Addendum
Minnetonka City Council
Meeting of January 26, 2015

Update on the Play and Learn Café

Attached is an item staff recommends be added to tonight’s agenda related to the Play and Learn Café.

14A Items concerning One Two One Development located at 14217 Stewart Lane

The city planner has submitted a change memo correcting the planning commission vote that was listed in the staff report.

Also attached are comments received after the council packet was distributed.

Finally, a revised amendment to the Contract for Private Redevelopment is attached.
Memorandum

To: City Council

From: Loren Gordon, AICP, City Planner

Date: January 26, 2015

Subject: Change Memo for the January 26, 2015 City Council meeting

ITEM 14A – Item added to the agenda for Play and Learn Café, Cedar Lake Rd

Please see the attached staff report and resolution.

The attached comments and petition was received today.

ITEM 14B – Items concerning One Two One, 14217 Stewart Lane.

The staff report incorrectly identifies the Planning Commission vote as 5-1. The vote should be 4-1 as reflected in the meeting minutes.

The attached comments were received following distribution of the agenda packet.

A revised amendment to the Contract for Private Redevelopment is attached. The revisions include a change to Section 3 regarding the TIF Lookback for the Master Developer, and the addition of Section 7 concerning a TIF Lookback for public redevelopment costs immediately following the execution of this agreement.
City Council Agenda Item #14A
Meeting of January 26, 2015

Brief Description  
Update on the Play and Learn Café

Background

In June 1988 the city council approved a conditional use permit for Ted Williams Bar-B-Que (the space currently occupied by the Lone Spur). Included as a condition of approval was a requirement to dedicate cross parking and access agreements at any time the two shopping center properties were no longer under common ownership. The separation of ownership came in 1993. While cross access agreements were recorded in 1980, at the time of the shopping center’s construction, no formal parking agreements have been recorded against either property.

On December 1, 2014 the council approved a conditional use permit to operate Play and Learn Café, a restaurant, within the Cedar Hills Shopping Center at 10982 Cedar Lake Road. Play and Learn Café would occupy three currently vacant tenant spaces and would also include an indoor play area/playground. Until the review of the Play and Learn Café’s conditional use permit, the city has not had an opportunity to gain parking compliance for both properties. As such, the council included the following as conditions of approval for the Play and Learn Café:

1. The parking agreement which was a condition in the 1988 conditional use permit for the former Lone Spur restaurant be recorded prior to the issuance of a building permit for Play and Learn Café.

2. If the parking agreement is not recorded, within 6 months, the conditional use permit will be brought back to the city council for further discussion.

Since the council’s review in December, a parking easement document has been drafted and preliminarily approved by the city. This parking easement has been presented to the property owner of the shopping center’s western parcel. To date, no formal agreement has been made. However, both property owners have expressed that it would be reasonable to expect a finalization of this agreement within 30 days.

Parking Study

The city secured SRF Consulting to review the parking on site. While the study analyzes the parcels separately, the report generally responds to all of the surface parking lots on site. The following is a summary of the report:

- Off-street parking utilization surveys were collected on four separate occasions. The times were selected to represent the busiest times on site.
• Peak parking demand occurred at 6:30 on Friday, January 9, 2015, when 127 of the total 182 parking spaces were utilized. (The east parcel was approximately 73 percent occupied during this time).

• Based on information provided from the Lone Spur, restaurant sales in the summer are generally 20 percent higher than in January. Accounting for the increase in parking demand during the summer months, the estimated parking demand would utilize 153 of the available 182 spaces.

• Accounting for the proposed addition of Play and Learn Café, the parking study shows a 10 stall deficit on the property when calculating the parking using ITE rates. However, this deficit includes a 10 percent excess of spaces to allow for circulation and to reduce the perception of inadequate parking.

• Based on the study, the eastern parcel is not expected to provide a convenient, sufficient amount of parking (taking into consideration the 10 percent excess parking spaces). To meet the recommended parking demand, a minimum of 10 spaces should be constructed – or – a cross parking agreement should be developed.

Summary Comments

Based on the results of the parking study, staff is comfortable recommending the council amend Resolution 2014-124 to allow the issuance of the Play and Learn Café’s building permit. In addition, staff is proposing to continue parking observations at the shopping center through fall of 2015 to verify parking conditions after the opening of Play and Learn. This continued monitoring of parking for a period of time post-opening will ensure the appropriate number of parking spaces are constructed to provide further basis for the proof-of-parking spaces. Nonetheless, the property owners have the ability to construct additional parking stalls at any time.

To ensure the parking agreement is filed, staff continues to recommend the agreement be filed with Hennepin County by June 22, 2015. Should the document not be filed, the Lonespurs’s conditional use permit will be brought back to the city council for further review.
Recommendation

Recommend the city council approve the attached resolution which approves and amends a conditional use permit for a restaurant at 10982 Cedar Lake Road.

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

Originated by:
  Ashley Cauley, Planning Technician
Resolution No. 2015-

Resolution amending and replacing Resolution 2014-129 for a conditional use permit for a fast food restaurant at 10982 Cedar Lake Road

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

Section 1. Background.

1.01 Sarah Bakkum is requesting a conditional use permit to operate a fast food restaurant at 10982 Cedar Lake Road, located within the Cedar Hills Shopping Center. (Project 86062.14a.).

1.02 The property is located at 11092 Cedar Lake Road. It is legally described as:

That part of Outlot B, Cedar Hills, lying Northeasterly of the following described line and its extensions: Commencing at the Southwest corner of said Outlot B; thence Northeasterly along the Southeasterly line of said Outlot B, 320 feet to the point of the beginning of the line to be described; thence Northwesterly at a right angle to the Southeasterly line of said Outlot B, to the Northwesterly line of said Outlot B and there terminating.

1.03 On October 23, 2014, the planning commission held a hearing on the proposal. 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 permit.

Section 2. General Standards.

2.01 City Code §300.21 Subd. 2 lists the following general standards that must

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

Section 3. Specific Standards.

3.01 City Code §300.12 Subd. 4(f) lists the following specific standards that must be met for granting a conditional use permit for fast food restaurants:

1. Shall be located on sites having direct access to minor arterial streets or service roads;

2. Public address systems shall not be audible from any residential parcel;

3. Stacking for a minimum of six cars per aisle shall be provided within applicable parking lot setbacks;

4. Shall not be permitted when traffic studies indicate significant impacts on the levels of service as defined by the institute of traffic engineers of adjacent streets and intersections; and

5. Building shall be setback at least 100 feet and screened from any adjacent property designated in the comprehensive plan for residential use.

Section 4. Findings.

The stricken language is deleted; the underlined language is inserted.
4.01 The proposal meets the conditional use permit standards.

1. Cedar Hills Shopping Center has direct access to Cedar Lake Road, a major collector street.

2. No public address systems are proposed as part of this application. However, this has been included as a condition of approval.

3. No drive-thru is proposed. This has also been included as a condition of approval.

4. Based on the previous restaurant use both on the property and in the proposed tenant space, the proposed restaurant use is not anticipated to negatively impact the levels of service of nearby intersections or adjacent roadways.

5. The subject property is not located adjacent to a residential property. It is surrounded on three sides by roadways and a similar commercial building on the fourth.

Section 5. Council Action.

5.01 The above-described conditional use permit is 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:
   - Site plan dated September 10, 2014

2. Prior to the issuance of a building permit:
   a) This resolution must be recorded with Hennepin County.
   b) The parking agreement, which was a condition in the 1988 conditional use permit for the former Lone Spur restaurant, must be recorded with Hennepin County. If the parking agreement is not recorded within six months, the conditional use permit will be brought back to the city council for further discussion.

The stricken language is deleted; the underlined language is inserted.
3. Any outdoor system, speakers or audio equipment must not be audible from surrounding residential properties. The city, at its sole discretion, may require any outdoor sound system speakers or audio equipment be removed.

4. No drive-thru windows are permitted by this resolution.

5. Add or relocate fire sprinklers as required for the new layout. If a Type I Kitchen hood is installed in the kitchen, it must be protected by an Ansul Piranha system.

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

7. 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 January 26, 2015.

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.

The stricken language is deleted; the underlined language is inserted.
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 January 26, 2015.

__________________________________
David E. Maeda, City Clerk

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

To: Ms. Ashley Cauley, Planning Technician
   City of Minnetonka
From: Matthew Pacyna, PE, Senior Associate
       Tom Sachi, EIT, Engineer
Date: January 23, 2015
Subject: Cedar Hills Shopping Center Parking Study

Introduction

As requested, SRF has completed a parking study for the Cedar Hills Shopping Center in Minnetonka, MN. The shopping center is primarily located in the northwest corner of the Cedar Lake Road and Cedar Bend intersection. One of the vacancies in the eastern parcel of the Cedar Hills Shopping Center is proposed to be occupied by the proposed Play and Learn Café. The main objectives of this study are to review the existing land use and parking supply/demand within the shopping center, identify potential parking impacts associated with the proposed change in land use, and recommend improvements to address any issues, if necessary. The following information summarizes the results of the parking study.

