please quote the planning commission or the community members directly? Many people thought that 'mixed feelings' was not a fair summary of the sentiment expressed by neighbors and the planning commission during both of those meetings last month. The community feels when you are summarizing meetings you are whitewashing the conclusions we've worked very hard to voice. Please keep our sentiment clear when presenting our conclusions to the council.
I do have a tremendous amount of respect for the many hats you wear and kind of work load I am sure you have on your plate. I would like to help make things easier and better for everyone. Please let us know if there's a better way to get our point across that no one, absolutely no one in our community wants an urban looking building of that size on this tiny tiny parcel on account of what is already greatly degraded traffic flow and because it threatens our safety having our backyards on display as there was no buffer worked in for us neighbors who will literally be right next to it. In summary, it will degrade our community.

Thanks for your time and attention to the project,

Elizabeth

From: Andy Braun
Sent: Sunday, March 12, 2017 2:53 PM
To: John Powers <jpowers@eminnetonka.com>
Cc: Julie Wischnack <jwischnack@eminnetonka.com>
Subject: Re: Development Concept at 4312 Shady Oak Rd & 2 Shady Oak Rd.

Thank you John for your continued support of this effort.

Much like the apartment concept, this is also just a concept. The details, pros/cons, cost/benefit and overall scope is completely TBD. I think we need to gauge community interest on what they'd like to see from a concept like this and go from there. It's a city owned property and therefore development is up to the discretion of the community.

I do believe the concept has high viability. And certainly more viability than the apartment.

The only positive attributes of this apartment concept is that the city gets to help meet its commitment for low income housing (though we still have yet to be informed what that target is, and therefore how much this would actually contribute to meeting that target.) which has its merits and virtues. But conveniently its on the very outskirts of the city where it will have "minimum impact" on the rest of the city. And for that reason we feel it's opportunistically predatory and exploits the vulnerability of the immediate Minnetonka and Hopkins community.

With kind regards.

Andy Braun

From: Julie Wischnack
Sent: Wednesday, March 15, 2017 3:05 PM
To: Geralyn Barone <gbarone@eminnetonka.com>
I put my notes below for the Mayor if he would like to respond. I also attached the minutes from the meeting where the council approved the purchase of the property, the current online petition comments, and the various emails.

Let me know if you need anything further.

Julie

Hello City Council, As we are getting nearer to a decision on this project we have a few questions.

When is there going to be another OPEN City Council Meeting with this on the Agenda?

We as a neighborhood have amassed several signatures on a petition both online and door to door. We would like to present that when appropriate.

https://www.ipetitions.com/petition/say-no-to-high-density-apartment  see attachment for comments.

Another question bothering us. Why was city money used to purchase this property in the first place?


Why were we not notified of such a purchase? Maybe you violated some laws there.

Not required.

Was it done in a public forum? Reading through several minutes of past meeting it seemed the council
was pretty worried about contamination and still are. Was this a “good value for the dollars entrusted to the city”?

**Contamination is unfortunately a situation that is encountered within our city and any chance to rectify that is a good value.**

We are still digging into minutes to see exactly what went on there. Maybe you violated laws- you for sure violated our trust.

Face it, we were duped into thinking we actually had a say in what goes in there. Meeting after meeting.

NEVER WAS AN APARTMENT DISCUSSED!

Apartment(s) were certainly part of the redevelopment discussion in early 2016 – this particular link indicates the possibility and has been part of the city’s website for over a year: [http://eminnetonka.com/images/development/ShadyOakRdSummary.pdf](http://eminnetonka.com/images/development/ShadyOakRdSummary.pdf) At that date, there were over 200 people receiving emails about the project site and its conversation and gained even more followers over the summer when the developer process was being discussed (375 emails).

Its seems that now several small businesses have been displaced as a result of the purchase. Is an apartment a way to "support business retention"? Is the city anti-small business.?

**The city is not anti-small business, as we have throughout this process and by our efforts with Open to Business. There are substantial relocation benefits that will be discussed with these businesses.**

Is the city "carefully balancing individual property rights"? We sure do not feel that way.

As you can see, I am referencing the City of Minnetonka "Strategic Profile Report" from 2014-2015 and 2015- 2016. Both reports are pretty much the same.

**If you read those reports, this property redevelopment is clearly defined as an action step.**

Lets abide by the GOALS set up in this report so we can all come to a reasonable building. Please listen to the Planning Commission, the citizens of Minnetonka, the Neighborhoods and to yourselves.

This is NOT the right building on this site in so many ways.
Respectfully Submitted, Chris Aanestad
4255 Oak Drive lane

---

**MARCH 17, 2017**

**From:** [Redacted]
**Sent:** Friday, March 17, 2017 3:29 PM
**To:** Terry Schneider <tschneider@eminnetonka.com>; Julie Wischnack <jwischnack@eminnetonka.com>; Bob Ellingson <bellingson@eminnetonka.com>
**Cc:** Tim Bergstedt <tbergstedt@eminnetonka.com>
**Subject:** City of Minnetonka POOR IMAGE among residents

To Mayor Schnieder and the City Council,

For the last few weeks we have been going door to door gathering signatures for our Petition to STOP the High Density Apartment on Shady Oak and Oak Drive Lane. It is overwhelming the amount of people who are so fed up with the City and how many think there are way too many big buildings going up. If they hear about the 54 Unit High Density Apartment idea for the first time- they are disgusted. We plan to present all of the 200 online comments at the next City Council Meeting.

So many folks very upset.

We plan to fight this and have engaged the Sun Sailor again and the Star Tribune. I have contacted the Hopkins School Board and plan to meet with them soon. This is a Hopkins/ Minnetonka joint venture and will effect District 270. The Joint Council will be contacted soon.

The City of Minnetonka has a very real image problem right now. Make some calls to some of your residents-you might be surprised at what you hear.

This has turned into public relations problem and you don't even realize it. We thought the City "had our backs" for awhile. We know better now and will NOT let this building go through.

Sincerely submitted,
Chris Aanestad
4255 Oak Drive Lane

PS, Through all of our correspondence - I have not had one phone call or email from anyone on the City Council.

---

**From:** Ann Aanestad [Redacted]
**Sent:** Friday, March 17, 2017 3:36 PM
**To:** Terry Schneider <tschneider@eminnetonka.com>; Julie Wischnack <jwischnack@eminnetonka.com>; Bob Ellingson <bellingson@eminnetonka.com>; Dick
March 17, 2017

Dear Minnetonka Mayor and City Council,

I am writing in response to the article in the Sun Sailor (March 9) about the redevelopment of Shady Oak Road and Oak Drive Lane. I think you all have heard loud and clear that NO ONE in the area is in favor of this massive apartment building. The City of Minnetonka is approving too many large apartment complexes and this one is not needed in this area. We have talked with over 250+ people & businesses in this area and there is NO support for this type of development here. Through petitions and comments we have gathered this NOT what Minnetonka wants or needs.

According to the Sun Sailor article Mayor Schneider stated the area would like to see a massive, high-density apartment building instead of what we currently see. I want to set the record straight that we have NO PROBLEM with the CURRENT building and its tenants. I will make sure the Sun Sailor writer knows that the neighborhoods like the current building layout and support the local businesses there.

That building has been home to many local businesses with no issues to the surrounding neighborhoods. We would like to see a low profile building with the same
footprint on this property. Keep the right in/out turn that currently exists onto Shady Oak Road. It really does help with traffic. There is no need to re-zone this property-let’s help support local businesses.

We looked at the minutes of when this property was purchased and there is no mention of using it for housing as we were told. In fact the only reason stated was because it was less expensive to purchase it because of roadway costs. (Acomb,10/13/14 minutes)
Patty Acomb also stated that:”…better situate the building, as well as having a proactive neighborhood engagement process, made her supportive of the proposal. “ Yes, there were neighborhood meetings-However at EVERY MEETING the neighborhoods said we wanted low profile, small business-we were good with what was there. Instead, we are presented with a MASSIVE apartment building. That is NOT OKAY!

Dick Allendorf stated his concerns about the city buying this parcel. “When government interferes with the private sector things generally do not go smoothly.” We can all agree with that! Even Acting Mayor Wagner agreed. Brad Wiersum stated,”It was not for the city to own the building but rather the goal was to get better development of the right of way.” Tim Bergstedt also agreed with Allendorf. He also said, “When one exits off of highway 7 this section was the first thing one sees.” Another huge apartment building would be an eyesore not only to the neighborhoods, but anyone coming through the Shady Oak Road Corridor. There is no need for the city to waste money on a traffic study. We all know how busy Shady Oak Road is and how it will impact neighborhood roads.

Light rail is a “buzz” word. This parcel is too far from light rail stations. As the city council and planning committee already stated and knows it is outside the “radius” to be considered for light rail potential. Anyone in this area wanting to use light rail would DRIVE to a station.

Have you ever walked on the sidewalk along Shady Oak Road on the west side? Current traffic is busy and fast. It is nice to have a sidewalk, but not safe for high-density use. There is really no way to make a building “Look” smaller. Fact is the green space mentioned is nothing for the high density. There are no parks nearby. The wetlands and waterways in this area will be affected. That is a concern-we all need to work to keep our water clean. Our wetlands are important to ALL of Minnetonka no matter where you live.

This WILL greatly affect neighborhood property values, safety and quality of life. Do not rezone this area and do not be in a hurry. Let’s find the right buyer for this property and make it a community asset, not community blight.

INVOLVE the neighbors and LISTEN to the community. We are speaking LOUD and CLEAR and COMING TOGETHER to say NO to this proposal.

Sincerely,
Ann Aanestad
4255 Oak Drive Lane
Minnetonka, MN 55343
1.) GIS takes a dataset and calculates the mean average, by adding all of the numbers of the dataset and dividing them by the total number in the dataset. In this case, the dataset included the value of residential properties that were within 400 feet of the Shady Oak property, with a total of 105 properties in the dataset.

2.) The $205,000 is the average for the neighborhood - existing housing.

3.) The Metropolitan Council has the following identified on its community page for Minnetonka for the 2021-2030 Allocation of Need:

4.) The current comp plan is the 2030 guide plan. When the project is reviewed by the planning commission will review a comp plan amendment for the property’s designation. The staff report at that time, will address the comp plan amendment and what the planning staff’s opinion is of the request.

5.) The Shady Oak Corridor Plan and the Shady Oak Station Development Strategy (which is a joint Hopkins/Minnetonka project) will also reviewed at the planning commission meeting, with a planning staff report and staff opinion of the project in relation to those items.

As an aside, we met to discuss schedules today and it looks like we may have a follow up meeting on April 6. Please await my confirmation of that date, time and location. That is just what we penciled in and need to check on logistics. Staff will prepare notifications, web site notices, etc. to publicize the date.

Julie
Ms. Aanestad and other neighbors,

Thanks for expressing your concerns in such a clearly written style with supporting thoughts. I will re-read your letter to be sure I understand your thinking and your concerns.

With kind regards,

John Powers

Sent from my iPad

From: Stephen C. Philbrook
Sent: Saturday, March 18, 2017 12:02 PM
To: John Powers <jpowers@eminnetonka.com>; Ann Aanestad
Cc: Terry Schneider <tschneider@eminnetonka.com>; Julie Wischnack <jwischnack@eminnetonka.com>; Bob Ellingson <bellingson@eminnetonka.com>; Dick Allendorf <dollendorf@eminnetonka.com>; Patty Acomb <pacomb@eminnetonka.com>; Tony Wagner <twagner@eminnetonka.com>; Brad Wiersum <bwiersum@eminnetonka.com>; Tim Bergstedt <tbergstedt@eminnetonka.com>; Alisha Gray <agray@eminnetonka.com>; Loren Gordon <lgordon@eminnetonka.com>; Susan Thomas <stthomas@eminnetonka.com>; acauley@eminneonka.com; Drew Ingvalson <dingvalson@eminnetonka.com>; jweinand@eminnetonka.com; lgyswyt@eminnetonka.com; Nichelle Manchester <nmanchester@eminnetonka.com>; Michael Greene <mgreene@eminnetonka.com>; Elizabeth A.; Andy Braun; Jeri Massengill; Chris Aanestad; Megan Chris; Kimberly Toldt; Kyle Holm; Becky Aspelund; Trudy Reinitz; Tom Knutson; steve philbrook; april christensen; alex lewer; chris bergman; john hawkins; abbey holm; Pat Hamilton;
Subject: Re: Shady Oak Road Redevelopment

I hope you actually plan on rereading it and not just stating that you are going to.

Sent from my Verizon LG Smartphone

From: Andy Braun
Date: Sunday, March 19, 2017 5:29 PM
To: Julie Klemp-Wischnack <jwischnack@eminnetonka.com>
Cc: Elizabeth A, Loren Gordon <lgordon@eminnetonka.com>, Alisha Gray <agray@eminnetonka.com>
Subject: Re: Shady Oak Development Proposal

Thanks Julie.

1) can you please send us the dataset with supporting calculation?

2) which AMI allocation from the table below is the proposed development slated for? 51 to 80 AMI?

3) how many affordable housing units have already been fulfilled for each AMI allocation?

4) how many other developments/units are being proposed and for which AMI allocations?

5) what is the purpose of a comp plan amendment request? Is it because the proposal somehow does not conform with the plan? Or is an amendment just part of the normal process?

With kind regards.

Andy Braun

From: Julie Wischnack
Sent: Sunday, March 19, 2017 7:13 PM
To: Andy Braun
Cc: Elizabeth A, Loren Gordon <lgordon@eminnetonka.com>; Alisha Gray <agray@eminnetonka.com>
Subject: Re: Shady Oak Development Proposal

1. The dataset is in ArcGIS, if you have that software, it would be easy to send a shape file with the database of values, but without the software, you are not able to use the file. I would be happy to sit down with you and show you the calculation with the...
software, so you can see what is happening. Extracting the database does not help as then you don't have the parcel map that it connects to.

2. 60% AMI

3. Developments approved recently for rental – Music Barn – 50% AMI – 26 units; 2 projects (Cherrywood and Lecessee) are putting in 10% affordable at 80% AMI, 10 units at Cherrywood and 30 at Lecessee.

4. These are the new numbers that the Metro Council has put forth in their policy statement, which we will consider during the comprehensive plan process.

5. The proposal requires a comp plan amendment for the land use guidance, from commercial to residential.

MARCH 20, 2017

From: Andy Braun
Sent: Monday, March 20, 2017 10:53 PM
To: Julie Wischnack <jwischnack@eminnetonka.com>
Cc: Elizabeth A ; Loren Gordon <lgordon@eminnetonka.com>; Alisha Gray <agray@eminnetonka.com>
Subject: Re: Shady Oak Development Proposal

Hi Julie. Thanks for the thorough response. And for the offer to sit down in person and go over the details. Will probably take you up on that soon.

If extracting the database, wouldn't it include the address and value? That's really all I'm looking for. I don't necessarily need the map.

As an alternative, I did download a free trial of ArcGIS. So yes, please send over the shape file with database of values and I'll have a look.

With kind regard

Andy Braun

MARCH 21, 2017

From: Julie Wischnack
Sent: Tuesday, March 21, 2017 3:31 PM
To: 'Andy Braun'
Cc: Loren Gordon <lgordon@eminnetonka.com>; Alisha Gray
<agray@eminnetonka.com>

Subject: RE: Shady Oak Development Proposal

You can have access through the following link: http://gis-hennepin.opendata.arcgis.com/ which is the same source as my data. I discovered I can’t distribute the data, because it is derived from the county. Of course I would still show you at our offices what the software is doing.

Julie.

MARCH 22, 2017

From: [email]
Sent: Wednesday, March 22, 2017 3:08 PM
To: Terry Schneider <tschneider@eminnetonka.com>
Cc: Julie Wischnack <jwischnack@eminnetonka.com>
Subject: Thanks for calling...

Hello Mayor Schneider, I wanted to make sure I do appreciate the time you spent with me on the phone Sunday night. I am still very disappointed that you believe this is the right project for this space.

Our group of active citizens have been engaging with many of the City Council members to see if we can come up with a better idea than a high density apartment. At least maybe slow down this process so we can find other developers for the property.

