Planning Commission Agenda

December 17, 2015—6:30 P.M.

City Council Chambers—Minnetonka Community Center

1. Call to Order

2. Roll Call

3. Approval of Agenda

4. Approval of Minutes: November 19, 2015

5. Report from Staff

6. Report from Planning Commission Members

7. Public Hearings: Consent Agenda

   No Items

8. Public Hearings: Non-Consent Agenda Items

   A. Items concerning a hotel and daycare on the property at 6030 Clearwater Drive.

      Recommendation: Recommend the city council approve the request (4 votes)

      • Recommendation to City Council (Tentative Date: January 4, 2016)
      • Project Planner: Susan Thomas

9. Adjournment
Notices

1. Please call the planning division at (952) 939-8274 to confirm meeting dates as they are tentative and subject to change.

2. Applications scheduled for the January 7, 2016 Planning Commission meeting:

   Project Description: Lakewest Development is proposing to redevelop the properties at 5431 and 5439 Williston Road. As proposed, two existing homes would be removed and six new single-family homes would be constructed. The proposal requires approval of: (1) a rezoning from R-1 to PUD; (2) a master development plan; and (3) final site and building plans.
   Project No.: 15028.15a                        Staff: Jeff Miller
   Ward/Council Member: 4—Tim Bergstedt        Section: 33

   Project Description: Ibado Daycare is proposing to operate a licensed daycare facility for up to 41 children within the existing building at 10400 Bren Road East. The facility would operate 7-days a week between the hours of 8:00 a.m. and 9:00 p.m. The proposal includes a 1500 square foot outdoor play area on the west side of the existing building.
   Project No.: 90009.15a                        Staff: Ashley Cauley
   Ward/Council Member: 1—Bob Ellingson        Section: 36
WELCOME TO THE MINNETONKA PLANNING COMMISSION MEETING

This outline has been prepared to help you understand the public meeting process. The review of an item usually takes the following form:

1. The chairperson of the meeting will announce the item to be reviewed and ask for the staff report on the subject.

2. Staff presents their report on the item.

3. The Commission will then ask City staff questions about the proposal.

4. The chairperson will then ask if the applicant wishes to comment.

5. The chairperson will open the public hearing to give an opportunity to anyone present to comment on the proposal.

6. This is the time for the public to make comments or ask questions about the proposal. Please step up to the podium, speak clearly, first giving your name (spelling your last name) and address and then your comments.

7. At larger public hearings, the chair will encourage speakers, including the applicant, to limit their time at the podium to about 8 minutes so everyone has time to speak at least once. Neighborhood representatives will be given more time. Once everyone has spoken, the chair may allow speakers to return for additional comments.

8. After everyone in the audience wishing to speak has given his or her comments, the chairperson will close the public hearing portion of the meeting.

9. The Commission will then discuss the proposal. No further public comments are allowed.

10. The Commission will then make its recommendation or decision.

11. Final decisions by the Planning Commission may be appealed to the City Council. Appeals must be written and filed with the Planning Department within 10 days of the Planning Commission meeting.

It is possible that a quorum of members of the City Council may be present. However, no meeting of the City Council will be convened and no action will be taken by the City Council.
1. **Call to Order**

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

2. **Roll Call**

Commissioners Knight, Magney, O’Connell, Powers, Calvert, and Kirk were present. Odland was absent.

Staff members present: Principal Planner Susan Thomas and Planning Technician Ashley Cauley.

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

4. **Approval of Minutes:** November 5, 2015

   *Magney moved, second by Knight, to approve the November 5, 2015 meeting minutes as submitted with the following changes:*

   - Page 6: Calvert Odland asked where parents would hang out during practice.
   - Page 6: Calvert noted that the applicant never included spectator seating in the proposal. She was concerned that the proposal would use up most of the campus’ limited buildable area.

   *Knight, Magney, O’Connell, Powers, Calvert, and Kirk voted yes. Odland was absent. Motion carried.*

5. **Report from Staff**

Thomas briefed the commission on land use applications considered by the city council at its meeting of December 7, 2015:

- Introduced an ordinance regarding construction of a hotel and daycare at 6030 Clearwater Drive.
- Adopted a resolution approving a final plat for Ridgemount Grove with a maximum floor area established for the proposed houses.
Thomas announced that the December 3, 2015 planning commission meeting has been cancelled. The next regular meeting will be December 17, 2015.