Background Information

The shopping center is split into two distinct portions (i.e. west and east). The west portion is approximately 12,000 square feet (SF) and includes a fitness center, nail salon, high-turnover sit-down restaurant, a liquor store, deli, and veterinary services. The eastern shopping center is approximately 21,000 SF and includes a high-turnover sit-down restaurant, a foot spa, insurance company, two dental offices, an investment firm, an after school tutor, and approximately 2,400 SF of empty space. The shopping center is owned by two different people and currently, there is no shared parking agreement, except users of the Lone Spur Bar and Grill may park in the western lot. This is due to the owner of Lone Spur Bar and Grill also owning the west shopping center.

Existing Parking

The following information was collected to identify the current parking conditions within the study area and determine if any issues and/or barriers exist.

- Existing off-street parking utilization surveys were collected by SRF during the following four time periods:
  - Thursday, January 8th, 2015 at 12:00 p.m.
  - Friday, January 9th, 2015 at 6:30 p.m.
  - Saturday, January 10, 2015 at 12:00 p.m.
  - Tuesday January 13, 2015 at 6:30 p.m.

- These time periods were selected to represent the busiest times on site. It should be noted that since the proposed land use is expected to be closed after 8:00 p.m., counts were not taken during a late evening period.
• Off-street parking surveys were collected for all surface parking lots on site. To understand the parking utilization for both parcels, the data was separated between the east parking lot and west parking lot. Additionally, the east and west lots were broken into multiple areas to better understand where visitors are parking. This is shown in Figure 1.

• As shown in Table 1, the peak off-street parking demand occurred at 6:30 p.m. on Friday January 9, 2015, when 127 of the total 182 parking spaces on site were utilized.
  o The eastern parcel, which includes the proposed land use change, was approximately 73 percent occupied during the peak parking period on Friday evening.

Table 1 – Existing Off-Street Parking Demand

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Parking Supply</th>
<th>Parking Demand By Time Period</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Weekday</td>
</tr>
<tr>
<td></td>
<td></td>
<td>12:00 p.m.</td>
</tr>
<tr>
<td>West Parcel</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>39</td>
<td>19</td>
</tr>
<tr>
<td>B</td>
<td>25</td>
<td>8</td>
</tr>
<tr>
<td>East Parcel</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>55</td>
<td>33</td>
</tr>
<tr>
<td>B</td>
<td>42</td>
<td>11</td>
</tr>
<tr>
<td>C</td>
<td>30</td>
<td>10</td>
</tr>
<tr>
<td>Total</td>
<td>191</td>
<td>81 (42%)</td>
</tr>
</tbody>
</table>

• The parking lot behind the building (East C) was only 30 percent utilized during the Friday evening peak period.

• Based on information provided by the owner of Lone Spur Bar and Grill, the restaurant sales in January (time of data collection) are approximately 20 percent less than typical sales during the summer months. Accounting for the increase in parking demand during the summer months, the estimated parking demand during the peak period is 153 spaces.

• Snow storage utilized approximately five spaces, located primarily near the islands within the parking lot.
  o It should be noted that during observations the surface was covered with snow, making it difficult for motorists to see the parking space lines. This resulted in vehicles not parking accurately.

• To better understand which commercial uses are contributing to the parking demand during the peak period (Friday evening), the hours were reviewed for each use. A summary of the business hours is shown in Table 2.
**Existing Parking Supply**

Cedar Hills Shopping Center Parking Study
City of Minnetonka, MN

January 2015

**Figure 1**
Table 2 - Business Hours

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Monday-Thursday</th>
<th>Friday</th>
<th>Saturday</th>
<th>Sunday</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>West Parcel</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fitness Center</td>
<td>24 Hours</td>
<td>24 Hours</td>
<td>24 Hours</td>
<td>24 Hours</td>
</tr>
<tr>
<td>Nail Salon</td>
<td>10:00 a.m. - 8:00 p.m.</td>
<td>10:00 a.m. - 8:00 p.m.</td>
<td>10:00 a.m. - 7:00 p.m.</td>
<td>11:00 a.m. - 5:00 p.m.</td>
</tr>
<tr>
<td>Cocoa Loco</td>
<td>7:00 a.m. - 10:00 p.m.</td>
<td>7:00 a.m. - 10:00 p.m.</td>
<td>8:00 a.m. - 10:00 p.m.</td>
<td>8:00 a.m. - 10:00 p.m.</td>
</tr>
<tr>
<td>Liquor Store</td>
<td>9:00 a.m. - 9:00 p.m.</td>
<td>9:00 a.m. - 10:00 p.m.</td>
<td>9:00 a.m. - 10:00 p.m.</td>
<td>Closed</td>
</tr>
<tr>
<td>Deli</td>
<td>9:00 a.m. - 8:00 p.m.</td>
<td>9:00 a.m. - 8:00 p.m.</td>
<td>9:00 a.m. - 8:00 p.m.</td>
<td>10:00 a.m. - 6:00 p.m.</td>
</tr>
<tr>
<td>Animal Hospital</td>
<td>7:30 a.m. - 6:00 p.m.</td>
<td>7:30 a.m. - 6:00 p.m.</td>
<td>7:30 a.m. - 12:00 p.m.</td>
<td>Closed</td>
</tr>
<tr>
<td><strong>East Parcel</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lone Spur Bar and Grill</td>
<td>11:00 a.m. - 1:00 a.m.</td>
<td>11:00 a.m. - 1:00 a.m.</td>
<td>11:00 a.m. - 1:00 a.m.</td>
<td>11:00 a.m. - 12:00 a.m.</td>
</tr>
<tr>
<td>Foot Spa</td>
<td>10:00 a.m. - 9:30 p.m.</td>
<td>10:00 a.m. - 9:30 p.m.</td>
<td>10:00 a.m. - 9:30 p.m.</td>
<td>10:00 a.m. - 9:30 p.m.</td>
</tr>
<tr>
<td>Insurance Company</td>
<td>8:30 a.m. - 5:00 p.m.</td>
<td>8:30 a.m. - 5:00 p.m.</td>
<td>9:00 a.m. - 12:00 p.m.</td>
<td>Closed</td>
</tr>
<tr>
<td>Orthodontist</td>
<td>8:00 a.m. - 4:30 p.m.</td>
<td>8:00 a.m. - 4:30 p.m.</td>
<td>Closed</td>
<td>Closed</td>
</tr>
<tr>
<td>Math Tutor</td>
<td>3:00 p.m. - 8:00 p.m.</td>
<td>Closed</td>
<td>12:00 p.m. - 5:00 p.m.</td>
<td>Closed</td>
</tr>
<tr>
<td>Investment Company</td>
<td>8:30 a.m. - 4:00 p.m.</td>
<td>8:30 a.m. - 4:00 p.m.</td>
<td>Closed</td>
<td>Closed</td>
</tr>
<tr>
<td>Dentist Office</td>
<td>8:00 a.m. - 5:00 p.m.</td>
<td>8:00 a.m. - 12:00 p.m.</td>
<td>Closed</td>
<td>Closed</td>
</tr>
</tbody>
</table>

Existing Facilities Parking Demand/Supply

Parking rates provided by the City of Minnetonka City Code and Institute of Transportation Engineers (ITE) Parking Generation Manual, 4th Edition were reviewed for the existing facilities to gauge how well each reference represents the current parking supply/demand. A summary of the existing parking demand/requirements using the City Code and ITE approaches is shown in Tables 3 and 4, respectively.

Table 3 - Existing Land Uses - City Code Requirements

<table>
<thead>
<tr>
<th>City Code</th>
<th>Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Land Use Type</strong></td>
<td><strong>Size</strong></td>
</tr>
<tr>
<td>West Shopping Center</td>
<td>Shopping Center</td>
</tr>
<tr>
<td>Cocoa Loco</td>
<td>Sit down full service</td>
</tr>
<tr>
<td>East Shopping Center</td>
<td>Shopping Center</td>
</tr>
<tr>
<td>Lone Spur Grill and Bar</td>
<td>Sit down full service</td>
</tr>
<tr>
<td><strong>Total Spaces</strong></td>
<td>245</td>
</tr>
</tbody>
</table>

- The City Code requirement is approximately double what was observed during the peak parking demand.
### Table 4 - Existing Land Uses - ITE 85th Percentile Demand

<table>
<thead>
<tr>
<th>Land Use Type (ITE Code)</th>
<th>Size</th>
<th>85th Percentile Rate (Weekday)</th>
<th>85th Percentile Rate (Saturday)</th>
<th>85th Percentile (Weekday)</th>
<th>85th Percentile (Saturday)</th>
</tr>
</thead>
<tbody>
<tr>
<td>West Shopping Center (820)</td>
<td>9,700 SF</td>
<td>3.16 veh / 1000 SF</td>
<td>3.40 veh / 1000 SF</td>
<td>44</td>
<td>47</td>
</tr>
<tr>
<td>Cocoa Loco</td>
<td>2,300 SF</td>
<td>16.3 veh / 1000 SF</td>
<td>20.6 veh / 1000 SF</td>
<td>38</td>
<td>48</td>
</tr>
<tr>
<td>East Shopping Center (820)</td>
<td>16,600 SF</td>
<td>3.16 veh / 1000 SF</td>
<td>3.40 veh / 1000 SF</td>
<td>53</td>
<td>56</td>
</tr>
<tr>
<td>Lone Spur Grill and Bar</td>
<td>4,400 SF</td>
<td>17.4 veh / 1000 SF</td>
<td>20.4 veh / 1000 SF</td>
<td>77</td>
<td>90</td>
</tr>
<tr>
<td>Total Spaces</td>
<td>212</td>
<td></td>
<td></td>
<td>241</td>
<td></td>
</tr>
</tbody>
</table>

- It should be noted that ITE does not have a specific parking rate for Friday for the restaurant land use. However, it is expected that Friday and Saturday will have similar parking rates during the peak periods.
- The ITE rates are approximately 40 to 45 percent higher than the observed peak parking demand.
- Once again, as it is shown in Table 2, most uses within the east shopping center are closed before the peak period demand for the Lone Spur Bar and Grill, meaning that these uses have minimal parking demand during the restaurant peak time and those spots can be used by restaurant customers.
- Both the City Code and ITE estimates shown in Tables 3 and 4, respectively, overestimate the needed parking for this site, based on data collected by SRF Consulting Group.