Please forward the following information. I would like Julie Wischnack to follow up with me on the following costs and information on the two buildings.

I am trying to put together a full accounting of the property purchase and expenses since.

1. Any costs the city incurred on relocating any tenants.
2. What Management Company was or is hired to take care of the tenants and building.
3. What costs the city has paid out to said management company on repairs and maintenance.
4. What costs the city has incurred for mowing and labor for city workers at the site.
5. How much revenue has the city taken in from both the commercial building and the rental house.
6. Any estimates of the monetary costs to the city to clean up the site.

Our group is planning a Petition Signing & Comment Event at CHALET PIZZA this weekend. Please feel free to stop by and engage with us. Maybe you will get a better feel for how we truly feel.

Thanks again for the talk,
From: Julie Wischnack  
Sent: Thursday, March 23, 2017 2:59 PM  
To: [redacted]  
Cc: Terry Schneider <tschneider@eminnetonka.com>; Alisha Gray <agray@eminnetonka.com>; Loren Gordon <lgordon@eminnetonka.com>  
Subject: RE: Thanks for calling...

1. No expenditures to date.  
2. Cushman Wakefield is managing the commercial and residential property.  
3. The management company fee is $1500 per month. There are several items in repairs that needed to be accomplished. The net revenue below removes the management fee, maintenance and repairs. Alisha will get you more information on the repairs next week as we need to compile the information.  
4. City staff (public works) has been out about 4 hours since we owned the building for a sewer line issue about a month ago. They do not maintain the property.  
5. Revenue – Net Rent $153,218 – Net, meaning, the rent the city actually received after repairs and management fee.  
6. Site cleanup costs $50,000 and $116,000. There are also building remediation items that will be finalized when destructive asbestos testing is complete (conducted prior to demolition). The city is applying for grants to cover clean-up costs on the site.

I had heard about your event this weekend. Unfortunately, I am out of town this weekend, but I am sure I will see you on April 6. As I have communicated in the past, I or other staff members on this email are able to visit with you about anything you want to discuss.

Julie

From: Andy Braun  
Sent: Sunday, March 26, 2017 6:26 PM  
To: Julie Wischnack <jwischnack@eminnetonka.com>  
Cc: Loren Gordon <lgordon@eminnetonka.com>; Alisha Gray <agray@eminnetonka.com>  
Subject: Re: Shady Oak Development Proposal
Hi Julie, I've been working with the GIS Software in an attempt to recreate your calculation. (I appreciate that you've invited me to see in first hand, unfortunately I've had very limited availability lately, hopefully soon though)

Your email below states there are 105 properties in the dataset, but that the average mean was calculated based only on the properties that were located within 400' of the site. Based on the GIS software there are only 17 properties within 400'. Their address, value and average are detailed in the spreadsheet below. Their average is $234k. So can you please explain why the your average of $205k is different from my average? Both are calculated using 2016 Market Value-Tax assessment from the Counties record, so I'm not sure how our values could be different, am I missing something?

<table>
<thead>
<tr>
<th>Number</th>
<th>Street</th>
<th>Market value (2016)</th>
</tr>
</thead>
<tbody>
<tr>
<td>4219</td>
<td>Oak Drive Lane</td>
<td>$235,500.00</td>
</tr>
<tr>
<td>4225</td>
<td></td>
<td>$243,500.00</td>
</tr>
<tr>
<td>4231</td>
<td></td>
<td>$212,600.00</td>
</tr>
<tr>
<td>4237</td>
<td></td>
<td>$204,400.00</td>
</tr>
<tr>
<td>4243</td>
<td></td>
<td>$255,100.00</td>
</tr>
<tr>
<td>4255</td>
<td></td>
<td>$241,400.00</td>
</tr>
<tr>
<td>4266</td>
<td></td>
<td>$252,700.00</td>
</tr>
<tr>
<td>4277</td>
<td></td>
<td>$218,600.00</td>
</tr>
<tr>
<td>4289</td>
<td></td>
<td>$249,500.00</td>
</tr>
<tr>
<td>4295</td>
<td></td>
<td>$233,600.00</td>
</tr>
<tr>
<td>4286</td>
<td></td>
<td>$246,600.00</td>
</tr>
<tr>
<td>4280</td>
<td></td>
<td>$262,700.00</td>
</tr>
<tr>
<td>4272</td>
<td></td>
<td>$238,000.00</td>
</tr>
<tr>
<td>4400</td>
<td>Crawford</td>
<td>$214,700.00</td>
</tr>
<tr>
<td>4401</td>
<td></td>
<td>$218,900.00</td>
</tr>
<tr>
<td>4407</td>
<td></td>
<td>$211,200.00</td>
</tr>
<tr>
<td>4413</td>
<td></td>
<td>$241,300.00</td>
</tr>
</tbody>
</table>

average $234,135.29

The picture below shows an example measurement from the Shady Oak property to the neighboring residential properties.

Thank you for your attention. We'll plan to see you at the council meeting tomorrow for the Open Agenda topics.
Hi Julie, can you explain the relationship between the 60% AMI (area median income) and the $205K area (within 400') mean home value?

If I understand it correctly this proposal somehow makes a correlation between the 60% AMI, based on the $205 area mean home value.

1) I'm concerned that one value is the median, and one value is the mean (average) so I'm not sure how closely they'd correlate. I'd expect both variables in the equation to both be either median or mean, but not both.

2) I'm also concerned that one value is based on income, and the other is based on value of the property.
3) I'm also concerned about what "dinstance" the AMI range is calculated (how big is the area), versus the area home value (being 400')

I'm looking to wrap my head around how all these values correlate, and I think one issue I'm having is that these values actually have different units of measure. So its apples to oranges, and I'd like to see apples to apples.

I know there's quite a science to this, and to a professional it may be second nature, but to me its not real clear.

thanks for your attention.

with kind regards.

Andy Braun

MARCH 29, 2017

From: Jeri Massengill
Sent: Wednesday, March 29, 2017 10:27 AM
To: Alisha Gray <agray@eminnetonka.com>
Subject: FW: 4312 Shady Oak Road

Hello Alisha – I emailed Julie Wischnack but she is out, I am hoping you can answer these time sensitive questions.

-------------------------------
Hello Julie and – I am one of the neighbors that lives near this proposed redevelopment site. I am trying to find out exactly where the city is in their negotiations with Ron Clark construction. Has a letter of intent been executed? Has a purchase agreement been drafted or signed? Has the due diligence period started?

Best Regards, Jeri

Jeri Massengill
CEO – Historical Information Gatherers, Inc.
1589 Highway 7, Suite B2, Hopkins, MN 55305
www.historicalinfo.com

From: Alisha Gray
Sent: Wednesday, March 29, 2017 2:26 PM
To: 'Jeri Massengill'
Cc: Karen Telega <ktelega@eminnetonka.com>; Julie Wischnack <jwischnack@eminnetonka.com>; Loren Gordon <lgordon@eminnetonka.com>; Kathy
Hi Jeri-

There has not yet been a formal application from the developer for the redevelopment of the site. However, the city has hosted four neighborhood meetings over the past year to discuss the redevelopment potential. The summary of the past meetings are on the city’s website found here: [https://eminnetonka.com/current-projects/planning-projects/1490-shady-oak-rd-redevelopment](https://eminnetonka.com/current-projects/planning-projects/1490-shady-oak-rd-redevelopment)

On the project page, you can sign up for notifications when we update the page content. Any time a new meeting is posted or the page information is updated you will receive an email.

To answer your other questions, the city has not executed a letter of intent, and a purchase agreement has not been drafted or signed.

There is an open house on April 6 to view and provide feedback on the latest design plans. More information on the event is below:

**Attend a Project Open House Thursday, April 6**
A concept plan was reviewed by the Minnetonka Planning Commission and City Council in February 2017. At that time, the council indicated general direction to proceed with design. Since then, Ron Clark Construction has been updating the design plans in response to comments received at those meetings.

Attend this open house to review the updated plan and provide feedback. Members of Ron Clark Construction and city staff will answer questions. No formal presentation is planned; attend at any time.

**Thursday, April 6, 2017**
4:30-6:30 p.m.
Minnehaha Room (lower level)
Minnetonka City Hall, 14600 Minnetonka Blvd.

Please contact me if you have additional questions.

Best,

**Alisha Gray** | Economic Development and Housing Manager | City of Minnetonka |
14600 Minnetonka Blvd.
Minnetonka, MN  55345 | p. 952.939.8285 | f. 952.939.8244| agray@eminnetonka.com
Hello Mayor and City Council, Having now talked to at least 3 different developers in the
last week or so, I have been
digging through documents again.

Here is further EVIDENCE of the City saying one thing and doing the opposite.

1. In the section "Development Alternatives" it is
stated "a multi-family building 3-5 stories".

Again, shame on you City of Minnetonka to even suggest this to developers when the
next section says...

2. COMMUNITY FEEDBACK- mentions the community prefers..
"greenspace, lower density housing"
   The community disliked " higher density, development that would increase traffic,
   and too much surface parking."

Here again, how many times to we need to get out point across.
This proposed building is
TOO MASSIVE - DOES NOT FIT - LOSS OF PRIVACY

One last small point, this shows the usable size at 1.12 acres. NOT 1.2 .

Since the City of Minnetonka refuses to bring this property to the market - we will.

Should there be a FOR SALE SIGN on the property?

Thank you again.
Respectfully submitted,
Chris Aanestad
4255 Oak Drive Lane
I am able to get back to your question as I was out of the office last week. The map that was sent to Elizabeth and yourself on February 15 indicated the properties included with the analysis (darker black lines), which was more than 400 feet, which I most likely misstated in my response email to your March 17th as that is the distance for a required notice area for a land use matter. My apologies. If you follow the highlighting of the parcels in the map I provided, you will most likely find similar results. The point of the value analysis was to provide context as to the existing neighborhood and the rents that would be charged for the proposed project. Whether that is $205,000 or $245,000 for the average value - the payments and rents are similar.

I hope this helps clarify.

Julie
Hi Julie and team,

I’d really appreciate if you can please provide answers to the following questions.

Why is the city entertaining a revised concept proposal from Ron Clark (to be unveiled April 6, 2017) where based on the flyer we received, nothing has actually changed? In fact it’s the exact same as the original concept. If nothing changed then what is being unveiled? and why are we holding a meeting?

The developer will have a new drawing to review at the meeting.

Why has the city not already struck down this revised concept as it is still not acceptable by the neighborhood, local stakeholders, planning commission nor council?

The city does not “strike down” a concept. Feedback is gathered, received and processed. The decision then becomes, after the concept review, whether the developer will proceed with a request for a formal, official, application.

Why does the city continue to ignore and disregard the original and continuing overwhelming input of the neighborhood, local stakeholders, planning commission and council, in short, that the only ‘feasible’ concept proposal for a high density 54 unit apartment building is not acceptable?

That is something for the planning commission and council to weigh if a formal application is received.

I’m working really hard to wrap my head around the city’s train of thought and logic throughout the evolution and current state of this project. As part of that effort I’m going back through all of the documentation. I am wondering if you can please provide additional information about the background.

Why did the county deviate from there original plan where they indicated that the commercial building would be removed as it was very close to the road?

The road alignment changed many times over the last 10 years. Various designs changed the properties required to be fully acquired.

Why did the county decide not to acquire the property?

Again, because of a design change, the county did not acquire the full property, but did participate in the acquisition of the property by partially paying for the property, as I described at the planning commission where the concept was reviewed.

Why did the city enter into the mutually agreeable contract to buy the property?

As described at the planning commission meeting, the city is required to pay for ½ of all property right of way acquisitions in a county project. If you want to read the particular packet information, please read the packet information October 13, 2014 – attached.
Below are excerpts from the original RFP as reference.

**Shady Oak Road Reconstruction**

The project area is located adjacent to the Shady Oak Road Reconstruction project. The project added a travel lane in each direction, constructed a sidewalk and a trail, realigned the intersection with Highway 7, installed a permanent traffic signal at Mainstreet and addressed flooding issues along the corridor.

The city of Minnetonka bought the properties, in part, because of the Shady Oak Road Reconstruction Project. The original county plans for reconstruction of Shady Oak Road indicated that the commercial building would be removed because the property was very close to the edge of the street and sidewalk of Shady Oak Road. The county later decided not to acquire the property. The city and the property owner then entered a mutually agreeable contract where the city would purchase the properties (house and commercial property); the county would reimburse the city for “road” related costs and the city would recoup the remaining cost from the resale of the properties.

**Project Description**

The city is examining potential options for redeveloping the properties. The assumption is that the existing in-line commercial building and possibly the existing single family building would be removed in order to accommodate new development that could include commercial, retail and/or residential uses. The goal of the project is to prepare and form a feasible redevelopment plan that is acceptable to the city, neighborhood, and local stakeholders.
Thank you very much for your continued support on this effort.
With kind regards.

Andy Braun
4408 Crawford Rd.
Minnetonka MN 55343

I think I addressed most of the questions in the last email about the map. The only other thing I would add is about your question about value vs. income. The point of AMI, is really about what can someone making a certain amount of money afford in a purchase of a home, monthly mortgage or monthly rent. So the translation being, making up to almost $50,000 per year (up to 60% AMI), a person can afford rents from $622-1244. The same calculation can be done based on a purchase of a home and the mortgage that someone pays.
Hi Julie,

Hope you had a nice vacation-

I had a question as to why Minnetonka does not offer any future planning the way Hopkins does? Their out reach to the community is really well received and popular. The plans they come up with are very mindful and agreeable to the over all city. We attended 'Planning and a Pint' last week and felt like they are really trying to look forward to the next 10 to 20 years with the residents in mind. There is a quality of transparency there we really appreciated.

The second point I'd like to bring up is that they haven't met with you to discuss this portion of Shady Oak Rd (north of Excelsior). It is outside the 1/2 mile radius of the LRT station.. They have no plans for development this far up, it is not an area that they are really trying to develop. Why is Minnetonka? A 4 story (3 stories from the Shady Oak side, my 'view' would be 4 stories because of the slop of the land) building is most definitely going to stick out like a sore thumb and I reiterate that the site will negatively affect the neighboring residents with traffic, light pollution, exceptional loss of privacy and feeling of safety. It ends up feeling like we are expected take the brunt of ALL of the negative aspects of this building proposal. Our water bills have gone up, the trees are all but gone and more certainly will be affected by this.

One other thing is WHY would you make a community engagement, 'open house' during the work day (4:30)? You can see that our neighborhood that would be most negatively affected is middle class working age and those are working hours. We would have all appreciated having this during a time where we didn't have to take off work to have a say in what is going on in our community. The timing in regards to short notice and making it during the work day was not well received by our community. We really would have appreciated a little more notice considering we have to take off work.

Julie
Bob-I’d still like to give you a call to meet up, we are keeping terribly busy, thanks again for your offer to meet us.

From: Julie Wischnack  
Sent: Tuesday, April 04, 2017 12:36 PM  
To: 'Elizabeth A'  
Cc: Loren Gordon <lgordon@eminnetonka.com>; Bob Ellingson <bellingson@eminnetonka.com>; Kersten Elverum <kelverum@hopkinsmn.com>  
Subject: RE: cultivate hopkins

I am unsure what your first statement is about - Minnetonka offers future planning like Hopkins does. Minnetonka has had a long history of long term planning and, in fact, the council was just interviewing folks to be on the committee for the next iteration of the development of that plan. We have also had many village center studies that dive into certain neighborhoods to further engage and plan. This property also had a very thoughtful and engaging process last year, which I understand you were not a part of. Unfortunately, you were unable to participate in what was a very open conversation about the potential redevelopment of this property. Your participation now is helpful, but I am not someone that believes emailing is the best form of communication.

Your second point is about planning with Hopkins for this area. Hopkins was a joint planning participant in the redevelopment plans along the corridor with the county and Minnetonka to improve this area.

The open house is intended to catch people as they are traveling home from work, at any time between 4:30 and 6:30 – not at a set time to make it more convenient. We will also post the information from the meeting online, so those not able to make it in person can also participate in an interactive discussion.