6. **Report from Planning Commission Members**

Calvert reported that she and Chair Kirk attended a Beyond the Basics of Planning and Zoning workshop. They found it very helpful and encouraged others to attend. Minnetonka was recognized many times for its staff and well-written ordinances.

7. **Public Hearings: Consent Agenda:** None

8. **Public Hearings**

   A. **Conditional use permit for accessory structures with gross floor areas of 1,500 square feet.**

   Chair Kirk introduced the proposal and called for the staff report.

   Cauley reported. She recommended approval of the application based on the findings and subject to the conditions listed in the staff report.

   Jason Olson, 3707 Farmington Road, applicant, stated that the report was well said. He is seeking to make improvements to his garage and create more storage space. He resurfaced, reroofed, and put in new windows to his house a couple years ago and now he is doing the same to the garage.

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

   Powers visited the site. The proposal seems sensible. The neighbors have no objection. It seems logical.

   Calvert walked around the site and agreed with Powers. The request seems sensible.

   **Magney moved, second by O’Connell, to recommend that the city council adopt the resolution on pages A17-A20 of the staff report. This resolution approves a conditional use permit for accessory structures with a gross floor area of 1,500 square feet.**
Knight, Magney, O’Connell, Powers, Calvert, and Kirk voted yes. Odland was absent. Motion carried.

The city council is tentatively scheduled to review this item at its meeting on December 7, 2015.

B. Conditional use permit for a licensed day care facility at 13505 Excelsior Boulevard.

Chair Kirk introduced the proposal and called for the staff report.

Cauley reported. She recommended approval of the application based on the findings and subject to the conditions listed in the staff report.

Jeremy Striffler, representing the applicant, explained that approval of the conditional use permit is needed prior to marketing the daycare space to providers. He hopes to open the daycare in the spring or fall of 2016.

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

Powers visited the site. The proposal is appropriate.

Magney moved, second by Knight, to recommend that the city council adopt the resolution approving a conditional use permit for a licensed daycare at 13505 Excelsior Boulevard (see pages A11-A15 of the staff report).

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

The city council is tentatively scheduled to review this item on December 7, 2015.

C. Variances for a blade sign at 14525 State Highway 7.

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.

Chair Kirk asked if it happens very often that a blade sign is on an area of a building that is not leased by the tenant who the sign identifies. Thomas identified
a difference from this application and the applications submitted by Red Stone and Kona Grill. Red Stone and Kona Grill had visibility from the major roads and parking lot without increasing the height of the signs. The Dunn Brothers’ location would not have clear visibility to its location from the frontage road or highway without the proposed sign.

Calvert asked if staff anticipates the applicant would request another sign located closer to the road. Thomas answered in the negative. Only one monument sign is allowed to identify a building itself, not individual tenants. She directed that question to the applicant.

Chair Kirk thought the building was beginning to look a little “billboardish.” He asked if it would get worse or if there is a limit. Thomas explained that all of the existing signs meet current code requirements. She agreed that some of the signs seem out of place for this building, particularly the signs in the windows.

In response to Chair Kirk’s question, Thomas explained that the developer proposed some changes to the exterior of the building which have not been done, but are not required to be done. That would be a good question for the property owner.

Knight asked if there is more floor space available that could be occupied by businesses. There are trees in the front so there is not a lot of space. Thomas answered that there are vacant tenant spaces in the building. The trees were part of the original landscape plan, so they cannot be removed without city approval.

Richard Gunderson, applicant, stated that he appreciated staff’s help to understand the process. He respected the concerns regarding the signage on the building being somewhat of a billboard, so he chose a blade sign so it would be more discreet and add to the ambiance of the building itself. It better represents what a coffee shop is about. Signage is important for a business to be successful and for people to find their way to the business. The blade sign is a good compromise. It would be visible from the street, but not obnoxious. The signage above the property follows city code requirements. None of the Dunn Brothers’ signs would be lighted. He requested the commission’s approval. He appreciated them listening.

Calvert confirmed with Mr. Gunderson that the sign would not be illuminated.

The public hearing was opened. No testimony was submitted and the hearing was closed.
Chair Kirk felt that the request would be appropriate. The flag sign on the corner helps direct traffic to the drive thru. His comments earlier referred to the building and not Dunn Brothers.

Calvert liked the blade sign orientation. It would be tasteful and well placed.