### Future Parking Analysis

In order to determine if the existing parking supply is sufficient to accommodate the parking demand for the proposed land use change, a detailed parking analysis for the future land uses was completed using the existing parking demand, the ITE Parking Generation Manual, and the City Code. The following information summarizes the results of the parking analysis.

- The proposed Play and Learn Café consists of 5,500 GSF of restaurant, playroom, and party room space. The restaurant would occupy approximately 1,800 GSF of the 5,500 GSF.
Since there is not a specific ITE land use that accurately depicts the proposed Play and Learn Café, a high-turnover, sit-down restaurant was used. This is consistent with previous City of Minnetonka parking information for this site.

This land use type is defined by longer duration stays than a fast-food restaurant, which more accurately depicts the expected length of stay of visitors to Play and Learn Café.

A summary of the future parking demand the proposed addition of Play and Learn Café and the resultant surplus/deficit using the City Code and ITE approaches is shown in Table 5.

It should be noted that for planning purposes it is recommended to provide a 10 percent excess of spaces to allow for circulation on-site and reduce the perception of inadequate parking.

Table 5 - Future Parking Supply/Demand Comparison

<table>
<thead>
<tr>
<th>Land Use Type</th>
<th>City Code</th>
<th>Parking Requirement</th>
<th>ITE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Play and Learn Café – 1,800 sf</td>
<td>Restaurant</td>
<td>One space per 60 SF</td>
<td>30</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Existing Demand</td>
<td>153 (2)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Subtotal Demand</td>
<td>183</td>
<td>184</td>
</tr>
<tr>
<td></td>
<td>Circulation (10%)</td>
<td>18</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>Recommended Supply</td>
<td>201</td>
<td>202</td>
</tr>
<tr>
<td></td>
<td>Current Supply</td>
<td>191</td>
<td>191</td>
</tr>
<tr>
<td></td>
<td>Surplus/ (Deficit)</td>
<td>(10)</td>
<td>(11)</td>
</tr>
</tbody>
</table>

(1) Represents the Saturday peak period, which is the highest demand time.
(2) Represents the peak period demand, observed on a Friday, plus an additional 20 percent to account for the increase in sales during summer months.

Based on the parking requirement of the City Code and the ITE parking demand estimate, there is expected to be a 10 to 11 space deficit on the east property. However, the City has approved proof of parking to account for the identified parking deficit.

Other Considerations

It is important to note that there is an additional 2,400 sf of vacant space next to Lone Spur Bar and Grill. If/when this space is occupied (assuming a retail land use), it is expected to have a demand of eight (8) spaces during the peak period.
• Although there is a surplus of parking in the west lot, these spaces are not expected to be utilized by the new development. In addition, the majority of the observed open spaces are located on the western edge of the west lot (in the West A portion of the lot), approximately 400 to 500 feet away from the Play and Learn Café, which is not ideal for parents with young children.

• Data collected by SRF was compared to the data collected in October 2014 by Roger J Johnson Architecture and Planning. The highest observed time period collected by Roger J Johnson was also on a Friday evening at 6:15 p.m. However, their counts were substantially higher than the data collected by SRF. This is likely because the counts were collected before a Hopkins High School football game, which does not represent a typical Friday or Saturday evening.

Conclusion

• Based on the review of the future parking supply/demand and the various calculation methodologies, the existing parking supply for the Cedar Hills Shopping Center eastern parcel is not expected to provide a convenient, sufficient amount of parking (based on a need for approximately 10 percent excess parking spaces for circulation).
  
  o It has been identified that the northern parking lot (behind the Cedar Hills Shopping Center) is currently underutilized. It is expected that this parking is for employees only and not for customers. It is recommended that employees of the businesses park behind the building in order to allow for an easier parking experience for customers.

• To meet the recommended parking demand for the Cedar Hills Shopping Center, a minimum of 10 spaces of the proof of parking (shown in Figure 1) should be constructed. An alternative to constructing the proof of parking at this time is to develop a cross parking agreement.
Ashley

Attached are our comments for inclusion in tonight's council meeting package. If you have any questions on this please do not hesitate to call me at 763-923-7886.

The petitions shall follow shortly under separate cover.

Mark Ravich
Memo to: City Council of Minnetonka, Minnesota
RE: Cedar Hills Shopping Center Parking

The owners of the LoneSpur Grill and Bar and the east portion of the Cedar Hills Shopping Center would like to comment on the Parking study which we just received. We believe the parking study does not reflect the actual situation at the Cedar Hills Shopping Study as it was prepared under rush conditions that did not allow proper data to be gathered, nor adequate review time for us to refute their assumptions and conclusions. In addition we believe there to be inconsistencies in the report.

The study basically looked at the parking needs two ways. First by applying city ordinances and common standards to the site, and second based on actual observations. Based on the ordinances and ITE normal standards the site is significantly under parked when taking into account a new restaurant being added, even with the proof of parking being built (which only covers the LoneSpur proof of parking and not the new restaurant).

The recommendations of the study on the other hand are based on actual data. The trouble with the study is that there was only one observation during our busy hours (Thursday, Friday, and Saturday between 5PM to 7PM). Additionally that day, January 9th 2015 was one of the coldest days of the year which highlighted parking on an abnormally slow day even for January which is one of the slowest months to start with. The 20% correction factor they used for that day should be applied to an average January day not to one of the slowest days. In fact I was at the parking lot an hour before the consultants were and counted only 7 spaces open in the east parking lot to their observed 19 open spaces an hour later.

There is no way a fair assessment of the parking needs can be determined based on one data point which is abnormally low.

Additional points regarding the study are:

1. The study states that the City Code and ITE requirements are to large but only based on the one data point.
2. The study states that additional parking will be needed when the balance of the vacancy is filled but this is not added into the parking needs.
3. The 11 parking stalls the study states are currently required, based on even the low data they used, does not take into account the fact that over 20 of the stalls they are counting are in the back of the building and based on the study and the City unlikely to ever be used by customers. The spaces are needed in the front.
4. In addition the study states that customers are not likely to use the spaces in the far west parking lot due to distance putting further pressure on the east parking lot.
5. The study through out a higher actual parking observation by Roger Jones based on a Hopkins High School game being played that day which they described as uncommon, but in actual games are being played quite often during the year. Also they did not incorporate any of our November data that showed the lot effectively full most Thursday, Friday, and Saturday’s between 5PM and 7PM.
6. Finally in their recommendation they state the there is a current parking deficit of at least 10 spaces taking into account both parking lots. Therefore their conclusion that a cross parking easement would help is wrong, as all parking was already taken into account in calculating
the need for 10 spaces. Which also as is discussed above takes into account around 20 spaces behind the building.

In addition to observing the parking ourselves, we conducted a study with our regular customers to determine their experiences with parking at the site. **We are submitting petitions from approximately 260 of our regular customers, of which 165 are residents of the City of Minnetonka stating that parking is a problem at the site and requesting the additional parking be approved along with the new restaurant.**

In an attempt to resolve the situation we would like to propose the following:

1. The City issue the building permit today.

2. The parking study be extended until the end of February adding at least 10 data points on Thursday, Friday and Saturday’s between 5PM and 7PM, to be mutually agreed on between the LoneSpur and the City, with both parties agreeing to accept the final results of the study.

3. The cross easement to be negotiated between the property owners also by the end of February, instead of June as is our current agreement with the City.

Again we would like to emphasize that the parking study was rushed, done on a bad day at the wrong time of the year, and not reflective of the actual facts on the ground. The observations of over 25 years of operating the restaurant and the actual experience of 260 regular customers cannot be dismissed as wrong based on one data point on one of the coldest days of the year.

Thanks you for your consideration of our position

Mark Ravich
Petition to the City Council of the City of Minnetonka

The following customers of the LoneSpur Grill and Bar located in the Cedar Hills Shopping Center would like to request that the City Council not approve the issuance of a building permit for the proposed Play and Learn Café without first requiring at least the installation of the 40 additional proof of parking stalls located in the front of the shopping center.

It is our understanding that the Play and Learn Café will have seating between their restaurant area and party room area for 106 people. As the shopping center currently is operated there are many times when it is difficult to find parking. The addition of another 106 seats in the shopping center will create a situation where we will have nowhere to park, as there is no offsite parking in the area. This will cause us to have to go elsewhere to eat.