Julie

From: andy braun  
Sent: Tuesday, April 04, 2017 4:07 PM  
To: Julie Wischnack <jwischnack@eminnetonka.com>; 'Elizabeth A'  
Cc: Loren Gordon <lgordon@eminnetonka.com>; Alisha Gray <agray@eminnetonka.com>  
Subject: Re: Shady Oak Development Proposal

Hi Julie, thanks for the response, I know getting back from vacation can be a lot to catch up on.

Here’s the spreadsheet below calculating ALL and ONLY the properties you’ve outlined in bold black lines.
Please notice the properties in green below, it appears these properties distort the intent of the calculation as they are not 'residential properties with homes'. Do you agree? And in fact, when these properties are omitted from the calculation we get an average of 220k.

205K - the average from your map/GIS Calculations
216K - the average of all properties in bold black lines (from your map)
220K - the average of all properties in bold black lines minus the omitted (non-residential or without homes, from your map)
(roundering up)

I'm curious how our calculations are still different.

<table>
<thead>
<tr>
<th>Number</th>
<th>Street</th>
<th>Market value (2016)</th>
</tr>
</thead>
<tbody>
<tr>
<td>11651</td>
<td>Bradford Rd</td>
<td>$60,000.00 Vacant land, platinum pizza</td>
</tr>
<tr>
<td>11691</td>
<td>Bradford Rd</td>
<td>$181,600.00</td>
</tr>
<tr>
<td>11701</td>
<td>Bradford Rd</td>
<td>$210,800.00</td>
</tr>
<tr>
<td>11705</td>
<td>Bradford Rd</td>
<td>$187,900.00</td>
</tr>
<tr>
<td>11711</td>
<td>Bradford Rd</td>
<td>$264,600.00</td>
</tr>
<tr>
<td>11717</td>
<td>Bradford Rd</td>
<td>$238,700.00</td>
</tr>
<tr>
<td>11723</td>
<td>Bradford Rd</td>
<td>$194,600.00</td>
</tr>
<tr>
<td>11801</td>
<td>Bradford Rd</td>
<td>$199,100.00</td>
</tr>
<tr>
<td>11809</td>
<td>Bradford Rd</td>
<td>$183,300.00</td>
</tr>
<tr>
<td>11819</td>
<td>Bradford Rd</td>
<td>$190,500.00</td>
</tr>
<tr>
<td>11901</td>
<td>Bradford Rd</td>
<td>$196,100.00</td>
</tr>
<tr>
<td>11905</td>
<td>Bradford Rd</td>
<td>$193,000.00</td>
</tr>
<tr>
<td>11909</td>
<td>Bradford Rd</td>
<td>$201,500.00</td>
</tr>
<tr>
<td>11913</td>
<td>Bradford Rd</td>
<td>$217,900.00</td>
</tr>
<tr>
<td>11919</td>
<td>Bradford Rd</td>
<td>$283,200.00</td>
</tr>
<tr>
<td>11921</td>
<td>Bradford Rd</td>
<td>$203,900.00</td>
</tr>
<tr>
<td>11922</td>
<td>Bradford Rd</td>
<td>$238,700.00</td>
</tr>
<tr>
<td>11933</td>
<td>Bradford Rd</td>
<td>$234,800.00</td>
</tr>
<tr>
<td>11937</td>
<td>Bradford Rd</td>
<td>$236,200.00</td>
</tr>
<tr>
<td>11941</td>
<td>Bradford Rd</td>
<td>$211,100.00</td>
</tr>
<tr>
<td>11945</td>
<td>Bradford Rd</td>
<td>$208,800.00</td>
</tr>
<tr>
<td>11949</td>
<td>Bradford Rd</td>
<td>$213,600.00</td>
</tr>
<tr>
<td>11953</td>
<td>Bradford Rd</td>
<td>$249,700.00</td>
</tr>
<tr>
<td>11957</td>
<td>Bradford Rd</td>
<td>$234,800.00</td>
</tr>
<tr>
<td>11954</td>
<td>Bradford Rd</td>
<td>$258,800.00</td>
</tr>
<tr>
<td>11950</td>
<td>Bradford Rd</td>
<td>$234,300.00</td>
</tr>
<tr>
<td>11942</td>
<td>Bradford Rd</td>
<td>$211,500.00</td>
</tr>
<tr>
<td>11900</td>
<td>Crawford Rd</td>
<td>$214,100.00</td>
</tr>
<tr>
<td>Address</td>
<td>Road</td>
<td>Price</td>
</tr>
<tr>
<td>-------------</td>
<td>------------</td>
<td>-----------</td>
</tr>
<tr>
<td>11832 Crawford</td>
<td>Crawford Rd</td>
<td>$213,200.00</td>
</tr>
<tr>
<td>11824 Crawford</td>
<td>Crawford Rd</td>
<td>$216,300.00</td>
</tr>
<tr>
<td>11814 Crawford</td>
<td>Crawford Rd</td>
<td>$242,600.00</td>
</tr>
<tr>
<td>11808 Crawford</td>
<td>Crawford Rd</td>
<td>$219,400.00</td>
</tr>
<tr>
<td>11800 Crawford</td>
<td>Crawford Rd</td>
<td>$215,100.00</td>
</tr>
<tr>
<td>4500 Crawford</td>
<td>Crawford Rd</td>
<td>$198,600.00</td>
</tr>
<tr>
<td>11807 Crawford</td>
<td>Crawford Rd</td>
<td>$198,500.00</td>
</tr>
<tr>
<td>11813 Crawford</td>
<td>Crawford Rd</td>
<td>$219,900.00</td>
</tr>
<tr>
<td>11821 Crawford</td>
<td>Crawford Rd</td>
<td>$189,900.00</td>
</tr>
<tr>
<td>11906 Bradford</td>
<td>Bradford Rd</td>
<td>$204,100.00</td>
</tr>
<tr>
<td>118900 Bradford</td>
<td>Bradford Rd</td>
<td>$211,400.00</td>
</tr>
<tr>
<td>11824 Bradford</td>
<td>Bradford Rd</td>
<td>$216,100.00</td>
</tr>
<tr>
<td>11812 Bradford</td>
<td>Bradford Rd</td>
<td>$214,100.00</td>
</tr>
<tr>
<td>11806 Bradford</td>
<td>Bradford Rd</td>
<td>$245,900.00</td>
</tr>
<tr>
<td>11800 Bradford</td>
<td>Bradford Rd</td>
<td>$214,200.00</td>
</tr>
<tr>
<td>11720 Bradford</td>
<td>Bradford Rd</td>
<td>$221,200.00</td>
</tr>
<tr>
<td>11714 Bradford</td>
<td>Bradford Rd</td>
<td>$216,100.00</td>
</tr>
<tr>
<td>11706 Bradford</td>
<td>Bradford Rd</td>
<td>$236,100.00</td>
</tr>
<tr>
<td>11700 Bradford</td>
<td>Bradford Rd</td>
<td>$182,700.00</td>
</tr>
<tr>
<td>11616 Bradford</td>
<td>Bradford Rd</td>
<td>$201,500.00</td>
</tr>
<tr>
<td>4511 Crawford</td>
<td>Crawford Rd</td>
<td>$207,500.00</td>
</tr>
<tr>
<td>4505 Crawford</td>
<td>Crawford Rd</td>
<td>$204,600.00</td>
</tr>
<tr>
<td>4501 Crawford</td>
<td>Crawford Rd</td>
<td>$226,900.00</td>
</tr>
<tr>
<td>4431 Crawford</td>
<td>Crawford Rd</td>
<td>$214,100.00</td>
</tr>
<tr>
<td>4425 Crawford</td>
<td>Crawford Rd</td>
<td>$209,500.00</td>
</tr>
<tr>
<td>4419 Crawford</td>
<td>Crawford Rd</td>
<td>$189,900.00</td>
</tr>
<tr>
<td><strong>PID: 2311722430032</strong></td>
<td>Crawford Rd</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>4512 Crawford</td>
<td>Crawford Rd</td>
<td>$167,000.00</td>
</tr>
<tr>
<td>4506 Crawford</td>
<td>Crawford Rd</td>
<td>$219,200.00</td>
</tr>
<tr>
<td>4408 Crawford</td>
<td>Crawford Rd</td>
<td>$222,100.00</td>
</tr>
<tr>
<td>4400 Crawford</td>
<td>Crawford Rd</td>
<td>$214,700.00</td>
</tr>
<tr>
<td>4401 Crawford</td>
<td>Crawford Rd</td>
<td>$218,900.00</td>
</tr>
<tr>
<td>4407 Crawford</td>
<td>Crawford Rd</td>
<td>$211,200.00</td>
</tr>
<tr>
<td>4413 Crawford</td>
<td>Crawford Rd</td>
<td>$241,300.00</td>
</tr>
<tr>
<td><strong>4292 Oak Dr Lane</strong></td>
<td>Oak Drive Ln</td>
<td><strong>City Rental- $0 value</strong></td>
</tr>
<tr>
<td>4286 Oak Drive Lane</td>
<td>Oak Drive Ln</td>
<td>$246,600.00</td>
</tr>
<tr>
<td>4280 Oak Drive Lane</td>
<td>Oak Drive Ln</td>
<td>$262,700.00</td>
</tr>
<tr>
<td>4272 Oak Dr Lane</td>
<td>Oak Drive Ln</td>
<td>$238,800.00</td>
</tr>
<tr>
<td>4266 Oak Dr Lane</td>
<td>Oak Drive Ln</td>
<td>$252,700.00</td>
</tr>
<tr>
<td>4260 Oak Dr Lane</td>
<td>Oak Drive Ln</td>
<td>$230,700.00</td>
</tr>
<tr>
<td>4252 Oak Dr Lane</td>
<td>Oak Drive Ln</td>
<td>$236,600.00</td>
</tr>
<tr>
<td>4246 Oak Dr Lane</td>
<td>Oak Drive Ln</td>
<td>$243,600.00</td>
</tr>
<tr>
<td>Address</td>
<td>Dr</td>
<td>Ln</td>
</tr>
<tr>
<td>------------------</td>
<td>--------</td>
<td>--------</td>
</tr>
<tr>
<td>4240 Oak Dr Lane</td>
<td>Oak Dr</td>
<td>Ln</td>
</tr>
<tr>
<td>4295 Oak Dr Lane</td>
<td>Oak Dr</td>
<td>Ln</td>
</tr>
<tr>
<td>4289 Oak Dr Lane</td>
<td>Oak Dr</td>
<td>Ln</td>
</tr>
<tr>
<td>4277 Oak Dr Lane</td>
<td>Oak Dr</td>
<td>Ln</td>
</tr>
<tr>
<td>4255 Oak Dr Lane</td>
<td>Oak Dr</td>
<td>Ln</td>
</tr>
<tr>
<td>4243 Oak Dr Lane</td>
<td>Oak Dr</td>
<td>Ln</td>
</tr>
<tr>
<td>4227 Oak Dr Lane</td>
<td>Oak Dr</td>
<td>Ln</td>
</tr>
<tr>
<td>4231 Oak Dr Lane</td>
<td>Oak Dr</td>
<td>Ln</td>
</tr>
<tr>
<td>4225 Oak Dr Lane</td>
<td>Oak Dr</td>
<td>Ln</td>
</tr>
<tr>
<td>4219 Oak Dr Lane</td>
<td>Oak Dr</td>
<td>Ln</td>
</tr>
<tr>
<td>4213 Oak Dr Lane</td>
<td>Oak Dr</td>
<td>Ln</td>
</tr>
<tr>
<td>4216 Oak Dr</td>
<td>Oak Dr</td>
<td>Ln</td>
</tr>
<tr>
<td>4222 Oak Dr</td>
<td>Oak Dr</td>
<td>Ln</td>
</tr>
<tr>
<td>4228 Oak Dr</td>
<td>Oak Dr</td>
<td>Ln</td>
</tr>
<tr>
<td>4234 Oak Dr</td>
<td>Oak Dr</td>
<td>Ln</td>
</tr>
<tr>
<td>average</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Omitted calculation