*Knight moved, second by Magney, to adopt the resolution approving variances for a blade sign at 14525 State Highway 7 (see pages A8-A11 of the staff report).*

*Knight, Magney, O'Connell, Powers, Calvert, and Kirk voted yes. Odland was absent. Motion carried.*

Chair Kirk stated that an appeal of the planning commission’s decision must be made in writing to the planning division within 10 days.

9. Adjournment

*Knight moved, second by O’Connell, to adjourn the meeting at 7:04 p.m. Motion carried unanimously.*

By:                                        
Lois T. Mason  
Planning Secretary
Minnetonka Planning Commission Meeting
December 17, 2015

Agenda Item 7

Public Hearing: Consent Agenda
(No Items)
Minnetonka Planning Commission Meeting
December 17, 2015

Agenda Item 8

Public Hearing: Non-Consent Agenda
MINNETONKA PLANNING COMMISSION
December 17, 2015

Brief Description
Items concerning a hotel and day care on the property at 6030 Clearwater Drive:

1) Major amendment to the existing Minnetonka Corporate Center master development plan;

2) Preliminary and final plats;

3) Conditional use permit;

4) Site and building plan review; and

5) Sign plan amendment.

Recommendation
Recommend the city council adopt the ordinance and resolutions approving the proposal.

Introduction
Buhl Investors Minnetonka I, LLC Development is proposing to develop the six-acre property at 6030 Clearwater Drive. As proposed, an extended-stay hotel would be constructed on the west half of the site in the near term. A day care facility would be constructed on the east half of the site at some point in the future. (See pages A1–A21.)

Proposal Summary
The following is intended to summarize the applicant’s proposal. Additional information associated with the proposal can be found in the “Supporting Information” section of this report.

- **Existing Site Conditions.**

  The subject property is located on the west side of Clearwater Drive, adjacent to Interstate 494. The high points of the site are two knolls located in the southwest and southeast corners of the property. From these areas, the property slopes 25 feet downward toward a large stormwater pond in the northeast corner of the property. The property includes 22 high priority trees and a 93-stall “overflow” parking lot serving the adjacent property to the north. (See page A20.)

- **Planned Unit Development**

  The property is located within the Minnetonka Corporate Center and is subject to the Minnetonka Corporate Center master development plan. The plan was
approved in 1983 and originally envisioned a business park containing 15 development sites. A nine-story, 200-room hotel was envisioned for Site 14, which is the subject property. (See page A23.)

Since its approval, the Minnetonka Corporate Center master development plan has been amended on several occasions. The amendments of particular importance for the current proposal involved Sites 13, 14, and 15. One amendment added “overflow” parking for Site 13 on to Site 14. Other amendments relocated and ultimately removed the hotel use from the master plan.

<table>
<thead>
<tr>
<th>MDP</th>
<th>SITE 13</th>
<th>SITE 14*</th>
<th>SITE 15</th>
</tr>
</thead>
<tbody>
<tr>
<td>1983</td>
<td>Office 4-stories 89,000 SF</td>
<td>Hotel 9 stories 200 rooms</td>
<td>Office 10 stories 230,000 SF</td>
</tr>
<tr>
<td>Original</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1989</td>
<td>Office 4-stories 89,000 SF</td>
<td>Office 10 stories 230,000 SF</td>
<td>Hotel 3 stories 175 rooms</td>
</tr>
<tr>
<td>Amendment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1993</td>
<td>Office 4-stories 89,000 SF</td>
<td>Office 10 stories 230,000 SF</td>
<td>Clinic 1-2 stories 41,000 SF</td>
</tr>
<tr>
<td>Amendment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1995</td>
<td>Office 4-stories 89,000 SF</td>
<td>Parking lot for Site 13 &amp; Office 10 stories 230,000 SF</td>
<td>Clinic 1-2 stories 41,000 SF</td>
</tr>
<tr>
<td>Amendment</td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

*Subject Property

- **Proposed Uses.**

The applicant is proposing to develop Site 14. In the near term a 102-unit, Home2 hotel would be constructed on the west side of the site. The five-story hotel would have a footprint of just over 15,000 square feet and total area of roughly 66,000 gross square feet. Indoor amenities would include a fitness center, pool, and large gathering spaces. Outdoor amenities would include outdoor seating areas, bike racks, and a connection to the existing sidewalk system in the Minnetonka Corporate Center. A future day care facility is envisioned for the east side of the site. The submitted plans suggest a two-story, 21,650 square foot building.