Sincerely the customers of the LoneSpur Grill and Bar:

Name: ___________________________________________ Minnetonka resident: ______________________________________

[Signatures and yes/no responses filled in by individuals]
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<tr>
<th>Name:</th>
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<tr>
<td>Carole Broda</td>
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<td>Sara B.</td>
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<td>Ana S.</td>
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<td>Aubrey Stuard</td>
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<td>Steve M.</td>
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<td>Bruce E.</td>
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<td>Eric H.</td>
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<td>April E.</td>
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<td>Barbara G.</td>
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<td>Patricia Albertson</td>
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<td>Raymond Piccolo</td>
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<td>Joan Balmer</td>
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[Signatures]
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Sincerely the customers of the LoneSpur Grill and Bar:

Name: [Signatures]

Minnetonka resident: [Handwritten yes/no votes]

[Signatures]
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Sincerely the customers of the LoneSpur Grill and Bar:

Name:  Minnetonka resident:  
Shellen Wolf  yes/no  
Kari Wolf  yes/no  
Dr. Gayle  yes/no  
Leah Hunter  yes/no  
Bucky Fomos  yes/no  
Matt  yes/no  
Carlson  yes/no  
Charles W.  yes/no  
Karyn Weller  yes/no  
Vanna Widdes  yes/no  
Pam Tracy  yes/no  
Vinnie Fantelli  yes/no  
Stella Wolf  yes/no  
Marge Klopf  yes/no
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<td>Josh West</td>
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<tr>
<td>Sheila Hailey</td>
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<td>Maren Klock</td>
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<td>Robert Edwaet</td>
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<td>Dan Cohen</td>
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<td>Ham Liu</td>
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<td>Susan Freistad</td>
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<td>Robert Johnson</td>
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<td>Bob Davis</td>
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<td>Allie</td>
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<td>Christopher</td>
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<td>Austin</td>
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Sincerely the customers of Cocoa Loco:

Name:          Minnetonka resident:

[Names of petitioners listed with yes/no responses]
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Sincerely the customers of the LoneSpur Grill and Bar:

Name: [Signatures]

Minnetonka resident: [Yes/No]

[Signatures]
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Sincerely the customers of the LoneSpur Grill and Bar:

Name: ____________________________  Minnetonka resident: ____________________________

[Signatures with corresponding yes/no choices]
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Sincerely the customers of Cocoa Loco:

Name: 

Minnetonka resident:
From: Tony Wagner  
Sent: Monday, January 26, 2015 6:01 AM  
To: Geralyn Barone  
Subject: Fwd: Glen Lake Proposal  

Tony Wagner  
City Council Member, Ward 2  
Minnetonka MN  
twagner@eminnetonka.com  
612-382-5212  

Sent from my iPad  

Begin forwarded message:  

From: Raun Nelson <raun.nelson@eminnetonka.com>  
Date: January 25, 2015 at 5:21:19 PM CST  
To: <twagner@eminnetonka.com>  
Subject: FW: Glen Lake Proposal  

Thank you for your consideration.
January 24, 2015

To Whom It May Concern:

I am a resident of the Lakeside Estates TH Assoc and I have been since April of 2012. I live alone with my cat and my dog. My adult children occasionally come and stay with me. It is our home. I love this little niche of a neighborhood and all of my neighbors. It is a very close group. The park below us and the vacant lot are a very nice part of our neighborhood. I walk my dog several times a day through the area and enjoy the richness of the ecosystem. There are deer, turkeys, snapping turtles and coyote as well as a variety of birds and plants that I love to observe on my walks. People are very respectful of the area and it is enjoyed by many.

I have been watching and hearing about the proposed plans to develop the vacant lot on the north end of Glen Lake. I have a huge concern that building such a large building on the lot will destroy the feel of the neighborhood and be too hard on the current ecosystem that is enjoyed by so many. I am asking that the City Council agree with the Planning Commissions’ finding that the proposal is too big for the lot and the area. Any building should be built within the allowed zoning requirements with NO variances.

A four story building of the proposed mass and density is not an acceptable transition from our townhomes. Variances were not allowed in the building of our homes. Why should they be allowed for this proposal?

The number of people and cars that will be added to our small neighborhood will have a very detrimental effect on the flow of traffic in and out of this area. There is already very limited parking on our streets as well as they are too narrow to allow a lot of traffic to safely come and go. Trying to exit Stuart Lane onto Excelsior Blvd or Eden Prairie Blvd (Cty 4) in the morning is already difficult. Trying to walk on the streets that are without sidewalks is already a challenge and not safe at times.

We are also asking that you keep the public trail on the west side of the proposed building for both privacy and safety as moving it to the east side would have people walking on the edge of our limited back yards and closer to our homes than we would care for as well as close to the park and it would affect the wildlife that live there and move through the whole area.

Please take all of the above under careful consideration. This is a beautiful area and it will potentially be ruined forever by overbuilding with what is being proposed.

Sincerely,

Raun Nelson

14208 Glen Lake Dr
From: Tony Wagner  
Sent: Monday, January 26, 2015 6:14 AM  
To: Mary Bohmbach  
Cc: Geralyn Barone  
Subject: Re: Glen Lake - Kinsel Point

Mary --

Thank you for your comments on the project we are considering tonight. I appreciate the fact that you took the time to share your thoughts.

I’ve copied our City Manager on this email so your comments can be added to the public record. If you do not prefer that your comments be shared, please just respond to Geralyn.

Tony

Tony Wagner  
City Council Member, Ward 2  
Minnetonka MN  
twagner@eminnetonka.com  
612-382-5212

Sent from my iPad

On Jan 23, 2015, at 3:01 PM, Mary Bohmbach wrote:

I have lived at Glen Lake Shores Condominium for nearly 20 years now. I have enjoyed the peace and tranquility that my neighborhood provides. By building a massive structure that is being proposed for Kinsel Point - Site C will simply take that away.

This project is too massive for the property and I believe a smaller and less invasive neighbor would be much for suitable and would fit in much better than a four-story, 54 unit building. The Glen was just completed a few years ago and is a very nice building and fits well in the
neighborhood. That should be enough. Why would you ever vote to squeeze in a large building on a very narrow and long piece of property that would stick out like a sore thumb? You must not live in the vicinity. I don't for one minute think that this will add value to my property, in fact it will do the opposit. It will decrease it immensely! We already live across the street from the massive apartment building and I have no interest in living right next door to another one. You really need to put your current constiuents at the forefront of this project and think about what "WE" want, rather than what a developer wants. Listen to us - we are saying NO!

Why not develop the old Kramers property. That is such an eye shore as is that entire block. Relocate the dance studio and bulldoze the hardware store and the gun shop!

Stewart Lane is a very private and small road and doesn't get much traffic. That is the beauty of Stewart Lane and why people love the neighborhood. By building such a structure would not only increase the traffic flow but would take away the uniqueness of the neighborhood.

I would encourage you to VOTE NO to this project!

Sincerely,
Mary Bohmbach
Glen Lake Shores
Begin forwarded message:

From: Grace Sheely <gracesheely@eminnetonka.com>
Date: January 24, 2015 12:31:37 PM CST
To: Robert Ellingson <robert.ellingson@state.mn.us>, Tim Bergstedt <tbergstedt@eminnetonka.com>, Terry Schneider <tschneider@eminnetonka.com>, Brad Wiersum <bwiersum@eminnetonka.com>, Patty Acomb <pattyacomb@yahoo.com>, Dick Allendorf <dallendorf@eminnetonka.com>, Tony Wagner <twagner@eminnetonka.com>, Julie Wischnack <Jwischnack@eminnetonka.com>
Subject: One Two One Comment - Internet Access issues

Please read the attached document - a letter from Jim Zachman.

--
Grace Sheely
Minnetonka, MN 55345

"Success comes before work but only in the dictionary." UNKNOWN
January 23, 2015

Dear Julie Wischnack (and City Council):

Thank you for your time answering my questions regarding the Glenhaven TIF District. I was happy to see when I read in packet prepared for the Council's review of the One Two One proposal that the order of the TIF disbursements in the proposed 3rd Amendment contract changes the order of the payments and it prioritizes the payments of all debts before the distribution of profit on this final phase of the redevelopment.

Only one thing leaves me sad as a Minnetonka retiree-at-large. The community is missing out on what could be a beautiful project if proposals from other developers were entertained. I believe that the City could sell the Kinsel Point site for $2 million and that approximately 25 units of higher income housing could be built as Commissioner Kirk suggested during the last Planning Commission review. The housing could start on top of the hill as two stories buildings and step down the hill towards the lake with taller stories due to the drop in elevation.

I also believe that the total amount of additional TIF collected would be approximately the same. My calculations suggest that the taxable value of this higher income housing would be about the same as the proposed 55 unit cooperative. The goals of the Glenhaven Redevelopment District would be achieved and my neighbors would be happier.