<table>
<thead>
<tr>
<th>Address</th>
<th>Dr</th>
<th>Rd</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>11651 Bradford</td>
<td>Bradford Rd</td>
<td></td>
<td>Vacant land, platinum pizza</td>
</tr>
<tr>
<td>11691 Bradford</td>
<td>Bradford Rd</td>
<td></td>
<td>$181,600.00</td>
</tr>
<tr>
<td>11701 Bradford</td>
<td>Bradford Rd</td>
<td></td>
<td>$210,800.00</td>
</tr>
<tr>
<td>11705 Bradford</td>
<td>Bradford Rd</td>
<td></td>
<td>$187,900.00</td>
</tr>
<tr>
<td>11711 Bradford</td>
<td>Bradford Rd</td>
<td></td>
<td>$264,600.00</td>
</tr>
<tr>
<td>11717 Bradford</td>
<td>Bradford Rd</td>
<td></td>
<td>$238,700.00</td>
</tr>
<tr>
<td>11723 Bradford</td>
<td>Bradford Rd</td>
<td></td>
<td>$194,600.00</td>
</tr>
<tr>
<td>11801 Bradford</td>
<td>Bradford Rd</td>
<td></td>
<td>$199,100.00</td>
</tr>
<tr>
<td>11809 Bradford</td>
<td>Bradford Rd</td>
<td></td>
<td>$183,300.00</td>
</tr>
<tr>
<td>11819 Bradford</td>
<td>Bradford Rd</td>
<td></td>
<td>$190,500.00</td>
</tr>
<tr>
<td>11901 Bradford</td>
<td>Bradford Rd</td>
<td></td>
<td>$196,100.00</td>
</tr>
<tr>
<td>11905 Bradford</td>
<td>Bradford Rd</td>
<td></td>
<td>$193,000.00</td>
</tr>
<tr>
<td>11909 Bradford</td>
<td>Bradford Rd</td>
<td></td>
<td>$201,500.00</td>
</tr>
<tr>
<td>11913 Bradford</td>
<td>Bradford Rd</td>
<td></td>
<td>$217,900.00</td>
</tr>
<tr>
<td>11919 Bradford</td>
<td>Bradford Rd</td>
<td></td>
<td>$283,200.00</td>
</tr>
<tr>
<td>11921 Bradford</td>
<td>Bradford Rd</td>
<td></td>
<td>$203,900.00</td>
</tr>
<tr>
<td>11922 Bradford</td>
<td>Bradford Rd</td>
<td></td>
<td>$238,700.00</td>
</tr>
<tr>
<td>11933 Bradford</td>
<td>Bradford Rd</td>
<td></td>
<td>$234,800.00</td>
</tr>
<tr>
<td>11937 Bradford</td>
<td>Bradford Rd</td>
<td></td>
<td>$236,200.00</td>
</tr>
<tr>
<td>11941 Bradford</td>
<td>Bradford Rd</td>
<td></td>
<td>$211,100.00</td>
</tr>
<tr>
<td>11945 Bradford</td>
<td>Bradford Rd</td>
<td></td>
<td>$208,800.00</td>
</tr>
<tr>
<td>11949 Bradford</td>
<td>Bradford Rd</td>
<td></td>
<td>$213,600.00</td>
</tr>
<tr>
<td>11953 Bradford</td>
<td>Bradford Rd</td>
<td></td>
<td>$249,700.00</td>
</tr>
<tr>
<td>11957 Bradford</td>
<td>Bradford Rd</td>
<td>$234,800.00</td>
<td></td>
</tr>
<tr>
<td>11954 Bradford</td>
<td>Bradford Rd</td>
<td>$258,800.00</td>
<td></td>
</tr>
<tr>
<td>11950 Bradford</td>
<td>Bradford Rd</td>
<td>$234,300.00</td>
<td></td>
</tr>
<tr>
<td>11942 Bradford</td>
<td>Bradford Rd</td>
<td>$211,500.00</td>
<td></td>
</tr>
<tr>
<td>11900 Crawford</td>
<td>Crawford Rd</td>
<td>$214,100.00</td>
<td></td>
</tr>
<tr>
<td>11832 Crawford</td>
<td>Crawford Rd</td>
<td>$213,200.00</td>
<td></td>
</tr>
<tr>
<td>11824 Crawford</td>
<td>Crawford Rd</td>
<td>$216,300.00</td>
<td></td>
</tr>
<tr>
<td>11814 Crawford</td>
<td>Crawford Rd</td>
<td>$242,600.00</td>
<td></td>
</tr>
<tr>
<td>11808 Crawford</td>
<td>Crawford Rd</td>
<td>$219,400.00</td>
<td></td>
</tr>
<tr>
<td>11800 Crawford</td>
<td>Crawford Rd</td>
<td>$215,100.00</td>
<td></td>
</tr>
<tr>
<td>4500 Crawford</td>
<td>Crawford Rd</td>
<td>$198,600.00</td>
<td></td>
</tr>
<tr>
<td>11807 Crawford</td>
<td>Crawford Rd</td>
<td>$198,500.00</td>
<td></td>
</tr>
<tr>
<td>11813 Crawford</td>
<td>Crawford Rd</td>
<td>$219,900.00</td>
<td></td>
</tr>
<tr>
<td>11821 Crawford</td>
<td>Crawford Rd</td>
<td>$189,900.00</td>
<td></td>
</tr>
<tr>
<td>11906 Bradford</td>
<td>Bradford Rd</td>
<td>$204,100.00</td>
<td></td>
</tr>
<tr>
<td>118900 Bradford</td>
<td>Bradford Rd</td>
<td>$211,400.00</td>
<td></td>
</tr>
<tr>
<td>11824 Bradford</td>
<td>Bradford Rd</td>
<td>$216,100.00</td>
<td></td>
</tr>
<tr>
<td>11812 Bradford</td>
<td>Bradford Rd</td>
<td>$214,100.00</td>
<td></td>
</tr>
<tr>
<td>11806 Bradford</td>
<td>Bradford Rd</td>
<td>$245,900.00</td>
<td></td>
</tr>
<tr>
<td>11800 Bradford</td>
<td>Bradford Rd</td>
<td>$214,200.00</td>
<td></td>
</tr>
<tr>
<td>11720 Bradford</td>
<td>Bradford Rd</td>
<td>$221,200.00</td>
<td></td>
</tr>
<tr>
<td>11714 Bradford</td>
<td>Bradford Rd</td>
<td>$216,100.00</td>
<td></td>
</tr>
<tr>
<td>11706 Bradford</td>
<td>Bradford Rd</td>
<td>$236,100.00</td>
<td></td>
</tr>
<tr>
<td>11700 Bradford</td>
<td>Bradford Rd</td>
<td>$182,700.00</td>
<td></td>
</tr>
<tr>
<td>11616 Bradford</td>
<td>Bradford Rd</td>
<td>$201,500.00</td>
<td></td>
</tr>
<tr>
<td>4511 Crawford</td>
<td>Crawford Rd</td>
<td>$207,500.00</td>
<td></td>
</tr>
<tr>
<td>4505 Crawford</td>
<td>Crawford Rd</td>
<td>$204,600.00</td>
<td></td>
</tr>
<tr>
<td>4501 Crawford</td>
<td>Crawford Rd</td>
<td>$226,900.00</td>
<td></td>
</tr>
<tr>
<td>4431 Crawford</td>
<td>Crawford Rd</td>
<td>$214,100.00</td>
<td></td>
</tr>
<tr>
<td>4425 Crawford</td>
<td>Crawford Rd</td>
<td>$209,500.00</td>
<td></td>
</tr>
<tr>
<td>4419 Crawford</td>
<td>Crawford Rd</td>
<td>$189,900.00</td>
<td></td>
</tr>
<tr>
<td><strong>PID: 2311722430032</strong></td>
<td>Crawford Rd</td>
<td>vacant lot behind 4419</td>
<td></td>
</tr>
<tr>
<td>4512 Crawford</td>
<td>Crawford Rd</td>
<td>$167,000.00</td>
<td></td>
</tr>
<tr>
<td>4506 Crawford</td>
<td>Crawford Rd</td>
<td>$219,200.00</td>
<td></td>
</tr>
<tr>
<td>4408 Crawford</td>
<td>Crawford Rd</td>
<td>$222,100.00</td>
<td></td>
</tr>
<tr>
<td>4400 Crawford</td>
<td>Crawford Rd</td>
<td>$214,700.00</td>
<td></td>
</tr>
<tr>
<td>4401 Crawford</td>
<td>Crawford Rd</td>
<td>$218,900.00</td>
<td></td>
</tr>
<tr>
<td>4407 Crawford</td>
<td>Crawford Rd</td>
<td>$211,200.00</td>
<td></td>
</tr>
<tr>
<td>4413 Crawford</td>
<td>Crawford Rd</td>
<td>$241,300.00</td>
<td></td>
</tr>
<tr>
<td><strong>4292 Oak Dr Lane</strong></td>
<td>Oak Drive Ln</td>
<td>City Rental- $0 value</td>
<td></td>
</tr>
<tr>
<td>4286 Oak Drive Lane</td>
<td>Oak Drive Ln</td>
<td>$246,600.00</td>
<td></td>
</tr>
<tr>
<td>4280 Oak Dr Lane</td>
<td>Oak Drive Ln</td>
<td>$262,700.00</td>
<td></td>
</tr>
</tbody>
</table>
From your previous email ("The point of the value analysis was to provide context as to the existing neighborhood and the rents that would be charged for the proposed project. Whether that is $205,000 or $245,000 for the average value - the payments and rents are similar." ) and ("The point of AMI, is really about what can someone making a certain amount of money afford in a purchase of a home, monthly mortgage or monthly rent. So the translation being, making up to almost $50,000 per year (up to 60% AMI), a person can afford rents from $622-1244. The same calculation can be done based on a purchase of a home and the mortgage that someone pays. ")

In this case I'd now like focus on 205K vs 220K...as these appear to be the most accurate (though different) property values.

### Mortgage for 205K

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>loan amount</td>
<td>$205,000.00</td>
</tr>
<tr>
<td>interest rate</td>
<td>4.5</td>
</tr>
<tr>
<td>loan term (years)</td>
<td>30</td>
</tr>
<tr>
<td>minimum monthly payment</td>
<td>$1,038.70</td>
</tr>
</tbody>
</table>

### Mortgage for 220K

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>loan amount</td>
<td>$220,000.00</td>
</tr>
<tr>
<td>interest rate</td>
<td>4.5</td>
</tr>
</tbody>
</table>
Association of Rent/Mortgage to AMI (Area Median Income) to Annual Household Income, from Hennepin County

<table>
<thead>
<tr>
<th>Monthly Rent</th>
<th>AMI</th>
<th>Annual Income</th>
<th>$76 per month compared to monthly rent</th>
<th>$916 per year compared to annual income</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0-$621</td>
<td>0-30%</td>
<td>up to $24,850</td>
<td>12%</td>
<td>3.60%</td>
</tr>
<tr>
<td>$622-$1244</td>
<td>31% - 60%</td>
<td>$24,851-$49,740</td>
<td>12% - 6%</td>
<td>3.6% - 1.8%</td>
</tr>
<tr>
<td>$1245-$1598</td>
<td>61% - 80%</td>
<td>$49,741-$63,900</td>
<td>6% - 4.8%</td>
<td>1.8% - 0.14%</td>
</tr>
<tr>
<td>$1599-$2071</td>
<td>81% - 100%</td>
<td>$63,901-$82,833</td>
<td>4.8% - 3.7%</td>
<td>0.14% - 0.11%</td>
</tr>
</tbody>
</table>

The two average home values of 205K and 220K are "similar" in that they are within the same 'broad category' as described by the county in order to draw the relationship between AMI/Rent-Mortgage/Annual Income/Property Values.

However they are quite "dissimilar" in that 205K vs 220K is a property value difference of $15K or 7.8%. And is a mortgage/rent difference of $912 per year, or $76 per month.

They are further 'dissimilar" in that $912 per year or $76 per month, will have a significantly different impact/weight/factor on the various AMI/Annual Income ranges. That is to say, that money might be very significant for some, and much less significant than others. Whereas the 'low end' of the 31-60% AMI range, with a household income of $24,851 that equals a factor 3.6%. as compared to the 'high end' of that same 31-60% AMI range, with a household income of $49,740 that's factor of 1.8%.

For this reason 205K as compared to 220K are quite dissimilar, especially as it relates to the 31-60% AMI as compared to the 61-80% AMI and 81-100% AMI because its a much more significant percentage of their annual income/mortgage-rent money.

And therefore in conclusion the difference between 205K and 220K for the 60AMI allocation which the proposed development has been designed to meet is actually a very important distinction to make, and to try to understand further.

I'm trying to understand the correlation of 60 AMI - 49K Annual Household Income - 1200 monthly rent/mortgage - 205K Property value. as compared to a 220K property value.
If the apartment was designed to match up with 205K, shouldn't it now instead be designed to match up with the 220K?

As for how we address the Met Council allocation to provide affordable housing. I agree the Shady Oak proposal helps, but its only 37% of that particular AMI category, and only 5% of the overall allocation. I'd argue that with the Shady Oak Proposal there is lot of risk and negative impact for very little reward and positive impact.

<table>
<thead>
<tr>
<th>2021-2030 Allocation of affordable housing</th>
<th>% of total units</th>
<th>Development</th>
<th>% of total units</th>
<th>% of AMI category</th>
</tr>
</thead>
<tbody>
<tr>
<td>AMI</td>
<td>Units</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0-30</td>
<td>508</td>
<td>47.70%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>31-50</td>
<td>412</td>
<td>37.70%</td>
<td>Music Barn(50 AMI-26 units)</td>
<td>2.40%</td>
</tr>
<tr>
<td>51-80</td>
<td>144</td>
<td>13.50%</td>
<td>Cherrywood(80 AMI-10 units); Lecessee (80 AMI-30 Units)</td>
<td>0.01%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Shady Oak(60 AMI-54 Units);</td>
<td>5%</td>
</tr>
<tr>
<td>total=1064</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Thank you for your attention, with kind regards.

Andy Braun
Hello City of Minnetonka and City of Hopkins, Staff, Council and Commission Members

I'd like to invite you to attend the Open House tonight at the Minnetonka City Hall to review and discuss the refined concept proposal. Based on the mailer we received nothing has changed as its still 54 unit-high density. So we're really curious about what will be unveiled. We understand the city is in negotiations with the developer while attempting to vet this concept.

I've attached petitions and surveys where the overwhelming feedback from the neighborhood, both Minnetonka and Hopkins have been very unfavorable to the concept. We're hard pressed to identify the benefits.

The only benefits are:
1) It allows the city of Minnetonka to 'get out' of the commercial landlord business.
2) It allows the city of Minnetonka to potentially recoup the costs of acquiring the property.
3) It allows the city of Minnetonka to help reach their Met Council affordable housing goal of 144 units of 60AMI for 2030.

It's simply too invasive, and its opportunistically targeting and exploiting the vulnerability of the neighborhood and prospective affordable housing tenants. It does not benefit the neighborhood in any way, and only detracts from it.

I've also included photos to/from our property to help understand the perspective of our immediate neighborhood in the cul-de-sac on Crawford Rd immediately behind the site. We also invite you to come see for yourself at any time.

We kindly ask that you please respect and advocate for the residence of which you represent.
Thursday, April 6, 2017
4:30-6:30 p.m.
Minnehaha Room (lower level)
Minnetonka City Hall, 14600 Minnetonka Blvd.
From: andy braun >
To: "mmornson@HOPKINSmn.com" <mmornson@HOPKINSmn.com>;
"kelverum@hopkinsmn.com" <kelverum@hopkinsmn.com>;
"akuznia@hopkinsmn.com" <akuznia@hopkinsmn.com>;
"mcummings@hopkinsmn.com" <mcummings@hopkinsmn.com>;
"kcampbell@hopkinsmn.com" <kcampbell@hopkinsmn.com>; "jgadd@hopkinsmn.com"
<jgadd@hopkinsmn.com>; "alenz@hopkinsmn.com" <alenz@hopkinsmn.com>;
"jstrachota@hopkinsmn.com" <jstrachota@hopkinsmn.com>;
"ssmith@hopkinsmn.com" <ssmith@hopkinsmn.com>; "tschneider@eminnetonka.com"
Hello City of Minnetonka Staff, Council and Commission.

Thank you for the opportunity to review the refined proposed development concept at 4312 Shady Oak Road at the open house event last night. We appreciate everyone whom was able to attend. I’m sorry I didn’t have a chance to greet and discuss with everyone, and thank you to those whom stayed late with us.

The refined concept continues to be entirely unacceptable, for the exact same reasons as with the original concept. Though the configuration has been adjusted, the overall scope, scale and impact remains the same. Its very disappointing to find that effectively nothing relevant nor meaningful has been accomplished with this refined concept effort.

We understand the concept meets the needs and minimum requirements of the developer, however it continues to neglect and inadequately meet the needs and minimum requirements of the city.

Since the developer has no more room to budge then we will accept that as their withdrawal from the table.

In regards to the traffic study, there was an admitted error in count/calculation and was slated to be updated and reasssembled. Since this developer is unable to continue...
further on this concept we won't need that study to be updated, and we can save those efforts for future traffic studies.

We remain optimistic and enthusiastic as we look forward to other future concepts which can adequately meet the needs and minimum requirements of the city.

With kind regards.

Andy Braun

---------------------------

From: andy braun
To: "tschneider@eminnetonka.com" <tschneider@eminnetonka.com>;
"dallendorf@eminnetonka.com" <dallendorf@eminnetonka.com>;
"pacombe@eminnetonka.com" <pacombe@eminnetonka.com>;
"bellingson@eminnetonka.com" <bellingson@eminnetonka.com>;
"twagner@eminnetonka.com" <twagner@eminnetonka.com>;
"bwiersum@eminnetonka.com" <bwiersum@eminnetonka.com>;
"tbergstedt@eminnetonka.com" <tbergstedt@eminnetonka.com>;
"bkirk@eminnetonka.com" <bkirk@eminnetonka.com>;
"jpowers@eminnetonka.com" <jpowers@eminnetonka.com>;
"dcalvert@eminnetonka.com";
"dknight@eminnetonka.com";
"soconnell@eminnetonka.com";
"rschack@eminnetonka.com";
"jsewall@eminnetonka.com";
Julie Wischnack <jwischnack@eminnetonka.com>;
Loren Gordon <lgordon@eminnetonka.com>
Sent: Friday, April 7, 2017 12:09 PM
Subject: Fw: 4312 Shady Oak Road - Development Concept Proposal

Hello City of Minnetonka Council, Commission and Staff.

Can you please identify if this potential development has or will infringe on any regulations, ordinances, city code, charters, bylaws, laws, rights or liberties etc? Is the Council able to approve a concept even if it violates the City's Mission and Goals? Are they an any way enforceable? that is, do they hold any water?
https://eminnetonka.com/mission-and-goals

The refined concept proposal continues to be in direct violation and infringement of the City's Mission and Goals. How has the Council and Commission determined this to be acceptable? I'd further like to understand why we identify and promote these missions and goals if we don't actually uphold ourselves to their metrics.

Please advise.

With kind regards.
Hello City of Minnetonka Council, Commission and Staff.

Did you happen to mention the site at 4312 Shady Oak Road to any organization such as Greenfield or Lakewinds? or other commercial developers? All we've heard as 'alternatives' to the high density apartment is "CVS or a Gas Station" and no mention of other smaller retailers like Greenfield or Lakewinds etc, whom you already have positive relationships with.


Andy Braun
1. The pitched roof concept is horrible. It will look like a bad 1980s era project, rather than anything I've seen near light rail (in every city that has light rail). The drawings look outdated even next to the units going up in Hopkins as I type.
2. Speaking of light rail, I believe the funding is in question. If funding falls through, will low income people end up stranded in an island without nearby jobs (some of them lost to this project)?
3. Speaking of jobs, most residences near light rail have mixed use retail on the main floor (which could also provide jobs for some of the residents). I'm pretty sure Chalet (which I love) may not be able to afford to rent in a new building, but it would be nice to add a mix of retail. Naturally, there's likely not enough land to properly execute an appealing building with adequate parking. That said, last night's drawing is not appealing. I'm about a mile and a half away, but do feel sorry for the houses in the area that will lose a lot of sunlight to an eyesore.
4. I have never seen such a narrow 4-lane upgrade to a road (such that the speed limit needs to be so low due to safety concerns). Unfortunately, I do have my concerns with the added traffic regardless of what the traffic study shows.

I love Minnetonka, and believe it to be very fortunate in how it's been run and developed. Believe it or not, I watch a lot of City Planning meetings on Public Access TV. I've seen projects less intrusive than this fall to the McMansion Policy. This is currently a multi-unit McMansion that I believe, were the city not a partner, would be an entertaining four hour denial process on a Saturday morning public access replay.

Thanks for reading.

Tom Stockert
5524 Dominick Drive
Minnetonka, MN  55343

From: andy braun
To: "tschnered@eminnetonka.com" <tschnered@eminnetonka.com>;
"dallendorf@eminnetonka.com" <dallendorf@eminnetonka.com>;
"pacomb@eminnetonka.com" <pacomb@eminnetonka.com>;
"bellingson@eminnetonka.com" <bellingson@eminnetonka.com>;
"twagner@eminnetonka.com" <twagner@eminnetonka.com>;
"bwiersum@eminnetonka.com" <bwiersum@eminnetonka.com>;
"tbergstedt@eminnetonka.com" <tbergstedt@eminnetonka.com>;
"bkirk@eminnetonka.com" <bkirk@eminnetonka.com>; "ipowers@eminnetonka.com"
<ipowers@eminnetonka.com>; "dcalvert@eminnetonka.com"
<dcalvert@eminnetonka.com>; "dknight@eminnetonka.com"
<dknight@eminnetonka.com>; "soconnell@eminnetonka.com"
<soconnell@eminnetonka.com>; "rschack@eminnetonka.com"
<rschack@eminnetonka.com>; "jsewall@eminnetonka.com"
<jsewall@eminnetonka.com>; Julie Wischnack <jwischnack@eminnetonka.com>;
Loren Gordon <lgordon@eminnetonka.com>
Hi Julie, I'd like to understand more about how this development is eligible for a subsidy.

The developer informed me that:
AMI is $85k. (I'm still curious how that area is defined, and how that number is reached/whats the source of that number)
The apartment will only be eligible for tenant-applicants with a household income of up to 60% of that, which is $51K, so that using the rule of thumb of "no more than 30% of household income should go to housing and utilities" this then equals out to $1275 per month towards rent and utilities.
OK, all that made sense.

When I check for the sources of those numbers the best reference I can find was the Met Council's website stating "AMI is simply based on the "metro area""
"HUD's Area Median Income for a family of four for the Minneapolis-Saint Paul-Bloomington Metropolitan Statistical Area"

and is further defined as follows:

<table>
<thead>
<tr>
<th>AMI</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area Median Income</td>
<td>$85,800</td>
</tr>
<tr>
<td>80% of Area Median Income</td>
<td>$65,700*</td>
</tr>
<tr>
<td>60% of Area Median Income</td>
<td>$51,480</td>
</tr>
<tr>
<td>50% of Area Median Income</td>
<td>$42,900</td>
</tr>
<tr>
<td>30% of Area Median Income</td>
<td>$25,750</td>
</tr>
</tbody>
</table>

the City's website also has some information more specific to the city's demographic. https://eminnetonka.com/community/statistics
Which describes some conflicting information

- Median Household Income (2012)....$75,945
- Median Single Family Home Value (2015)....$317,800
- Average Monthly Rent (2014)....$1,215
- The median family income in 2012 was $106,506

What is the source of the developer's AMI, simply the Met Council number?
How is "Household Income" different from "Family Income"

So based on the $1275 rent, the equivalent mortgage would equal 252K, (and not the 205K you had originally described that this development was being designed
towards) This $252K mark is actually then $32K higher than the properties in the "neighborhood reference area inside the thick black border" on your map. Which means that the tenants are getting a property valued $32K higher than the rest of the neighborhood. In addition the Tax payer (neighborhood) is paying to subsidize the developers costs on top of it. (the developer was not willing to divulge the information as to how much extra money they're getting on top in the form of their subsidy).

<table>
<thead>
<tr>
<th>Loan amount</th>
<th>$252,000.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest Rate</td>
<td>4.5</td>
</tr>
<tr>
<td>Loan Term (years)</td>
<td>30</td>
</tr>
<tr>
<td>Minimum Monthly Payment</td>
<td>$1,276.85</td>
</tr>
</tbody>
</table>

So if 60% AMI (a $51K household income) can safely pay for a $252K home, and that home is actually valued at $32K higher than the existing "neighborhood" single family homes, I don't see why the developer should be eligible for a subsidy, as 60%AMI can already easily afford one of the nicest homes in the neighborhood.

That is, why would they design something that is valued so grossly over-proportionate for the neighborhood, and why would we then pay them an EXTRA (subsidy on top) just to do it? This tells me they're attempting to 'double dip' as they've purposefully designed something that's overpriced, and they're attempting to then exploit the Affordable Housing initiative in addition.

They're clearly taking advantage, under the guise of 'merit and virtue' of a policy that should be protected and guarded for those developments which really do need the assistance,

Its clear the wool is being pulled over our eyes, and shame on Ron Clark for attempting to put this over on us. And shame on us for blindly trusting Ron Clark, and not connecting the dots sooner. This is exactly why we've been arguing that this proposal has "opportunistically targeted and exploited the vulnerability of our neighborhood and decent human nature"

With kind regards.

Andy Braun

APRIL 10, 2017

From: Elizabeth A
Sent: Monday, April 10, 2017 11:46 AM
To: Julie Wischnack <jwischnack@eminnetonka.com>
Subject: Fwd: meeting last night
Good Morning,

Hope you all are well.

I wanted you to know, that the architect from the development company could not answer my simple question of how much shorter the building was. They called an open house, had all these people come but the architect could not give me any numbers. It was the one resounding request from the residents, planning commission, and council and she literally told me she could not give me that information because she did not have it. She did not offer to get it either.

This is unacceptable in my opinion. They may have done some work somewhere but they did not address the one issue everyone had with the original rendering.

I am really disappointed that since January 2016 residents have been asking for the same things, attending meetings writing letters, etc and are not getting their needs addressed.

It was really rude for this developer to call this meeting and not even have any idea of the resounding request for a shorter height. If I were their school teacher, I would have to fail them.

Your neighbor,
Elizabeth

From: andy braun
To: Julie Wischnack <jwischnack@eminnetonka.com>; Loren Gordon <lgordon@eminnetonka.com>
Sent: Monday, April 10, 2017 1:53 PM
Subject: Re: 4312 Shady Oak Road - Development Concept Proposal

Hi Julie, I'm wondering if this City Council Agenda Item #10A Meeting of April 7, 2014 Brief Description Agreements for Metropolitan Council LHIA funds, has any affect or relation to the 4312 Shady oak road development concept.


Please advise.

Andy Braun
From: Julie Wischnack  
Sent: Monday, April 10, 2017 2:06 PM  
To: ‘andy braun’ ; Loren Gordon  
Cc: Terry Schneider ; Dick Allendorf ; Patty Acomb ; Bob Ellingson ; Tony Wagner ; Brad Wiersum ; Tim Bergstedt ; Brian Kirk ; John Powers ; David Knight ; Sean O’Connell ; Rebecca Schack ; Joshua Sewall ; Loren Gordon  
Subject: RE: 4312 Shady Oak Road - Development Concept Proposal

Andy,

That resolution is related to the Homes Within Reach program and is not related to the Shady Oak Road proposal.

You both have sent other emails since Thursday of last week. I will keep these in the city’s records to document your concerns and continued opposition to the concept plan. I will also retain them to share with Planning Commission and City Council if this process proceeds.

Julie

From: andy braun  
Sent: Monday, April 10, 2017 2:10 PM  
To: Julie Wischnack ; Loren Gordon  
Cc: Corrine Heine  
Subject: Re: 4312 Shady Oak Road - Development Concept Proposal

Hi Corrine, I want to make sure you received a copy of this letter directly. Can you please provide me with your legal opinion.


With kind regards.

Andy Braun

From: andy braun  
Sent: Monday, April 10, 2017 2:14 PM  
To: Julie Wischnack ; Loren Gordon  
Cc: Corrine Heine  
Subject: Re: 4312 Shady Oak Road - Development Concept Proposal
Hi Corrine, I'd also like to know if the City of Minnetonka has any legal responsibility/accountability to its Mission and Goals.

**Mission and Goals**

Please advise.

With kind regards.

Andy Braun

---

**From:** Corrine Heine  
**Sent:** Monday, April 10, 2017 2:29 PM  
**To:** 'andy braun' [REDACTED]; Julie Wischnack <jwischnack@eminnetonka.com>; Loren Gordon <lgordon@eminnetonka.com>  
**Subject:** RE: 4312 Shady Oak Road - Development Concept Proposal

Mr. Braun,
I understand your questions but want to clarify that the city attorney's office does not provide legal opinions to city residents. My client is the city, and I provide legal opinions to the city council, city staff and, on occasion, to city boards and commissions. In addition to responding to questions that are directly posed to me by city staff and the council, I would also alert city staff and the city council regarding any proposed action that I believed to be an unlawful exercise of authority.

In sum, I am not able to respond to your questions directly, but I do work to ensure that the city acts within its authority.

**Corrine A. Heine**  
City Attorney | City of Minnetonka  
14600 Minnetonka Blvd. Minnetonka, MN  55345  
p. 952.939.8262

---

**From:** andy braun [REDACTED]  
**Sent:** Monday, April 10, 2017 2:48 PM  
**To:** Terry Schneider <tschneider@eminnetonka.com>; Dick Allendorf <dallendorf@eminnetonka.com>; Patty Acomb <pacomb@eminnetonka.com>; Bob Ellingson <bellingson@eminnetonka.com>; Tony Wagner <twagner@eminnetonka.com>; Brad Wiersum <bwiersum@eminnetonka.com>; Tim Bergstedt <tbergstedt@eminnetonka.com>; Brian Kirk <bkirk@eminnetonka.com>; John Powers <jpowers@eminnetonka.com>; Deborah Calvert <dcalvert@eminnetonka.com>; David Knight <dknight@eminnetonka.com>; Sean
O'Connell <soconnell@eminnetonka.com>; Rebecca Schack <rschack@eminnetonka.com>; Joshua Sewall <jsewall@eminnetonka.com>; Julie Wischnack <jwischnack@eminnetonka.com>; Loren Gordon <lgordon@eminnetonka.com>

Subject: Re: 4312 Shady Oak Road - Development Concept Proposal

Hi Terry, during the open house on April 6th, we asked the developer flat out, "if we gave you the property, no charge, would you be able to make it 2 stories" Their immediate response was "that would still not be enough" and further explained that "we have no more room to budge"

If giving them the land, and considerable insight from the neighborhood, planning commission and council isn't enough of a compelling reason to adjust their design concept to 'seamlessly integrate' into the neighborhood, then I don't know what is. And the developer has still not been able to describe to me "what would be enough"

The primary reason presented to me by the developers as to why they're sticking with "54 unit- high density, on one acre" type of design concept is that it is the "smallest they can make it, and still be viable," when I press further for the variables that go into their "viability assessment" another reason is described in that it will allow them to achieve the 'highest possible score' and therefore be able to receive the 'affordable housing' subsidy. This tells me its more important for them to "get what they need" (that is the subsidy), than it is to provide the city with what it needs.

We're trying really hard to find the "compelling reasons" to continue with Ron Clark, but we're at a bit of a loss. Do you have any compelling reasons for us?

Please advise.

With kind regards.

Andy Braun

------------------------------------------

APRIL 13, 2017

From: Lenore Becker
Sent: Thursday, April 13, 2017 12:35 PM
To: Julie Wischnack <jwischnack@eminnetonka.com>; Alisha Gray <agray@eminnetonka.com>; Loren Gordon <lgordon@eminnetonka.com>
Subject: Shady Oak Redevelopment Project

Good Afternoon,

I am writing in response to the apartments that the city council wants to build on Shady Oak Road. I would like our voices to be heard that we do not want the building in the
area, it does not fit into our neighborhood and it would add more traffic to the area. Shady Oak is heavily being used since 169 is shut down however, it has a lot of traffic on it when it rains and snows. Recently coming home from work it is grid locked starting at Hwy 62 and all the way to Excelsior Blvd.

Why can’t you extend the mall down, it would bring in different little stores and have room for parking. I know that you are also planning to build apartments right across from the Scoreboard which would add more traffic.

We live on Crawford Road just behind where you want to build the apartments and we have seen more traffic in our area since people are trying to avoid the congestion but in our neighborhood we have a cul-de-sac so people have to turn around and go back out.

We did attend the April meeting at city hall and it looked like you have selected the one contractor.

We did sign the petition and hopefully you will listen to what the neighborhood is telling you.

Respectfully,
Lenore Becker
4500 Crawford Road
Minnetonka, MN

---

From: Alisha Gray
Sent: Thursday, April 13, 2017 3:08 PM
To: 'Lenore Becker' ; Julie Wischnack
Cc: Karen Telega
Subject: RE: Shady Oak Redevelopment Project

Lenore,

Thank you for your feedback.

Best,

Alisha Gray | Economic Development and Housing Manager | City of Minnetonka |
14600 Minnetonka Blvd.
Minnetonka, MN  55345 | p. 952.939.8285 | f. 952.939.8244| agray@eminnetonka.com
To Members of the Minnetonka City Council;

I urge you to support approval of the Concept Plan for the affordable housing building on Shady Oak Road. I know it takes courage to support such a development near residential single family housing. I also know it's hard to find appropriate sites for such a development. This is one such site. Perhaps there's a way to better buffer the neighborhood, but please don't compromise the proposal as you consider the options. I'm very proud of Minnetonka's record of providing a mix of housing choices. Thank you for continuing that record.

Most sincerely,
Karen J. Anderson

---

Hi Alisha Gray,

I saw your name as a contact person on the latest email update on the proposal. Can you tell me why this is even still being entertained after the residents have been specific and direct for well over a year that this type of housing development does not belong here?

We are just the same as before, looking at the height in comparison with the existing buildings. We are looking at just as before, the traffic issues after Shady Oak was allowed to be built in such a manner that residents are forced to be aggressive drivers coming out of their neighborhoods. We are looking at the effect this will have as soon enough our private property will become a scenic backdrop for these new residents who will have a birds eye view into our private land. My money is as important as the city's
and the developer's but time and time again we are told that we will just have to deal
with the lower home property values, higher crime, and dangerous traffic issues. We
live in a special place and want to keep it that way. To do this project right you can't
continue to mute the community and and build in the face of their concerns. I hate to
say that I am starting to believe that if we were in a mc mansion part of the city, we'd
have a better chance of being heard. We can see where the lower income housing is
and it is NOT in those areas.

It seems to me that there are other places to build a multi story high density where you
wouldn't annihilate a neighbor's private investment in the land, or that you'd like to at
least try to meet part ways. This spot wasn't even offered up for commercial
development.

Please let me know why you think, residents' exhaustive input and feed back has gotten
us no where.

Thank you for your service,
Elizabeth Miller

From: Alisha Gray
Sent: Monday, April 17, 2017 8:38 PM
To: 'Elizabeth A'  cc: Julie Wischnack <jwischnack@eminnetonka.com>; Loren Gordon
<lgordon@eminnetonka.com>; Karen Telega <ktelega@eminnetonka.com>; Kathy
Leervig <kleervig@eminnetonka.com>
Subject: RE: shady oak project

Elizabeth-

The meeting scheduled for April 24 is an opportunity for the city council to review all of
the public comments received and provide additional feedback to the developer before
any next steps are determined. There is no formal application at this time. The council is
receiving your feedback and staff will continue to share your continued communications
regarding the project.