I have completed many developments (over 2000+ housing units) throughout my career. If I can answer any questions that you have regarding financing, profit margins, or cooperatives, please call me anytime.

www.civilengineerjz.com

Best Regards,

Jim Zachman
14194 Glen Lake Drive
Minnetonka, MN 55345
From: Tony Wagner
Sent: Monday, January 26, 2015 6:12 AM
To: Geralyn Barone
Subject: Fwd: Comment on One Two One (No Internet Access - Dictated)

Tony Wagner
City Council Member, Ward 2
Minnetonka MN
twagner@eminnetonka.com
612-382-5212

Sent from my iPad

Begin forwarded message:

From: Grace Sheely
Date: January 24, 2015 at 11:40:57 AM CST
To: Robert Ellingson <bellingson@eminnetonka.com>, Patty Acomb <pattyacomb@yahoo.com>, Terry Schneider <tschneider@eminnetonka.com>, "Brad Wiersum" <bwiersum@eminnetonka.com>, Tony Wagner <twagner@eminnetonka.com>, Dick Allendorf <dallendorf@eminnetonka.com>
Subject: Comment on One Two One (No Internet Access - Dictated)

Dear Council:

I am concerned about the traffic on Stewart Lane. Have you considered how this new new building will affect the traffic flow?

I think we should follow the setback rules that the City has established. My concern is with the front parking variances and how close the building will be to Stewart Lane.

I believe the building should not be taller that 3 stories and this will make it blend better with the neighborhood.
Sincerely,

Lucille Renneke
14317 Excelsior Boulevard
Minnetonka

Grace Sheely
Minnetonka, MN 55345

"Success comes before work but only in the dictionary." UNKNOWN
From: Tony Wagner  
Sent: Monday, January 26, 2015 6:14 AM  
To: Larry Wade  
Cc: Geralyn Barone  
Subject: Re: Kinsel point

Larry --

Thank you for your comments on the project we are considering tonight. I appreciate the fact that you took the time to share your thoughts.

I've copied our City Manager on this email so your comments can be added to the public record. If you do not prefer that your comments be shared, please just respond to Geralyn.

Tony

Tony Wagner  
City Council Member, Ward 2  
Minnetonka MN  
twagner@eminnetonka.com  
612-382-5212

Sent from my iPad

On Jan 23, 2015, at 3:15 PM, Larry Wade > wrote:

I oppose further development of glen lake. Larry wade 15524 day pl. 55345

Sent from my iPhone
From: Tony Wagner  
Sent: Monday, January 26, 2015 6:13 AM  
To: Geralyn Barone  
Subject: Fwd: One Two One Comment - dictated via phone (no Internet access)

Tony Wagner  
City Council Member, Ward 2  
Minnetonka MN  
twagner@eminnetonka.com  
612-382-5212

Sent from my iPad

Begin forwarded message:

From: Grace Sheely >  
Date: January 23, 2015 at 7:47:32 PM CST  
To: Brad Wiersum <bwiersum@eminnetonka.com>, Robert Ellingson <bellingson@eminnetonka.com>, Terry Schneider <tschneider@eminnetonka.com>, Tony Wagner <twagner@eminnetonka.com>, Patty Acomb <pattyacomb@yahoo.com>, Tim Bergstedt <tbergstedt@eminnetonka.com>, Dick Allendorf <dallendorf@eminnetonka.com>  
Subject: One Two One Comment - dictated via phone (no Internet access)

I'm a resident of Glen Lake Shore condominiums. I do not want such a large building. I am opposed to the size mainly and I am concerned about how close it will be to my building.

Sincerely,

Jane Mickelson  
14319 Stewart Lane, #308  
Minnetonka, MN 55345
John & Marlene --

Thank you for your comments on the project we are considering tonight. I appreciate the fact that you took the time to share your thoughts.

I've copied our City Manager on this email so your comments can be added to the public record. If you do not prefer that your comments be shared, please just respond to Geralyn.

Tony

Tony Wagner
City Council Member, Ward 2
Minnetonka MN
twagner@eminnetonka.com
612-382-5212
On Jan 25, 2015, at 5:40 PM, John Urbach wrote:

Council Member Wagner:

We are contacting you to express our opposition to the construction of the proposed 54 Unit Senior Cooperative on Stewart Lane known as Kinsel Point - Site C.

The proposal significantly exceeds side yard setback requirements and is not essential to development of the property or constructing a financially viable multi dwelling structure and one more consistent with the surrounding area properties and the natural environment.

Recent past actions of the City Council which have enabled the development and construction of massive housing structures and retail facilities in the Glen Lake area have failed to result in the retail outcomes projected by developers and in fact an outmigration of retail businesses has resulted due to a lack of sustainability.

The Glen Lake area already has a disproportionate concentration of “senior” housing and “senior” care facilities compared to comparable areas of the City. If such additional housing is enabled, it must incorporate physical structures which are fully compliant with existing City set back and other Zoning requirements, is not visually invasive or inconsistent with the residential nature and natural environment of the Glen Lake area.

More fundamentally, it is not the responsibility of the City Council or City staff to support developers at the expense of the surrounding community and residents in the immediate area. It is clear in this case other financially viable multiple-dwelling options are available for development of the property.

We respectfully request you and other members of the Minnetonka City Council unanimously reject the current proposal for a 54 unit Senior Cooperative at Kinsel Point and direct the developer to prepare a proposal, which is in full compliance with City setback requirements and one which will be of a design more consistent with and which appropriately blends in to the surrounding community environment.

Thank you for your consideration,

Marlene and John Urbach

5424 Mayview Road
Thank you for your comments on the project we are considering tonight (and the separate comments from Sally). I appreciate the fact that you took the time to share your thoughts.

I've copied our City Manager on this email so your comments can be added to the public record. If you do not prefer that your comments be shared, please just respond to Geralyn.

Tony

Tony Wagner
City Council Member, Ward 2
Minnetonka MN
twagner@eminnetonka.com
612-382-5212

Sent from my iPad

On Jan 25, 2015, at 10:07 PM, David Wangensteen wrote:

Ladies and Gentlemen,

Unfortunately, due to a previous engagement, I will be unable to attend the City Council meeting tomorrow night, Monday, January 26th. Therefore, I am writing to encourage you to vote against the current plan for development of the Kinsel Point - Site C area that will be before you.
My wife and I just built a house on Dickson Road in the summer of 2014. We are about a half block away from the proposed new development. The building of our house took multiple years to complete primarily due to an issue with splitting a larger lot and the sizes of the proposed split. The previous owner of the property on which our house was eventually built wanted to split his large piece of property into three smaller pieces of property for new housing. Because of the zoning rules for this part of Minnetonka, the split into three was rejected by the City Council as the lots would have been too small. The owner tried many different tricks to get the three way split approved, but the City Council consistently rejected him on the grounds that the lots would be too small for the zoning in the area and therefore the population density would be too high for the area. Eventually the owner split his property into two pieces. Requiring a two way split was the correct decision. Thank you for not bending to the will of the developer and instead thinking of what is now our neighborhood. We now have a beautiful new house on a wonderful wooded piece of property. We love it! Part of the reason we love this area is the larger spaces between houses, the general peace and quiet, the access to Glen Lake, and the overall wooded feel. I hope that all of you, the members of the City Council, will treat the Kinsel Point - Site C development, a half block from our property, with the same attitude that our property received. The proposed development would be too large for this neighborhood.

I am not against development of the Kinsel Point - Site C area. While it would be fantastic if it remained an open area as it is now, I understand that it is not realistic given the size of the property, the wonderful view of Glen Lake, and the nice location to the Glen Lake shopping area. However, I think that the current proposal is for a building that is too large for the space. As I understand it, the normal required setbacks for this type of building in our neighborhood are 75 feet. The current proposal has a set back of only about 40 feet. If this smaller setback is allowed, about 50% of this proposed building will be in an area that is supposed to be open due to setback requirements. Please do not allow that to happen. I am confident that there are plenty of developers that could build a wonderful building that fits within the know constraints. If this developer cannot, then I think the City of Minnetonka should look elsewhere, not bend to the developers desire (likely financially based) to cram a large building into a small space.

Lastly, I understand that the plan is for 54 unit Senior Cooperative. Stewart Lane is not a large street. Assuming 1-2 car driving people per unit, the addition of 54 units and between 54 and 108 cars to the traffic on this small street will have a significant impact. As a minimum, sidewalks extending the full length of Stewart Lane would be needed to ensure the safety of local pedestrians.

Again, please vote against the current development proposal for the Kinsel Point - Site C area. Please send instructions back to the developer to propose a unit that fits with in the specified limitations of the site (75 foot setbacks) and has fewer units. Or, if the current developer cannot meet those requirements, find a new developer that will.

I thank you for your time and consideration.

Sincerely,

David Wangensteen
5440 Dickson Road
Minnetonka, MN  55345
Jim --

Thank you for your comments on the project we are considering tonight. I appreciate the fact that you took the time to share your thoughts.

I've copied our City Manager on this email so your comments can be added to the public record. If you do not prefer that your comments be shared, please just respond to Geralyn.

Tony

Tony Wagner
City Council Member, Ward 2
Minnetonka MN
twagner@eminnetonka.com
612-382-5212

Sent from my iPad

On Jan 24, 2015, at 9:42 AM, Jim Stroebel wrote:

I live in the Glen Lake Shores Condominium; next door to the proposed development.

I want the "Kinsel Point" property developed. A shabbily maintained urban field begs development.

But the proposed "One-Two-One" building is NOT the right development.
This is an appeal to you to have the **courage** to say, "**No!**"

- Look at the size of the building.
- Look at the size of the lot.
- Look at how this proposal violates the City's public planning guidelines.
- Look at how this residential building encroaches on its residential neighbors.

Does this project really contribute to the "revitalization" of the Glen Lake area?

Just because your predecessors made a foolish decision doesn't mean that you have to perpetuate its onerous concession.

Please have the courage to say, "No."
Tony Wagner
City Council Member, Ward 2
Minnetonka MN
twagner@eminnetonka.com
612-382-5212

Sent from my iPad

On Jan 25, 2015, at 11:20 PM, Sally Brandt Wangensteen wrote:

Dear Mayor Schneider and City Council Members,
Unfortunately, I am unable to attend the City Council meeting tomorrow night, Monday, January 26, 2015. I hope that as a Minnetonka resident, my comments via email will carry as much weight as if I were there.

My husband and I recently built a new home on Dickson Road, and attended City Council meetings regarding the development of the property where we now live. The original plan of the developer and previous owner of the land tried various ways to get around the property standards of Minnetonka. Though we very much wanted to begin building our home, we also wanted it to be a welcome change to the neighborhood, and to maintain the complexion of it. Pushing back on the developer to make the properties meet the cities standards was the proper thing to do for the neighborhood and its residents.
As with all things, change is inevitable, but keeping the essence of the neighborhood is important too. My main concerns about this project are the size of it, the ability of Stewart Lane to accommodate it (i.e. traffic), and the fact that the criteria that has been put in place by our city is not being met at all.

These standards, setbacks, and criteria have been put in place to maintain the character of the Glen Lake area. As you did with our new home, please hold the Kinsel Point - Site C Senior Development project to the same standards as ours was and vote no on the proposal until it meets the set standards. It is much too large as is right now.

Thank you for your time and consideration in this matter.
Sally Wangensteen
5440 Dickson Road

“Laughter is a bodily exercise precious to health.”
Aristotle
From: Tony Wagner  
Sent: Monday, January 26, 2015 6:11 AM  
To: phblb@aol.com  
Cc: Geralyn Barone  
Subject: Re: Glen Lake Redevelopment - Site C

Paul & Linda --

Thank you for your comments on the project we are considering tonight. I appreciate the fact that you took the time to share your thoughts.

I've copied our City Manager on this email so your comments can be added to the public record. If you do not prefer that your comments be shared, please just respond to Geralyn.

Tony

Tony Wagner  
City Council Member, Ward 2  
Minnetonka MN  
thanner@eminnetonka.com  
612-382-5212

Sent from my iPad

On Jan 24, 2015, at 2:21 PM, <user> wrote:

**Dear Mayor Schneider and Councilmembers:**

**Regarding: Glen Lake Redevelopment-Site C**
We are writing to express our opposition to the One Two One proposal. We agree with the Planning Commission’s decision of this project being too massive for this site.

It is our hope that your integrity will prevent you from bending the rules and allowing illegal setbacks for Mr. Wartman as was done for his first failed condominium proposal. If this was an ordinary citizen requesting these kinds of setbacks, we doubt it would be approved. We should not have to sacrifice once again for Mr. Wartman when he is the only person gaining.

Please don’t approve this project out of desperation of getting this land developed. Please don’t be afraid of something worse being developed there; we aren’t. This is a beautiful piece of property on a lake and next to a park. There are many possibilities.

Thank you for your consideration.

Sincerely,

Paul & Linda Barros

14220 Brunsvold Rd., Minnetonka
From: Tony Wagner  
Sent: Monday, January 26, 2015 9:36 AM  
To: Schrupp, Dianne (MN14)  
Cc: Geralyn Barone  
Subject: Re: Glen Lake Kinsel Pt-Site C: Concerned w/ ONE TWO ONE Proposal

Diane --

Thank you for your comments on the project we are considering tonight. I appreciate the fact that you took the time to share your thoughts.

I've copied our City Manager on this email so your comments can be added to the public record. If you do not prefer that your comments be shared, please just respond to Geralyn.

Tony

Tony Wagner  
City Council Member, Ward 2  
Minnetonka MN  
twagner@eminnetonka.com  
612-382-5212

Sent from my iPad

On Jan 26, 2015, at 9:12 AM, Schrupp, Dianne (MN14) wrote:

Dear Mayor & Council Members,

I have concerns regarding the ONE TWO ONE development proposed for Kinsel Point – Site C and request you VOTE NO. This project would have a negative impact on the whole character of my neighborhood. My concerns are:

1. That lot seems much smaller than our condo at 14319 Stewart Lane. However, the proposed building will contain almost twice the units.
2. The required 75 foot setback seems reasonable. I think dropping it to 40 feet is wrong – it will crowd our Condo and other neighbors as well.
3. Another 54+ people will be a significant increase in traffic on Stewart Lane – a small road.
4. There will surely be an environmental impact on Glen Lake itself, especially during construction.

I like the open, wooded feeling of the area and its charm. Please vote no.

Best regards,
Dianne Schrupp
14319 Stewart Lane #210
Minnetonka, MN 55345
Memo to: Minnetonka Mayor and Council Members;

From: Mrs. Richard (Virginia) Harkins

This correspondence is concerning the One-to-One Project plan in Glen Lake, specifically on Stewart Lane. The object is to emphasize some of the reasons why we join our neighbors in opposition to this plan, leaving out details you have heard repeatedly in oral and written correspondence.

At the very FIRST meeting of the One-to-One Staff and Glen Lake residents regarding this proposed project, several problems with the proposal were expressed by the residents to the Staff. As I recall, suggestions were:

Building footprint is outsized for the property as shown & described. This required concessions to the contractor, infringing on wetlands, adjacent properties and proportionately out of context with the surrounding properties.

Parking is not adequate for a multi-unit dwelling of the size proposed. There is no off-site parking available, such as the street (please see attached paper re: traffic problems now existing). The explanation by One-to-One Staff did not address a garage space for each resident and outside parking, nor did they have an explanation why so few outside provisions for guests, help (cleaning, maintenance, garbage, etc.) would be provided. In fact, the explanation by them was that they only needed additional parking when guests may visit during holidays and that they 'didn't have a need for help' - only garbage which could drive directly into the garage space.

The above notes from the first meeting are my basis for pointing out that, although there has been some movement with these problems originally in the proposal, there has not been adequate (or any) real satisfactory correction to any of them. For instance, the wetlands is still in jeopardy, the parking (although acceptable by City standards for a Senior building) is most definitely NOT adequate - and we can all reasonably expect that any multi-dwelling building needs to provide for expected cleaning, maintenance, etc. To dismiss this attention is not an oversight, IT'S A MISTAKE.

In summary, I attach notes made by me from the first meeting in case one of my neighbors may wish to review before I spoke. The object of going back to the first meeting to 'make our case' is to show the Mayor and Council that from the initial meeting to the present, (as stated above) we have seen MOVEMENT FROM ONE-TO-ONE, BUT NO RESOLUTIONS to the initial and still existent problems.

We are grateful to the Planning Commission for their considerate study and deliberation to the proposal and conclusion to deny it as it is today. We heartily concur.

Thank you for your time and consideration to Glen Lake's future.

Respectfully,

Virginia R. Harkins
Mrs. Richard (Virginia) Harkins
14319 Stewart Lane #204
Minnetonka, MN 55345

P.S. As stated in attached:
I join the objections to
more elderly homes in G.L.
The residents of Stewart Ln strongly oppose the building proposal for Stewart Ln. Our reason(s) will become apparent as we describe the present use and hazards that now exist on Stewart Ln.

First and foremost, Stewart Ln is a Service Road of less than 3 blocks in length. This road is used by:

<table>
<thead>
<tr>
<th>Business Type</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dairy Queen</td>
<td>1</td>
</tr>
<tr>
<td>Family Dentistry</td>
<td></td>
</tr>
<tr>
<td>Attorney's at Law</td>
<td></td>
</tr>
<tr>
<td>TMA Marketing</td>
<td></td>
</tr>
<tr>
<td>Design Studio</td>
<td>1</td>
</tr>
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<table>
<thead>
<tr>
<th>Road User Type</th>
<th>Count</th>
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</thead>
<tbody>
<tr>
<td>Lake Woods Town homes</td>
<td>1</td>
</tr>
<tr>
<td>Oak Glen Lake Apts</td>
<td>1</td>
</tr>
<tr>
<td>Glen Lake Shores Condominiums</td>
<td>1</td>
</tr>
<tr>
<td>Homes</td>
<td>8</td>
</tr>
<tr>
<td>Twin Homes</td>
<td>13</td>
</tr>
</tbody>
</table>

161 resident vehicles using the road daily

There is a total of 26 driveways off Stewart Ln, many barely visible to cars driving through.

The restaurant back entrance is often blocking an entire lane, impassable as they make deliveries.

Many people use this service road as a cut-through to avoid the traffic lights on Exc. Blvd.

Most alarming is the continuous growth of a Power Plant just a few feet off the road. When we met with Ron Rankin from the City of Minnetonka re: the proposed Oak Apts. & Retail, we questioned the (then) sub-station. He stated that the City was looking into it's relocation. It not only remains and is dangerously close to residences, but is now a sizable Power Plant with 16 very large poles carrying numerous powerful overhead wires. Plants of this proportion are generally off-set from occupied structures, recognizing that they are a health hazard and pollutant. (Those with pacemakers are advised to maintain a distance from the Plant and overhead wires).