Best,

Alisha Gray | Economic Development and Housing Manager | City of Minnetonka |
14600 Minnetonka Blvd.
Minnetonka, MN  55345 | p. 952.939.8285 | f. 952.939.8244| agray@eminnetonka.com
From: Trudy Reinitz  
Sent: Wednesday, April 19, 2017 9:42 PM  
To: Trudy Reinitz  
Subject: 4312 Shady Oak Road Redevelopment  

Hello Mayor, City of Minnetonka Council and Commission Members:

I am a homeowner located at 4252 Oak Drive Lane. I have many of the same concerns about the proposed 4312 Shady Oak Road redevelopment that our neighbors on Oak Drive Lane have. When I look out my living room window I will see the proposed FOUR LEVEL structure. It is out of character with the homes on our street. The builder talks about an urban building. Have they really looked at this area. The homes on both sides of Shady Oak Road are modest one story homes, a few story and a half. The business are all one level. Why so high? Why so massive?

But my biggest concern is the safety of children. Many of us have lived in this quiet established neighborhood for 20-30-40 years. We have seen our children as well as some grandchildren grow up in the area. As these children have gotten older, so often they tended to ride their bikes, play football, and catch using Oak Drive Lane as a playground. As WE drive on “our” street, we have always been aware that there might be children playing near or on the road and we have, and still drive with our eyes wide opened. These same children would also hop on their bikes or walk across Shady Oak Road and head into Hopkins to see their friends, the library, etc. Since the redo of Shady Oak Road last summer, we now have four lanes to cross! Last year on many occasions I have seen grade school children darting across Shady Oak Road at the intersection of Oak Drive Lane (either walking or on their bikes). They do not walk down to the lights…they are children! At least once a week I see a police car monitoring the traffic for speeders at this intersection of Oak Drive Lane and Shady Oak Road. Now, if the police and highway patrol have a concern about the traffic and the speed of cars, why isn’t the City more concern about the 54 units proposed right on that corner?? The sidewalk is so close to Shady Oak Road! I noticed in the proposed drawing there is a tot lot near Oak Drive Lane. So where will the school age children play...IN THE STREET? There will be a lot of traffic coming and going from this proposed site. Will the children be safe???

Like many of my neighbors, we thought the City was interested in our thoughts and would be looking at more green space, lower density, and less traffic issues.

Sincerely,

Trudy Reinitz  
4252 Oak Drive Lane, Minnetonka
City Council Agenda Item #14D
Meeting of April 24, 2017

Brief Description
Resolution supporting an application for a grant from the Metropolitan Council’s Local Housing Incentive Account Program under the Tax Base Revitalization Account (TBRA)

Recommendation
Adopt the resolution supporting the application

Background
The Metropolitan Council provides $5 million annually for its Tax Base Revitalization Account (TBRA) program, which provides grants to cities for the purpose of investigating and cleaning up brownfield sites in the 7-county metropolitan area.

TBRA grants provide funds for environmental site investigation and cleanup for redevelopments that enhance the city tax base, promote job retention or job growth and/or create or preserve workforce housing. The grants are intended for applicants with projects that have recently completed their environmental site investigation and are seeking funding to assist with the cost of implementing a cleanup plan for eligible activities and beginning construction on a specific redevelopment project.

In March 2015, the city purchased the properties located at 4312 Shady Oak Road and 4292 Oak Drive Lane as a result of Hennepin County’s road reconstruction project on Shady Oak Road. After the purchase, the city hired environmental consultant, Wenck Enterprises, to assist with Phase 1 and Phase 2 environmental assessments and a pre-demolition asbestos and regulated material inspection at the site. The assessments identified petroleum and non-petroleum contaminates at the site that will require soil excavation, removal and cleanup prior to the redevelopment of the site. In addition, the assessment found asbestos within the commercial building that will require abatement prior to building demolition.

The city is engaging with Ron Clark Construction to explore options to redevelop the site. A formal application has not been submitted at this time. Regardless if the project moves forward, the demolition and remediation would include removal of the contaminated soils and asbestos. In preparation to clean-up the site, city staff and the city’s environmental consultant, Wenck, are preparing an application for $375,000 in grant funding from the Metropolitan Council for the spring round of TBRA grant funds to assist with the project. Actual costs are determined at the time of bidding. If awarded, the funds would be provided in July 2017. The grant application for the spring round of funding is due by May 1, 2017 and a resolution of support from the city council is required to apply for funding.
If the city receives a grant award during the spring round, the city council should consider the following options to proceed with the demolition and clean-up of the site:

1. Disburse the grant funds to a developer, subject to city approvals for the redevelopment of the site. The developer would be responsible for the demolition and site cleanup.
2. In the event that a redevelopment proposal does not move forward in 2017, the city could move forward with the demolition of the building to prepare the site for future redevelopment opportunities. The city would coordinate the demolition and site cleanup, utilizing available grant funding.
3. Under both options, the city would coordinate the relocation of the businesses prior to demolition and cleanup according to required regulations.

**Recommendation**

Staff recommends the council adopt a resolution supporting the application. The resolution supports the application for grant funds, and not the project itself.

Submitted through:
  Geralyn Barone, City Manager
  Julie Wischnack, AICP, Community Development Director

Originated by:
  Alisha Gray, EDFP, Economic Development and Housing Manager
Resolution No. 2017-

Resolution supporting an application for a grant from the Metropolitan Council’s Local Housing Incentive Account Program under the Tax Base Revitalization Account (TBRA)

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

Section 1. Background.

1.01 The city of Minnetonka is a participant in the Livable Communities Act's Local Housing Incentives Account Program for 2017 as determined by the Metropolitan Council, and is therefore eligible to make application to apply for funds under the Tax Base Revitalization Account.

1.02 The city has identified a contamination cleanup project within the city that meets the Tax Base Revitalization Account's purposes and criteria and is consistent with and promotes the purposes of the Metropolitan Livable Communities Act and the policies of the Metropolitan Council’s adopted metropolitan development guide.

1.03 The city has the institutional, managerial and financial capability to ensure adequate project and grant administration.

1.04 The city certifies that it will comply with all applicable laws and regulations as stated in the contract grant agreements.

1.05 The city finds that the required contamination cleanup will not occur through private or other public investment within the reasonably foreseeable future without Tax Base Revitalization Account grant funding.

1.06 The city represents that it has undertaken reasonable and good faith efforts to procure funding for the activities for which Livable Communities
Act Tax Base Revitalization Account funding is sought but has not been able to find or secure from other sources funding that is necessary for cleanup completion and states that this representation is based on the following reasons and supporting facts: The city, through Wenck Response Services, Inc., has evaluated potential funding sources for this project.

Section 2. Council Action.

2.01 The city council of Minnetonka authorizes Wenck Response Services, Inc. to submit an application for a Metropolitan Council Tax Base Revitalization Account grant funds on behalf of the City of Minnetonka and to execute such agreements as are necessary to implement the project on behalf of the applicant.

2.02 If the city is awarded a Tax Base Revitalization Account grant for this project, the city will be the grantee and agrees to act as legal sponsor to administer and be responsible for grant funds expended for the project contained in the Tax Base Revitalization grant application, to be submitted on May 1, 2017.

Adopted by the City Council of the City of Minnetonka, Minnesota, on April 24, 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 duly authorized meeting held on April 24, 2017.

__________________________________________

David E. Maeda, City Clerk
City Council Agenda Item #14E
Meeting of April 24, 2017

Brief Description  Resolution establishing four “20-Minute Parking Only” signs along the north side of Minnetonka Boulevard in Minnetonka Mills

Recommendation  Adopt the resolution

Background

In 2013, at the request of business and commercial property owners, the city council approved installation of “20-Minute Parking Only” signs along the north side of Minnetonka Boulevard in the Minnetonka Mills area.

In late 2016, staff facilitated a meeting between these same owners in an effort to address on-going real and perceived parking issues. The meeting was attended by property and business owners from Glenn’s One Stop, Your Art’s Desire, People’s Organic, Dairy Queen, and Station Pizzeria, as well as a representative from St. David’s Center. The meeting was quite productive with all attendees agreeing to the following:

- A contact list would be shared between all business owners.
  - A contact list was shared with the business owners.

- The city would help design a brochure for distribution that will offer various parking areas/ideas for employee parking and trail/creek user parking.
  - The brochure was distributed to the business owners in February, 2017.

- All 20-minute parking signs on Minnetonka Boulevard would be removed, except for those immediately in front of the Glenn’s One Stop building.
  - The 20-minute parking signs were removed, except the signage in front of Glenn’s One Stop.

- One parking space immediately in front of Your Art’s Desire would be designated for “Loading/Unloading Only 10:00 a.m. to 6:00 p.m.”
  - The “Loading/Unloading Only” sign was installed and street painting of the loading area will be completed this spring.

Shortly after opening, Station Pizzeria installed three business branded “15 Minute Parking Only” signs in front of its building. Staff received feedback from the other business owners in Minnetonka Mills stating that these signs were not what the business owners agreed to at the meeting in late 2016.
Current Request

In response to the recent feedback Station Pizzeria would now like to replace the branded “15-Minute Parking Only” signage with the standard “20-Minute Parking Only” signage that was previously approved, then later rescinded in 2016. If council approves this request, Station Pizzeria would agree to replace the face of its signage with the new general “20-Minute Parking Only” signage. In addition, the Dairy Queen is requesting the installation of one “20-Minute Parking Only” sign in front of its store front.

Staff Comment

There has long been both real and perceived parking issues in the Minnetonka Mills area. Business owners see their parking lots being used/filled not only by their own patrons but also by patrons of other businesses. The original 20-minute Parking Only signs were installed in 2013 at the business owners’ request in order to alleviate some of these issues. The signs were then removed in 2016, again at the business owners’ request. The city is also preparing plans for more formalized and striped parking along Bridge Street.

Staff recognizes that the business and associated parking needs in Minnetonka Mills fall into two general categories:

- Rapid – Glenn’s One Stop, Dairy Queen, take-out portion of Station Pizzeria, and patrons of Your Art’s Desire picking up art orders.

- Leisurely – People’s Organic, the sit-down portion of Station Pizzeria, and patrons of Your Art’s Desire shopping for, and ordering, art.

Given the existing business in Minnetonka Mills, staff understands the desire to maintain different types of parking. Therefore, staff supports the current request. With that said, it is unlikely staff would continue to support regular changing of signage at the request of individual business owners.

Staff Recommendation

Adopt the resolution, replacing Station Pizzeria’s three branded signs with three “20 Minute Parking Only” signs and add one additional “20 Minute Parking Only” sign in front of the Dairy Queen.

In the event that the city council is not inclined to have 20-minute Parking Only signs reinstalled, staff would require removal of the Station Pizzeria branded signs. The on-street parking on Minnetonka Boulevard is public and should be open to patrons of any or all businesses.
Meeting of April 24, 2017
Subject: Minnetonka Mills

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

Originator:  Alisha Gray, Economic Development and Housing Manager
Existing Parking Signs

Not a Survey. Not to Scale
Proposed Additional Parking Restrictions

Legend
- 20 minute parking sign

Not a Survey. Not to Scale
City Council Agenda Item #10J
Meeting of May 13, 2013

**Brief Description:** Resolution authorizing the installation of 20 minute parking only signs on Minnetonka Boulevard

**Recommended Action:** Adopt the resolution

**Background**

Several city council members and staff were recently contacted from merchants in the Minnetonka Mills area that they were concerned with the lack of available on-street parking along Minnetonka Boulevard. Apparently, the success of Peoples Organic has caused the on-street parking area to be full for a good portion of the day.

The first attachment illustrates the location of existing parking signs in this area. Staff does not know how or when these signs were installed. The only parking restriction staff could find was related to the authorization of a “No Parking” zone on Minnetonka Boulevard, immediately adjacent to Bennis Feed and Fuel.

Staff has reviewed this situation with the business owners adjacent to the on-street parking area, those east of Bennis, and has determined that a “20 Minute Parking Only” restriction would best fit the needs of these property owners. The individual property owner responses are as follows:

- DQ: Likes the proposed 20 minute restriction.
- Your Arts Desire: 15 minute restriction is too short. Would prefer a 20 or 30 minute restriction.
- Glenn’s: Likes the 20 minute restriction.
- People’s Organics: Did not respond

Based on the responses received from the property owners, staff is recommending council adopt the resolution approving a “20 Minute Parking Only” restriction for the Minnetonka Boulevard on-street parking area between DQ and Glenn’s, as shown on the second attachment. Since Minnetonka Boulevard is a county road, the resolution will be forwarded to Hennepin County for approval of this recommendation.

In an effort to offer additional parking in the area, city staff will post a “Public Parking” sign at the old senior craft shop site. Several picnic tables have been placed there, and trash receptacles will also be added. Some of the area business owners have indicated they are encouraging their employees to park at that location to free up the spaces closer to their stores.
Recommendation

Adopt the attached resolution authorizing a 20 minute parking only zone and the installation of associated signing on the north side of Minnetonka Boulevard between 12908 (Glenn’s) and 12940 (DQ) Minnetonka Boulevard.

Submitted through:
   Geralyn Barone, City Manager
   Julie Wischnack, Community Development Director

Originated by:
   Lee Gustafson, P.E., Director of Engineering
RESOLUTION NO. 2013

RESOLUTION AUTHORIZING A 20 MINUTE PARKING ONLY ZONE AND THE INSTALLATION OF ASSOCIATED SIGNS ON THE NORTH SIDE OF MINNETONKA BOULEVARD

BE IT RESOLVED by the City Council of the City of Minnetonka, Minnesota as follows:

Section 1.  Background.

1.01. Through business owner requests and staff recommendation, a 20 minute parking only zone is requested at the following location:

a. The north side of Minnetonka Boulevard (CSAH 5) between the addresses of 12908 and 12940.

Section 2.  Council Action.

2.01. The business owner requests and staff recommendation are hereby received and the City Council does authorize the installation of “20 Minute Parking Only” signs at the following location:

b. The north side of Minnetonka Boulevard (CSAH 5) between the addresses of 12908 and 12940.

Adopted by the City Council of the City of Minnetonka, Minnesota, on May 13, 2013.

______________________________
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 duly authorized meeting held on May 13, 2013.

_________________________________________
David E. Maeda, City Clerk
Proposed Parking Restrictions

Legend
- Yellow: Existing No Parking
- Red: 20 Minutes Only

This map is for illustrative purposes only.
City Council Agenda Item #10
Meeting of October 24, 2016

Brief Description
Resolution rescinding and replacing Resolution 2013-043, regarding parking along Minnetonka Boulevard in Minnetonka Mills.

Recommendation
Adopt the resolution

Background
In 2013, at the request of business and commercial property owners, the city council approved installation of “20-Minute Parking Only” signs along the north side of Minnetonka Boulevard in the Minnetonka Mills area.

City staff recently facilitated a meeting between these same owners in an effort to address on-going real and perceived parking issues. The meeting was attended by property and business owners from Glenn’s One Stop, Your Art’s Desire, People’s Organic, Dairy Queen, and Station Pizzeria, as well as a representative from St. David’s Center. The meeting was quite productive with all attendees agreeing to the following:

• A contact list would be shared between all business owners.
• The city would help design a brochure for distribution that will offer various parking areas/ideas for employee parking and trail/creek user parking.
• All 20-minute parking signs on Minnetonka Boulevard would be removed, except for those immediately in front of the Glenn’s One Stop building.
• One parking space immediately in front of Your Art’s Desire would be designated for “Loading/Unloading Only 10:00 a.m. to 6:00 p.m.”

The contact list has been distributed and design of the brochure is underway.

Staff Recommendation
In order to reflect the owners’ agreement, staff recommends the city council rescind and replace Resolution 2013-043 with the proposed resolution.

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

Originator: Susan Thomas, Assistant City Planner
RESOLUTION NO. 2013-043

RESOLUTION AUTHORIZING A 20 MINUTE PARKING ONLY ZONE AND THE INSTALLATION OF ASSOCIATED SIGNS ON THE NORTH SIDE OF MINNETONKA BOULEVARD

BE IT RESOLVED by the City Council of the City of Minnetonka, Minnesota as follows:

Section 1. Background.

1.01. Through business owner requests and staff recommendation, a 20 minute parking only zone is requested at the following location:

a. The north side of Minnetonka Boulevard (CSAH 5) between the addresses of 12908 and 12940.

Section 2. Council Action.