Our fears of driving on Stewart Ln now with the hidden outlets (Eden Prairie Rd & driveways), the delivery trucks blocking, the Power Plant and the dangerous blind curve off Exc. Blvd. outlet, to name a few, promote fear and caution with hope that the City will correct this dangerous drive before a tragedy occurs.

I feel confident that you will see that a proposal such as the one under discussion here is so obviously not the right fit for Stewart Ln. The 60 plus bldg. is out of proportion with the neighborhood and the lot. Elderly housing would generate employees coming and going 24 hrs a day, visitors, deliveries for laundry, mail, garbage, food etc., compounding the already unsafe road. There are presently 2 large elderly complexes within a mile – another elderly complex would likely affect the businesses in Glen Lake also. (The elderly are not shoppers!) Surely such a beautiful property has building interests that would be an asset to our area, rather than diminish and disappoint.

Thank you for listening to our very valid reasons to reject the proposal in question.
January 26, 2015

To: Mayor Schneider and City Council Members

From: Kamel & Patricia Aossey, Minnetonka Residents

Reference: Proposed Development - Kinsel Point ONE TWO ONE

We understand that the City Council will be voting tonight on another project proposal that ignores existing variance requirements. The proposal for the ONE TWO ONE Kinsel Point project requests setback variances that are considerably less than the required setbacks.

We request that the City Council not approve this project as it stands. You have another opportunity to try to do the right thing and follow existing guidelines. If you sincerely have an interest in protecting and improving the green spaces in our community, please do not allow a building that eats up more land than necessary. Don't let your legacy be that you eliminated so much of what Minnetonka treasures.
Attn: Loren Gordon, City Planner

Re: Proposed OneTwoOne Development
Glen Lake Cooperative
14217 and 14301 Stewart Lane
Minnetonka, MN 55345

Dear Mr. Gordon,

I am writing in support of the proposed cooperative housing development that is being presented in the City Council meeting this coming Monday night.

I am supportive of this development as it fits within the originally intended and previously approved Kinsel Point Condominium footprint. The proposal is decreased in size and set-back from the neighbor further than as the previously approved condominium. The proposal offers ownership housing in sizes that appeal to active empty nesters that currently live in the area that may wish to downsize from their single family home – but want to stay in the Glen Lake neighborhood. This housing option will free up other single family homes that will likely be bought by younger families looking to call Minnetonka their home.

As a professional in the Residential Real Estate business and a resident of the Minnetonka community, I see this development as a triple win – for the City, the empty nester residents looking for this choice in housing in their neighborhood, and for the younger future single family home owner who will be buying the freed up single family homes to raise their families.

Respectfully submitted,

[Signature]
THIRD AMENDMENT TO SECOND AMENDED AND RESTATED CONTRACT FOR PRIVATE REDEVELOPMENT

This Third Amendment to Second Amended and Restated Contract for Private Redevelopment, made on or as of the ___ day of ________, 2015 (the “Third Amendment to Agreement”), is by and between the ECONOMIC DEVELOPMENT AUTHORITY IN AND FOR THE CITY OF MINNETONKA, a public body corporate and politic (the “Authority”), established pursuant to Minnesota Statutes, Sections 469.090 to 469.1081 (hereinafter referred to as the “Act”), the CITY OF MINNETONKA, a Minnesota municipal corporation (the “City”) and GLEN LAKE REDEVELOPMENT LLC, a Minnesota limited liability company (the “Redeveloper”), and consented to by The Exchange Development LLC, a Minnesota limited liability company (“The Exchange Development”), Kinsel Point Development LLC, a Minnesota limited liability company (“Kinsel Point Development”), and Glen Lake Senior Housing, LLC, a Minnesota limited liability company, as permitted assignees hereunder.

WITNESSETH:

WHEREAS, the Authority, the City, and the Redeveloper previously entered into that certain Second Amended and Restated Contract for Private Development, dated January 4, 2010 (the “Agreement”), which amended and restated a Contract for Private Redevelopment, dated January 31, 2006, between the Authority, the City, and the Redeveloper, as amended and restated by the Amended and Restated Contract for Private Redevelopment, dated May 15, 2007, which was partially assigned to The Exchange Development and Kinsel Point Development; and

WHEREAS, the Agreement was previously amended by the First Amendment to Second Amended and Restated Contract for Private Development (the “First Amendment”) to extend the time period in which a third phase of redevelopment could occur; and

WHEREAS, the Agreement was previously amended by the Second Amendment to Second Amended and Restated Contract for Private Development (the “Second Amendment”) to further extend the time period in which a third phase of redevelopment could occur; and

WHEREAS, pursuant to the Agreement, the Redeveloper agreed to develop the real property in the City legally described in SCHEDULE A attached hereto (the “Redevelopment Property”) in three separate phases designated as “Phase I” (rental housing units and commercial facilities), “Phase II” (senior rental housing units), and “Phase III” (for-sale condominium housing units); and

WHEREAS, Phase III of the redevelopment was initially expected to include 45 units of for-sale condominium housing units; and

WHEREAS, the Redeveloper requested that the Agreement be amended to require the construction of a residential senior cooperative building with approximately 54 dwelling units as Phase III and the Authority and City have to amend the Agreement accordingly; and
NOW, THEREFORE, in consideration of the premises and the mutual obligations of the parties hereto, each of them does hereby covenant and agree with the other as follows:

Section 1. Amendment to Section 1.1 Definitions. Section 1.1 of the Original Agreement is amended as follows (amended language is underlined):

“Exchange/Kinsel Replacement Note” means the Taxable Tax Increment Revenue Note, Series 2010B issued by the Authority in the principal amount of $2,128,802, as a replacement note for the outstanding principal amount of the Exchange/Kinsel Initial Note.

“Minimum Improvements” means the construction on the Phase I Property of approximately 52 units of Rental Housing Units, and approximately 20,500 square feet of commercial facilities (together, “Phase I” or “Exchange”); the construction on the Phase II Property of approximately 145 to 150 units of senior rental housing units, with 65 to 70 independent living units and 80 to 85 assisted living units and memory care units (“Phase II”); and the construction on the Phase III Property of a residential senior cooperative building with approximately 54 dwelling units (“Phase III” or “Kinsel”).

“Phase III Deficiency” means an occurrence of the following conditions on any Payment Date: (1) pledged Available Tax Increment from the Phase I Property and the Phase II Property is insufficient to pay principal and interest then due on the TIF Bonds, and (2) Phase III Negative Tax Increment exists as of that Payment Date. In that event, the Phase III Deficiency on that Payment Date is the smaller of the debt service shortfall under clause (1) or the Phase III Negative Tax Increment under clause (2).

“Phase III Negative Tax Increment” means a reduction in Available Tax Increment from the Phase I Property and Phase II Property resulting from a decline in the current market value of the Phase III Property (for any tax-payable year) below that parcel’s original tax capacity (within the meaning the TIF Act).

“TIF Bonds” means the Tax Increment Revenue Bonds (Glen Lake Project, Phases I & III), Series 2010 issued by the Authority in the principal amount of $2,380,000, and any bonds or notes issued to redeem and prepay such bonds.

Section 2. Amendment to Section 3.1 - Status of Property. Section 3.1(f) of the Original Agreement is amended as follows (amended language is underlined):

(f) The Redeveloper shall not permit the Transfer of any portion of the Phase I Property or Phase III Property to any Subdeveloper (or to itself or an Affiliate for any Phase or portion thereof retained and constructed by the Redeveloper) at a price less than the following:
$ 750,000 for all Phase I (Exchange) Rental Housing Units (52 units)
$ 500,000 for the commercial portion of Phase I
$ 1,912,500 for Phase III (Kinsel) residential senior cooperative housing with approximately 54 dwelling units

The above amounts are payable at closing on any such Transfer. If any portion of the Phase I Property or Phase III Property is transferred for more than the prices listed above, or if the Phase II Property is transferred for more than the agreed-upon fair market value referenced in Section 3.1(d), then the amount of the Initial Notes will be decreased in size pursuant to Section 3.7(b)(ii). Redeveloper expressly acknowledges that, while there is no minimum sale price for transfer of the Phase II Property, any reduction in overall revenues caused by such reduced price will not change the amount of tax increment assistance provided under this Agreement.

Section 3. Amendment to Section 3.7 - TIF Lookback. Section 3.7(b)(i) of the Original Agreement is amended as follows:

(b) Phase I, Phase II, and Phase III Redeveloper as Master Developer. (i) Within thirty days after the later of the sale of the last cooperative housing share condominium unit to be sold in Phase III (Kinsel) or of the sale of the Phase IIII (Kinsel) Property by Redeveloper (or “Phase IIII Property Owners”) to a third party, the Redeveloper shall submit a certified cost and revenue analysis for all portions of the Redevelopment Property to the Authority’s financial advisor in the form of the Development Budget and prepared in accordance with generally accepted accounting principles. As shown in Schedule H, the Development Budget shall include developer profit of $167,000 and a contingency for increases in cost of $265,000 and savings in any category may be used to offset overruns in any other category, but any other cost changes shall be handled in accordance with subsection (ii) of this paragraph (b). The Redeveloper agrees to provide to the Authority’s consultant any background documentation related to the financial data, upon request. The Authority may retain an accountant to audit the submitted Development Budget, at the Redeveloper’s cost.