2.01. The business owner requests and staff recommendation are hereby received and the City Council does authorize the installation of “20 Minute Parking Only” signs at the following location:

b. The north side of Minnetonka Boulevard (CSAH 5) between the addresses of 12908 and 12940.

Adopted by the City Council of the City of Minnetonka, Minnesota, on May 13, 2013.

Terry Schneider, Mayor

ATTEST:

David E. Maeda, City Clerk

ACTION ON THIS RESOLUTION:

Motion for adoption: Allendorf
Seconded by: Hiller
Voted in favor of: Wiersum, Hiller, Ellingson, Allendorf, Acomb, Schneider
Voted against:
Abstained:
Absent: Wagner
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 duly authorized meeting held on May 13, 2013.

____________________________
David E. Maeda, City Clerk
Not an accurate survey.
For illustration purposes only.
Resolution No. 2017-

Resolution authorizing four 20 minutes parking only zone signs and the installation of associated signs on the North side of Minnetonka Boulevard

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

Section 1. Background.

1.01 Minnetonka Mills business owners have requested installation of four “20-Minutes Parking Only” signs on the north side of Minnetonka Boulevard (CSAH 5) between the addresses of 12940 and 13008.

Section 2. Council Action.

2.01. The business owner requests and staff recommendation are hereby received and the city council does authorize the installation of a “20-Minute Parking Only” signs on the north side of Minnetonka Boulevard (CSAH 5) between the addresses of 12940 and 13008.

Adopted by the City Council of the City of Minnetonka, Minnesota, on April 24, 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 duly authorized meeting held on April 14, 2017.

__________________________________________

David E. Maeda, City Clerk
Addendum
Minnetonka City Council
Meeting of April 24, 2017

14C - Continued concept plan review for the Shady Oak Redevelopment located at 4312 Shady Oak Road

Attached are emails received after the council packet was distributed.
Memorandum

To: City Council
From: Julie Wischnack, AICP, Community Development Director
Date: April 24, 2017
Subject: Change Memo for April 24, 2017

14C – C. Continued concept plan review for the Shady Oak Redevelopment located at 4312 Shady Oak Road

The following comments were received after the packet was prepared.

From: Andy Braun
To: Corrine Heine <cheine@eminnetonka.com>; Julie Wischnack <jwischnack@eminnetonka.com>; Loren Gordon <lgordon@eminnetonka.com>; schneider@eminnetonka.com <schneider@eminnetonka.com>; dallendorf@eminnetonka.com <dallendorf@eminnetonka.com>; pacomb@eminnetonka.com <pacomb@eminnetonka.com>; bellingson@eminnetonka.com <bellingson@eminnetonka.com>; twagner@eminnetonka.com <twagner@eminnetonka.com>; bwiersum@eminnetonka.com <bwiersum@eminnetonka.com>; tbergstedt@eminnetonka.com <tbergstedt@eminnetonka.com>; bkirk@eminnetonka.com <bkirk@eminnetonka.com>; jpowers@eminnetonka.com <jpowers@eminnetonka.com>; dcalvert@eminnetonka.com <dcalvert@eminnetonka.com>; dknight@eminnetonka.com <dknight@eminnetonka.com>; soconnell@eminnetonka.com <soconnell@eminnetonka.com>; rschack@eminnetonka.com <rschack@eminnetonka.com>; jsewall@eminnetonka.com <jsewall@eminnetonka.com>; Attorney.General@ag.state.mn.us <Attorney.General@ag.state.mn.us>

Sent: Thursday, April 20, 2017 12:09 PM
Subject: Re: 4312 Shady Oak Road - Development Concept Proposal
Hi Terry, can you tell me how this development proposal would fit into the City Charter and Code as well as the 2030 Comp Plan?

I've inquired on this previously and still have not received a response.

Please see below, the map indicates the property is intended to stay commercial, while the immediate surrounding neighborhood is intended to stay low density residential.

You'll also notice the proposal is for 54 units on a 1.6 acre lot, that's 33 units per acre, which makes about 3x times higher-density than the "High Density Residential" category indicated in brown from the legend below. Perhaps we need a new category called "Ultra-High Density Residential"???

Clearly the City's Charter and Code (as previously described in the attached .pdf) as well as the 2030 Comp Plan DO NOT ALLOW for Ultra-High Density Residential to abut against Low Density Residential.

The Village Areas described in the 2030 Comp Plan are designed and organized specifically to accommodate development such as this apartment, for that reason, the apartment should be built in a Village Area.

Page 1, first bullet of the 2030 Comp Plan - Land Use Plan states "Preserve existing neighborhoods and yet, at the same time broaden housing choice," it DOES NOT say "neglect and squander at the demise of the existing neighborhoods in order to broaden housing choice," which is exactly what the proposal would do.

Page 1, second bullet of the 2030 Comp Plan - Land Use Plan states "Revitalize existing community and neighborhood commercial centers using a "village concept," it DOES NOT say "Purposefully and strategically allow existing, city owned, neighborhood commercial buildings to fall into an irreparable state, as a means to then later leverage the state of disrepair as justification to rezone and rebuild into ultra high density residential, ignoring the "village concept"

Page 2, last paragraph of the 2030 Comp Plan - Land Use Plan states,"Today, the appearance of residential land uses within the city is one of overall spaciousness. The high regard for natural resources has led the city to protect and incorporate environmental features into residential and other developments. The presence of natural resources, coupled with the low density of the city, tends to separate areas of development and disguise the urban nature of the community."

---So, are we not doing this anymore?

Page 3, 6th paragraph of the 2030 Comp Plan - Land Use Plan states "The Minnetonka History Commission (that are members of the Minnetonka Historical Society) serves as the advisory body to advise the city of sites and structures that should be preserved due to their historic, economic, cultural, architectural and social significance. The commission is currently compiling a survey of properties and documents that are over
50 years old. Additionally, the commission assists with the coordination of the Landmark Recognition Program. This program is designed to encourage homeowners to preserve historic properties and places.

---So, are we not doing this anymore? Everyone says "Chalet is a landmark of historic, economic, cultural, architectural and social significance"

Page 6, first paragraph of the 2030 Comp Plan - Land Use Plan states "The current overall land use pattern and intensity of development in Minnetonka is well-balanced and functions in a comprehensive manner. Minnetonka’s residential uses tend to be well maintained within spacious, well-vegetated neighborhoods, and newer residences have been planned to complement most of the city’s older residential areas. Natural and significant topographic areas have been preserved within Minnetonka’s neighborhoods, including wetlands, woodlands, undeveloped open space, and park facilities, resulting in a landscape that reflects community values."

---So, are we not doing this anymore?

Page 6, 3rd paragraph of the 2030 Comp Plan - Land Use Plan states "There is a general sense that existing land uses are appropriately located and balanced. However, as a fully developed community, changes to increase density are incremental and will happen primarily through more intensified redevelopment of existing developed sites and higher density infill development. As such, Minnetonka will be faced with a new set of challenges as it anticipates future growth and redevelopment, including, incorporating additional households, providing new types of housing products that meet the full-range of life-cycle needs, and providing opportunities for the continued vitality of existing and new office, retail and industrial development in an increasingly competitive regional market."

---So, the existing-vested property owners and residence of the neighborhood are the ones whom have to "bear the burden and accommodate the challenge?"

Page 6, 4th paragraph of the 2030 Comp Plan - Land Use Plan states "Overall Growth Strategy Themes It is important that future growth and redevelopment potential in Minnetonka capitalizes on and reinforces the development —themes! that have evolved as the city has undergone continual urbanization. The growth strategy for the 2030 land use plan builds upon the past development efforts of the city and incorporates the themes noted below. Minnetonka’s growth strategy is based upon a framework of the following components: 1. Stability in Established Areas The unique character of Minnetonka’s existing neighborhoods will be preserved, however, opportunities to broaden housing choice will be sought on appropriate vacant or underdeveloped properties, compatible with adjacent development. To preserve existing neighborhood areas and meet the evolving needs of current and future residents, higher density residential and mixed use development are focused in the village, regional and business areas where infrastructure and services are available to support additional Chapter IV. 2030 Land Use Plan IV-7 2030 Comprehensive Guide Plan development. The following land use principles guide decisions for established areas: The low-density residential character of most of the city’s established residential neighborhoods will be maintained as development and redevelopment occurs in Minnetonka. The integrity of existing
single-family neighborhoods will be preserved through careful management of land use transitions and impacts between potential conflicting uses. Innovative new housing development that meets residential density requirements, complements future regional demographics, and broadens housing choice will be encouraged on appropriate properties in the city. Expanded and new strategies and programs to address the aging housing stock, preserve natural resources, and better define buffers and transitions between land uses will be evaluated and developed in the coming years. The city will continue to support projects that include site plan techniques that reduce conflicts between different land uses in order to manage land use transitions.

---So, are we not doing this anymore?

Page 19, Item 4 of the 2030 Comp Plan - Land Use Plan states "4. Shady Oak Road/Excelsior Boulevard The small commercial area at the intersection of Shady Oak Road and Excelsior Boulevard extends northerly to Main Street in the City of Hopkins. The commercial area is often referred to as the west end of Hopkins; the municipal boundary meanders through the area. The commercial uses include a mixture of retail businesses, and service uses such as dry cleaners, restaurants, and automobile-oriented uses. The area has been studied extensively over the past several years because of the traffic safety issues presented by the numerous individual accesses and the growing traffic volumes. It is anticipated that roadway reconstruction will occur in the near future and redevelopment opportunities will follow in concert with the 2006 Shady Oak Road Redevelopment Study. Chapter IV. 2030 Land Use Plan IV-20 2030 Comprehensive Guide Plan Additional residential redevelopment and transit oriented design (TOD) opportunities at the southeast quadrant of Excelsior Boulevard and Shady Oak Road may be realized in the long term future. As part of the planning process for the future Southwest LRT, a nearby station may initiate interest for more mixed use development utilizing TOD techniques, including medium and high density residential. The city will be reviewing the potential for additional higher density residential development and TOD design within this area as part of a future planning process with the city of Hopkins and Hennepin County for the LRT stations. Any further redevelopment activity is expected to follow the criteria noted below in accordance with the 2030 land use plan for the area shown on Figure IV-8: A. Coordination of access to and from Shady Oak Road and Excelsior Boulevard to improve safety. B. Inclusion of appropriate TOD design techniques as part of redevelopment activities. C. Buffering and screening of adjacent residential neighborhoods. D. Consolidation of accesses, as appropriate, and the provision of adequate access spacing of driveways. E. Provision of pedestrian/bicycle connections and facilities between other uses in the area and existing trails/sidewalks.

---So, are we not doing this anymore?

---So, are we not doing this anymore?

Page 36, of the 2030 Comp Plan - Land Use Plan states "Section F Land Use Plan Implementation The following land use implementation section describes the methods that the City of Minnetonka will utilize to initiate the implementation of the Minnetonka 2030 Vision according to the planning strategies for the growth strategy themes listed in Section B of this chapter. The implementation methods also consider the conditions and
p. 5
City Council Change Memo – April 24, 2017

Policies established in the other chapters of the 2030 Comprehensive Guide Plan. This section establishes the land use categories and review criteria to guide private and public decisions regarding development and redevelopment in accordance with the targeted planning areas (residential neighborhoods, villages, regional areas/corridors, and transportation/natural area corridors) within the city. The implementation methods include: the 2030 land use definitions; the 2030 land use plan map; the 2030 population, household and employment forecasts; the overall development review criteria, including those established in Sections C and D of this chapter, to determine consistency of development and redevelopment projects with the land use plan; and implementation procedures that include city regulations (the zoning and subdivision ordinances) and specific 2030 Comprehensive Guide Plan amendment criteria that pertain primarily to the land use chapter text and 2030 land use map. 2030 Land Use Definitions The land use districts should not be confused with the zoning designations of property. The land use districts describe general land uses and may include other criteria to be considered when development and redevelopment projects are reviewed by the city to ensure that the project meets the 2030 Comprehensive Guide Plan policies and the appropriate policies and strategies of other chapters of the plan. The corresponding zoning designation and associated performance standards describe specific criteria that must be met before development can occur on property. The city’s land use definitions follow, according to the general land use category. Appendix IV-A of this chapter provides illustrative examples of the specific types of uses found within each land use category.

1. Residential Land Use Districts Prior to 1979, the medium- and high-density residential definitions restricted densities to five to eight, and nine to 12 units per acre, respectively. The definitions were changed, as part of a comprehensive planning effort, to allow a greater density to provide more opportunities for housing choice (variety and cost), recognition of the rising cost of land in Minnetonka, and to bring the density standards more in conformance with other metropolitan area communities and Metropolitan Council policies. Chapter IV. 2030 Land Use Plan IV-37 2030 Comprehensive Guide Plan The density definitions are expressed in terms of ranges to allow for development flexibility and compatibility with natural resource and other site specific characteristics of property. Therefore, an appropriate density for a particular use may be at the lower end of the density range rather than the higher end. Further, the density definitions do not specify the type of housing; rather, the zoning ordinance specifies the type of housing and specific standards that must be met by a particular development. The decision regarding the specific density for a particular property is made during the development review process, where the following conditions are considered by the city: The existing environmental conditions of the property including wetlands, floodplains, steep slopes and the quality of existing vegetation; the specific site plan including the type of housing units proposed and requirements for development facilities such as stormwater ponding, municipal sewer and water, etc.; the existing and requested zoning classification for the property; and the surrounding neighborhood characteristics. A. Low-density residential: development that ranges in density from two to four dwelling units per acre. Most residential neighborhoods that contain existing single-family homes in the city are designated for low-density residential uses. Although low-density uses include detached single family housing types other residential housing types such as duplexes and attached townhomes are included
provided that the overall density does not exceed four units per acre. This land use district is established to recognize the primary residential development pattern in the city and accommodate housing goals, including affordable and mid-priced housing. B. Medium-density residential: residential density ranges from more than four to 12 units per acre. Typically, this land use district includes attached housing types such as small-lot single family developments (—zero lot line‖), duplexes, townhouses, —quads‖, and low-rise multiple family buildings. This land use designation is used to: Encourage and allow the opportunity for residential project design techniques that incorporate natural resource protection and open space preservation techniques such as —clustering‖. Create appropriate transitions between different and more intense land uses and low-density areas. Encourage opportunities for residential development near and within village and regional centers, employment centers or major transportation corridors. Broaden housing choice, especially with an increasingly aging population and accommodate housing goals, including affordable and mid-priced housing Development within medium-density residential areas should incorporate: 1. Design techniques that facilitate natural resource protection and open space preservation; and 2. Buffers and/or transitions between more intense land uses and low-density areas. Chapter IV. 2030 Land Use Plan IV-38 2030 Comprehensive Guide Plan Environmental features such as wetlands, floodplains, steep slopes, and heavily vegetated areas should be used, as available, as buffers. Developments should incorporate appropriate transitions, such as landscaping and other land use or design features between non-residential and residential uses of a lower density. C. High-density residential: residential developments with densities above 12 units per acre. Typical high density residential development consists of apartment or condominium units in multistory buildings. The intent of this district is to provide the opportunities for residential developments that: serve a wide range of income group and changing lifestyles; are in close proximity to services, employment centers and transportation corridors, especially transit routes; and broaden housing choice, especially with an increasingly aging population and accommodate housing goals, including affordable and mid-priced housing. As is the case with medium-density residential development, development within high-density residential areas should incorporate: 1. Design techniques that facilitate natural resource protection and open space preservation, and buffers and/or transitions between more intense land uses and low-density areas. 2. Buffers and/or transitions between more intense land uses and lower density areas. Environmental features such as wetlands, floodplains, steep slopes, and heavily vegetated areas should be incorporated, as available, within buffers. Developments should incorporate appropriate transitions, such as landscaping and other land use or design features between non-residential and lower density residential uses. High-density residential development projects should occur in a planned manner, with specific consideration given to all uses within an area and also to impacts on adjacent developments, services and transportation. Development will not be encouraged to occur until appropriate services and infrastructure are available or programmed.

---So, are we not doing this anymore?

Page 43, paragraph 5, of the 2030 Comp Plan - Land Use Plan states "Overall Development Review Criteria It is expected that there will be continued pressure to
develop the small amount of vacant land remaining in the city and allow new opportunities for redevelopment projects. As development and redevelopment projects are submitted to the city for review, it is imperative that the 2030 Comprehensive Guide Plan be consulted to determine the projects consistency with the policies and implementation tools established in each chapter of the plan. The determination of consistency with the comprehensive plan, meaningful public engagement and adherence to city regulatory requirements generally results in successful projects that benefit the project proposer and the public. The following review criteria are designed to provide guidance and assist in the review of development projects by the city. 1. All Development A. Determine consistency of the project with the appropriate overall policies included in Chapter III – Overall Policies and Growth Strategy B. Utilize resource protection measures included in the zoning and subdivision ordinances to: encourage clustering of buildings and uses to preserve woodland preservation areas, high priority and significant trees, and other resource areas on properties, and obtain conservation easements, where appropriate, as part of the development review process to protect important natural resource features. Chapter IV. 2030 Land Use Plan IV-44 2030 Comprehensive Guide Plan C. Continue to use the Planned Unit Development (PUD) zoning technique in appropriate locations to encourage: flexible land development and redevelopment, a diversified housing supply, energy conservation and sustainability through building design, siting and clustering of land uses, the preservation of natural site characteristics such as open space, steep slopes, water and vegetation resources and sensitive transitional areas, efficient and effective use of land, open space and public facilities, high quality design compatible with surrounding uses, and development consistent with the 2030 Comprehensive Guide Plan.

---So, are we not doing this anymore?

Page 49, paragraph 2, of the 2030 Comp Plan - Land Use Plan states "The following steps are required to maintain the integrity of the 2030 Comprehensive Guide Plan until it is updated in ten years: A. The planning commission, in conjunction with other advisory commissions and city staff, should conduct periodic reviews of the entire comprehensive plan to determine if any sections need revision. B. If the overall Community Values and 2030 Strategic Vision and Goals change in intent, the comprehensive plan should be reviewed and adjusted, accordingly, by the city. C. If a comprehensive plan change is requested for a particular property (ies), the city may allow sufficient time, to the extent allowed by state law, to develop review criteria for the property (ies) and any affected adjacent property (ies) prior to consideration of the comprehensive plan amendment by the planning commission and city council. D. The following criteria will be used for review of requests to change the 2030 land use map or any of the text of the comprehensive plan chapters. 1. The change would be consistent with the policies, strategies, or other elements of the 2030 Comprehensive Guide Plan and the city's Strategic Framework, including those for certain long term planning areas noted in this chapter. 2. The change would not create an adverse impact on public facilities and services that could not be mitigated with proposed improvements. Public facilities and services include roads, sewers, water supply, drainage, schools and parks. 3. Development resulting from the change would not create an undue impact to surrounding properties. a.) Such development would be consistent with the physical
character of the surrounding neighborhood or would upgrade and improve its viability. b.) Physical character includes land use type, building height and size, relationship to the street, roof lines, and landscaping. c.) Viability includes stabilization or enhancement of property values or removing blighting influences. d.) An effective and reasonable buffer may be established and maintained on a continual basis in locations where the land use change is to a non-residential use such as commercial and is adjacent to an established residential neighborhood. The buffer may be established by utilizing the following techniques: extraordinary setbacks to residential properties from hardsurface areas (buildings, driving lanes, parking areas, etc.) and other areas or features of development that result in impacts to residential properties, such as lighting, sufficient berming of a height and design to screen non-residential activities, use of structures such as non-accessible building walls or other effective barriers, Chapter IV. 2030 Land Use Plan IV-50 2030 Comprehensive Guide Plan use and incorporation of existing topography and vegetation into the overall development, new landscaping materials, of sufficient height and size to provide a yearround screen, or a combination of the above features and techniques. 4. The change would allow a more viable transition to the planned uses on adjacent properties than the current land use. 5. The change would not have an adverse impact on the natural environment, including trees, slopes and wetlands, or the impact could be mitigated by improvements on the site or in the same vicinity. 6. There has been a change in city policies or neighborhood characteristics since the city adopted the original plan that would justify a change. 7. The change would correct an error made in the original plan. 8. There is a community or regional need identified in the comprehensive plan for the proposed use or service. 9. The change would help the city meet its housing goals. 10. The change would not adversely impact any landmarks or other historically significant structures or properties unless mitigated through relocation, commemoration or dedication. 11. In the event a land use change includes numerous properties, such as a neighborhood area, the following factors should be considered: a.) Determination of changed conditions on the properties or within the area surrounding the properties. b.) The condition of the buildings on the property, c.) If residential, the need to preserve the housing stock to meet city housing goals, or if non-residential, the ability of the proposed new land use(s) to meet city housing goals. d.) The ability of the assembled properties to allow for a unified development that meets the appropriate development criteria for the area in which it is located, and e.) The timing of intended development allows for any necessary roadway or other public infrastructure improvements to accommodate traffic from the proposed development.

---So, are we not doing this anymore?

Page 20, Item F of the 2030 Comp Plan - Ch. 5 Housing states "Make sure affordable housing is distributed throughout the entire community to prevent concentration in one particular area of the city."

---So, are we not doing this anymore?

Page 23, Paragraph 2 of the 2030 Comp Plan - Ch. 5 Housing states "Planned Unit Developments The use of cluster-design site planning and zero-lot-line approaches, within a planned unit development, may enable more affordable townhome or single-
family cluster developments to be built. Setback requirements, street width design, and parking requirements that allow for more dense development, without sacrificing the quality of the development or adversely impacting surrounding uses, should be considered. 

---So, are we not doing this anymore?

Can you please provide a public response at the Council meeting on Monday the 24th?

[Links to documents]

With Kind Regards
Andy Braun  
4408 Crawford Rd.  
Minnetonka MN 55343

From: Thursday, April 20, 2017 12:53 PM  
To: Alisha Gray <agray@eminnetonka.com>  
Cc: Julie Wischnack <jwischnack@eminnetonka.com>  
Subject: Actual Dimensions of the 54 Unit Proposed Building

Hi Alisha and Julie,  
I would like to know the actual dimensions of the proposed building.  
While at the Open House the person from Ron Clark said he did not know.  
I am making another comparison to the current building. Any of the plans or picture do  
not give actual dimensions.  
Please refer me to someone at Ron Clark so I can get the information I need.

Thanks so much, Chris Aanestad  
4355 Oak Drive Lane

From: Igel, Dave  
Sent: Thursday, April 20, 2017 1:14 PM  
To: Julie Wischnack <jwischnack@eminnetonka.com>  
Subject: 4312 Shady Oak

Hi Julie,  
It was nice talking to you about the city owned property on Shady Oak Road and our  
interest for a memory care facility. I thought I would drop you a note to follow-up on our  
conversation to see if there have been any developments. You had also mentioned  
another piece of property that might be suitable for our purposes. If you are able to  
send me any information on this parcel, I would appreciate it.

I have been looking online for housing needs studies for Minnetonka and haven't come  
up with too much, but might not be looking in the right place. I know that several  
communities use firms like Maxfield to guide comp plans and other planning  
processes. We try to use existing reports as guidelines where we can, and then  
commission new reports for specific locations if necessary. Please let me know if there  
any existing reports that might be of interest.

Best regards,  
Dave Igel  

David Igel
Hi Julie, can you please explain something to me?
This apartment proposal would be a PUD (Planned Unit Development District)?
Or would it be an R5 High Density District?

Can you explain how the Height of the building would be regulated by the FAR (Floor to Area Ratios)?
What is the FAR for this proposed concept?
and what max height would be allowed for this proposed concept?
and how does the R5 FAR max height relate/correlate to an adjoining R1 neighborhood?

<table>
<thead>
<tr>
<th>Planned Unit Development District</th>
<th>Uses permitted in all districts are allowed</th>
<th>Floor to Area Ratios (max.):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low-Medium Density Res: 0.5</td>
<td>High Density Res: 1.0</td>
<td>Office: 1.0</td>
</tr>
<tr>
<td>Commercial neighborhood or community: 0.8</td>
<td>Commercial regional: 1.5</td>
<td>Industrial: 1.0</td>
</tr>
</tbody>
</table>
Thank you for the contact. There will be more information after Monday’s council meeting about whether the project is moving forward. The link for the information is here: [http://eminnetonka.com/current-projects/planning-projects/1490-shady-oak-rd-redevelopment](http://eminnetonka.com/current-projects/planning-projects/1490-shady-oak-rd-redevelopment).

The city has a housing study in the comp plan, but we are right now in the midst of updating our housing and demographic information which will be available in June. The work with LRT housing information would be helpful in the meantime: [http://www.swlrtcommunityworks.org/beyond-rails/planning-information/housing-inventory](http://www.swlrtcommunityworks.org/beyond-rails/planning-information/housing-inventory).

You can check in again next week and I may have some information about what is happening.

Julie

---

From: Julie Wischnack  
Sent: Friday, April 21, 2017 2:48 PM  
To: 'Igel, Dave' <dave@igelprop.com>  
Subject: RE: 4312 Shady Oak

Thank you for the contact. There will be more information after Monday’s council meeting about whether the project is moving forward. The link for the information is here: [http://eminnetonka.com/current-projects/planning-projects/1490-shady-oak-rd-redevelopment](http://eminnetonka.com/current-projects/planning-projects/1490-shady-oak-rd-redevelopment).

The city has a housing study in the comp plan, but we are right now in the midst of updating our housing and demographic information which will be available in June. The work with LRT housing information would be helpful in the meantime: [http://www.swlrtcommunityworks.org/beyond-rails/planning-information/housing-inventory](http://www.swlrtcommunityworks.org/beyond-rails/planning-information/housing-inventory).

You can check in again next week and I may have some information about what is happening.

Julie
Hi Terry,

Did you know that no deal is better than a bad deal?

Did you know that, the rent for this apartment is up to 8% higher than an average mortgage for a house in the neighborhood?

Did you know that, the apartment is 60% AMI ($1275/month), while the average house in the area is 52% AMI ($1115/month)?

Did you know, that neither the neighborhood home builders, nor home buyers had an Affordable Housing subsidy?

Did you know that the apartment is valued at $252K, which is $32K (13%) more than the average house in the neighborhood?

Did you know that, a family at 60% AMI, can already easily afford the average house in the neighborhood? Even some of the most expensive houses in the neighborhood?

Did you know, there are currently houses for sale in the neighborhood?

Did you know that, our tax dollars will be paying the developer a subsidy to get the rent down to 60% AMI? And they're unwilling to divulge the amount of the subsidy?

Did you know that, the rent for this apartment is allowing it to be 'over-built' by 13% compared to the average house in the neighborhood? Plus our tax dollar subsidy is paying the developer to 'over-build' even further, on top of that 13%? But we're not being told how much it will be 'further-over-built'?

Did you know that, our tax dollars are paying corporate welfare in the form of this subsidy?

Did you know that, our tax dollars are paying the developer to increase their profit margins? And not to directly assist a tenant such as with Section 8?

Did you know that, our tax dollars are paying for your prospective neighbor in the apartment to have a higher valued home than the average house in the neighborhood?

Did you know that, the existing homeowners private property adds value to the
apartment, while the apartment would reduce the value of the existing homeowners private property?

Did you know that, the apartment would be utilizing the amenity of the natural landscape, payed for by the private property owners, to increase the value and appeal of the apartment?

Did you know that the developer would not be compensating the private land owners for the use of that amenity, increase of the value to the apartment, nor decrease in value to the private property owners?

Did you now that, the developer has no idea how much they'll pay for the land, as no negotiations have occurred?

Did you know that, the developer has no idea how much they'll pay to clean the contamination because no quote for the cleanup has been provided?

Did you know that, the developer has calculated a feasibility report without knowing these two major variables?

Did you know that, the size and scale of the building is based on said feasibility report?

Did you know that, the developer has 'no more room to move?' that is to 'downscale' any further? in order to maintain their feasibility?

Thank you,

with kind regards

Andy Braun

From: Alisha Gray
Sent: Friday, April 21, 2017 3:00 PM
To:  
Subject: FW: Actual Dimensions of the 54 Unit Proposed Building

Chris-

The building dimensions are listed in the staff report for the meeting on Monday. Please follow the link to view the past and revised concept plans.


Best,
Hi Terry, unfortunately I will not be able to make the council meeting tonight to receive your/council's response to my many inquiries. I will be watching the live stream and very much look forward to hearing your/council's feedback.

In lieu of my physical presence at the meeting, I'd like to additionally and kindly ask that you or a member of the council, commission or staff to please describe a summary of the pros/cons as well as any other benefits/merit/value/justification that has been identified. Based on the response, I'd like to further ask that it's described if that justification somehow negates or superseded the interest of the city and current residence of the neighborhood, or somehow enables the council to otherwise determine that the interest of the developer can somehow negate and supersede the interest of the city and its current residence.

I look forward to the responses at the meeting tonight.

With kind regard.

Andy Braun
4408 Crawford Rd

From: Abbey Holm
Sent: Monday, April 24, 2017 12:54 PM
To: Julie Wischnack <jwischnack@eminnetonka.com>
Subject:

Community Development Director Wischnack,

We want to believe that you care deeply about the residents of Minnetonka. We want to believe that you desire to listen and make positive change for us and our city. Right now we, residents of the neighborhood surrounding the Shady Oak Rd property, are afraid. We are afraid that you are going to ignore our resounding input. We need you to hear us. The proposed plan is not what is best for our neighborhood, your constituents.

My wife and I want to point out some important issues that need to be addressed about the property at 4312 Shady Oak Rd. The neighborhood and the proposed tenants would lose under Ron Clark’s plan. The city would profit. The developer would profit. This
would all happen at the expense of our neighborhood. The neighborhood would lose its small home and large lot feel, privacy, safety and security. Traffic congestion will increase, and home values will decrease. The possible tenants would be stuck on the very edge of Minnetonka, with hardly any green space for kids to safely play. There is not a close affordable grocery store or easy access to public transportation. This location would rely on Hopkins’ resources, not Minnetonka’s.

The proposed massive high-density three-story unit with a tall peaked roof does not fit the area at all. One-story commercial buildings and one to one and a half story homes surround this property. Homes are modest in size with ample wooded lots. This proposed high-density building barely fits on the lot, much less fits in with its surroundings, and it would compromise the lovely wooded views of our area from miles away.

The traffic study done does not give an accurate portrayal of what is true. It was completed for only two days over a spring break week; it is a very sad attempt. Also, the flow of traffic on Shady Oak Road should be included, not just Oak Drive Lane. When we pull out to turn north, we sit and wait for that traffic. Also, the new proposal has shrunk the number of onsite parking spaces. This will result in overflow parking on Oak Drive Lane, creating more congestion on an already narrow street. Access through the stoplight at Shady Oak and Main Street should be the only route considered.

Ron Clark and the city are not listening to the neighborhood that this will most impact. We had an interesting talk with Brad Wiersum about this topic at the open house on April 6th. He said, "Not everyone is going to be happy with change. But in my experience, the best way to try to please the most people is when everyone makes some compromises." Compromise happens when the two opposing parties meet in the middle, not when they are universes apart on an issue unable to budge. Ron Clark has said that fewer than 54 units is not financially an option for them. 54 units is not a correctly sized option for the neighborhood. We are universes apart. Thus, compromise cannot be made on this, and this is not the right location for their proposal. Ron Clark’s attempt to make minor changes to the previous proposal is not compromise because we still are not even in the universe of where meeting in the middle would be.

It is time to start actually advertising this property to more developers, especially commercial developers. Receiving only four of the same type of proposal does not give the city a good option to select from. Put up a for-sale sign. We cannot limit our options. Taxpayer money and livelihoods are at stake.

Sincerely,

Kyle and Abbey Holm

4234 Oak Drive Lane, Minnetonka

From: Andy Braun
Sent: Monday, April 24, 2017 3:48 PM
Hi Julie.

I'd like to know what the rent ranges for this proposed concept would be if it were at market rate.

Also since this concept proposal has been identified as a scam, why is the council continuing to consider it?

Please advise.

I look forward to your feedback tonight.

Thanks

Andy Braun