Section 4. Amendment to Section 3.8 - Authority Refinancing of Initial Notes. Section 3.8 of the Original Agreement is amended by adding the following section 3.8(g):

(g) Refinancing Notes. On November 4, 2010, the Authority issued its Tax Increment Revenue Bonds (Glen Lake Project, Phases I & III), Series 2010 in the principal amount of $2,380,000 (the “TIF Bonds”). The proceeds of the TIF Bonds refinanced a portion of the Exchange/Kinsel Initial Note and the Taxable TIF revenue Note, Series 2010A issued in the principal amount of $1,276,263. The TIF Bonds are payable from Available Tax Increment derived from Phase I Property and Phase II Property. If a Phase III Deficiency occurs on any Payment Date, then on any subsequent Payment Date after such deficiency, Available Tax Increment shall include 95% of the Tax Increment derived from Phase III Property received as of that Payment Date, up to the amount necessary to cure the aggregate prior Phase III Deficiency.

On November 4, 2010, the Authority also issued its Taxable Tax Increment Revenue Note, Series 2010B in the principal amount of $2,128,802, as a replacement note for the outstanding
principal amount of the Exchange/Kinsel Initial Note (the “Exchange/Kinsel Replacement Note”). The Exchange/Kinsel Replacement Note is payable from (1) Available Tax Increment attributable to the Phase III Property, except as otherwise provided below; and (2) Available Tax Increment attributable to the Phase I Property and Phase II Property remaining after application of such Available Tax Increment to the following senior obligations in the following order of priority: first, payment of principal and interest due on such Payment Date with respect to the TIF Bonds, and second, payment in full of the principal and interest on the interfund loan for 2008 Public Improvements in accordance with Sections 4.11(b) and 4.12 of this Agreement.

If a Phase III Negative Tax Increment occurs on any Payment Date, then on any Payment Date subsequent to such Phase III Negative Tax Increment, Available Tax Increment attributable to the Phase III Property shall be applied to the following obligations in the following order of priority: first, to cure the aggregate Phase III TIF Deficiency (if any) with respect to the TIF Bonds; second to pay principal and interest on the Authority’s interfund loan for 2008 Public Improvements in accordance with this Agreement, to the extent required to cure the aggregate Phase III Negative Increment remaining after payment in full of any Phase III TIF Deficiency; and third, to pay principal and interest then due with respect to the Exchange/Kinsel Replacement Note.

Section 5. Amendment to Section 4.3 - Completion of Construction. Section 4.3(a) of the Original Agreement is amended as follows:

Phase III (Kinsel): A four-story, residential senior cooperative building with approximately 54 dwelling units including community space and outdoor amenities on the Phase III Property commenced not later than September 30, 2015 and completed by no later than December 31, 2016.

Section 6. Amendment to Section 4.8 - Association Covenants. Section 4.8 of the Original Agreement is deleted in its entirety.

Section 7. TIF Lookback. The Developer shall submit an accounting of all Public Redevelopment Costs to the City and the Authority within 15 days of the date of this Third Amendment to Agreement. When analyzing the final TIF Lookback, the parties understand and acknowledge that the original Phase II was changed to the third phase of the Glen Lake development and that references to Phase II in Schedule H of the Original Agreement are references to Phase III (Kinsel) and the references to Phase III in Schedule H of the Original Agreement are references to Phase II.

Section 8. Effective Date. The amendments and supplements made to the Original Agreement, as amended and supplemented by this Third Amendment to Agreement, shall be effective as of January 26, 2015.

Section 8.9. Certain Defined Terms. Terms used in this Third Amendment to Agreement and not defined herein shall have the meanings given in the Agreement.
Section 9.10. Confirmation of Original Agreement. Except as specifically amended by this Third Amendment to Agreement, the Original Agreement is hereby ratified and confirmed, and remains in full force and effect.

(The remainder of this page is intentionally left blank.)
IN WITNESS WHEREOF, the Authority, the City, and the Redeveloper have caused this Third Amendment to Second Amended and Restated Contract for Private Redevelopment to be duly executed in their respective names and behalf as of the date and year first written above.

**ECONOMIC DEVELOPMENT AUTHORITY**  
**IN AND FOR THE CITY OF MINNETONKA, MINNESOTA**

By ________________________________  
Its President

By ________________________________  
Its Executive Director

STATE OF MINNESOTA    )  
COUNTY OF HENNEPIN    ) SS.

The foregoing instrument was acknowledged before me this ____ day of January, 2015, by ________________________________, the President of the Economic Development Authority in and for the City of Minnetonka, Minnesota, a public body politic and corporate, on behalf of the Authority.

______________________________
Notary Public

STATE OF MINNESOTA    )  
COUNTY OF HENNEPIN    ) SS.

The foregoing instrument was acknowledged before me this ____ day of January, 2015, by Geralyn Barone, the Executive Director of the Economic Development Authority in and for the City of Minnetonka, Minnesota, a public body politic and corporate, on behalf of the Authority.

______________________________
Notary Public

This document was drafted by:  
KENNEDY & GRAVEN, Chartered  
470 U.S. Bank Plaza  
200 South Sixth Street  
Minneapolis, Minnesota 55402  
Telephone: (612) 337-9300
Execution page of the City to the Third Amendment to Second Amended and Restated Contract for Private Redevelopment, dated as of the date and year first written above.

CITY OF MINNETONKA, MINNESOTA

By ___________________________
Its Mayor

By ___________________________
Its City Manager

STATE OF MINNESOTA )
COUNTY OF HENNEPIN ) SS.

The foregoing instrument was acknowledged before me this ____ day of January, 2015, by ____________, the Mayor of the City of Minnetonka, a Minnesota municipal corporation, on behalf of the City.

______________________________
Notary Public

STATE OF MINNESOTA )
COUNTY OF HENNEPIN ) SS.

The foregoing instrument was acknowledged before me this ____ day of January, 2015, by Geralyn Barone, the City Manager of the City of Minnetonka, a Minnesota municipal corporation, on behalf of the City.

______________________________
Notary Public
Execution page of the Redeveloper to the Third Amendment to Second Amended and Restated Contract for Private Redevelopment, dated as of the date and year first written above.

GLEN LAKE REDEVELOPMENT LLC

By ________________________________
   Its Chief Manager

STATE OF MINNESOTA    )
COUNTY OF HENNEPIN    )
                      ) SS.

The foregoing instrument was acknowledged before me this ____ day of January, 2015, by Thomas Wartman, the Chief Manager of Glen Lake Redevelopment LLC, a Minnesota limited liability corporation, on behalf of the corporation.

___________________________________________

Notary Public
This Third Amendment to Second Amended and Restated Contract for Private Redevelopment, dated as of the date and year first written above, is acknowledged and consented to by the undersigned as a permitted assignee under the Original Agreement.

THE EXCHANGE DEVELOPMENT LLC

By ________________________________
Its Chief Manager

STATE OF MINNESOTA  )
) SS.
COUNTY OF HENNEPIN  )

The foregoing instrument was acknowledged before me this ____ day of January, 2015, by Thomas Wartman, the Chief Manager of The Exchange Development LLC, a Minnesota limited liability company, on behalf of the company.

______________________________
Notary Public
This Third Amendment to Second Amended and Restated Contract for Private Redevelopment, dated as of the date and year first written above, is acknowledged and consented to by the undersigned as a permitted assignee under the Original Agreement.

KINSEL POINT DEVELOPMENT LLC

By _______________________________
Its Chief Manager

STATE OF MINNESOTA   )
) SS.
COUNTY OF HENNEPIN  )

The foregoing instrument was acknowledged before me this ____ day of January, 2015, by Thomas Wartman, the Chief Manager of Kinsel Point Development LLC, a Minnesota limited liability company, on behalf of the company.

______________________________
Notary Public
This Third Amendment to Second Amended and Restated Contract for Private Redevelopment, dated as of the date and year first written above, is acknowledged and consented to by the undersigned as a permitted assignee under the Original Agreement and owner of the Phase II property.

GLEN LAKE SENIOR HOUSING, LLC

By __________________________________________
Its Chief Manager

STATE OF MINNESOTA    )
) SS.
COUNTY OF HENNEPIN    )

The foregoing instrument was acknowledged before me this _____ day of January, 2015, by Michael Pagh, the Chief Manager of Glen Lake Senior Housing, LLC, a Minnesota limited liability company, on behalf of the company.

________________________________
Notary Public

________________________________
Notary Public
SCHEDULE A

DESCRIPTION OF REDEVELOPMENT PROPERTY

Phase I (Exchange) Property

Lot 1, Block 1, The Exchange, according to the recorded plat thereof, Hennepin County, Minnesota

Phase II Property

Lot 2, Block 1, Glen Haven Shopping Center, according to the recorded plat thereof, Hennepin County, Minnesota.

Phase III (Kinsel) Property

Lot 1, “Glen Lake Park”, except the East 570 feet of Lot 1, according to the recorded plat thereof, Hennepin County, Minnesota.
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