The hotel and site would be served by a total of 188 surface parking stalls; 67 hotel stalls, 44 day care stalls, and 77 existing “overflow” parking stalls. An additional nine parking stalls are shown as “proof-of-parking.” Access to the site would be via drives on both the north and south sides of the property. (See page A4.)

- **Site impacts.**

Construction of the proposed buildings and parking lots would require significant excavation. This grading – to essentially remove the existing knolls and make the
site level – would result in removal of, or significant impact to, 23% of the sites high-priority trees.

• Approvals.

To accommodate the near term and future development of the property, the applicant is currently requesting: (1) an amendment to the existing master development plan to generally allow the proposed hotel and day care uses; (2) approval of preliminary and final plats to allow for separate ownership of the separate uses; (3) a conditional use permit for the hotel; (4) site plan review for both the hotel and day care, to allow for site preparation for both uses; (5) building plan review for the hotel; and (6) an amendment to the existing Minnetonka Corporate Center sign plan. A conditional use permit application and building plan review for the day care would be submitted in the future at such time that a specific day care provider/owner is identified.

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 both the primary questions associated with the proposal and staff’s findings.

• Are the proposed land uses appropriate?

Yes. Minnetonka Corporate Center is a business park occupied by a variety of office and light manufacturing uses. The proposed hotel and day care would complement these uses. The hotel would provide an attractive accommodation option for business travelers. Staff anticipates that the day care would similarly provide an attractive option for parents and guardians employed in the immediate area.

• Is the proposed site and building design reasonable?

Yes. The proposed site design is intuitive, and makes good use of the undeveloped areas of the site. Appropriate circulation patterns would be established for vehicular traffic. In addition, sidewalk connections are proposed from both the hotel and future day care to the sidewalk adjacent to Clearwater Drive. This existing sidewalk connects to the trail on Bren Road, and ultimately to the regional trail. (See page A4.)

The proposed building design would feature an exterior insulation and finishing system (EIFS) façade, with metal panel and stone accents. While this façade design is unlike others in the business park, there is not one predominate design in the area. Rather, the park contains buildings with almost entirely glass facades, almost entirely brick facades, facades of a combination of brick and EIFS, and
others facades constructed of entirely concrete panels. Given this existing variety, the proposed building design is reasonable. (See pages A19 and A24.)

- **Is the amount of proposed parking appropriate?**

Yes. Generally, planning staff advocates for shared parking and a balance between actual parking demand and the number of constructed parking stalls. To this end, the city commissioned a traffic and parking study to evaluate the applicant’s proposal. The purpose of the parking portion of study was to review the parking demand of the proposed development and determine if that demand could, in part, be met by the “overflow” parking lot already existing on the site.

The study concluded:

1. The “overflow” parking lot is not necessary to meet the parking demand of the adjacent office building. The office building is served by 432 on-site parking stalls and 93 “overflow” stalls. Under city code and the Institute of Transportation Engineers (ITE) guidelines, parking demand for the fully-occupied office building could be met by the 432 on-site parking stalls. The total number of stalls provided on site and in the “overflow” lot far exceed anticipated parking demand.

<table>
<thead>
<tr>
<th></th>
<th>Constructed</th>
<th>Required by Code</th>
<th>Suggested by ITE</th>
</tr>
</thead>
<tbody>
<tr>
<td>On-Site Stalls</td>
<td>432</td>
<td>400</td>
<td>345</td>
</tr>
<tr>
<td>“Overflow” Stalls</td>
<td>93</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Total</td>
<td>525</td>
<td>400</td>
<td>345</td>
</tr>
</tbody>
</table>

2. A total of 150 parking stalls would be required to meet the demand of the proposed hotel and day care. If stalls within the “overflow” parking lot were shared with the hotel use, parking demand could be met.

<table>
<thead>
<tr>
<th></th>
<th>Proposed</th>
<th>Required to Meet Demand</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hotel</td>
<td>76*</td>
<td>110</td>
</tr>
<tr>
<td>Day Care</td>
<td>44</td>
<td>40</td>
</tr>
<tr>
<td><strong>TOTAL Stalls</strong></td>
<td>120</td>
<td><strong>150</strong></td>
</tr>
<tr>
<td><strong>TOTAL Stalls</strong></td>
<td><strong>120</strong></td>
<td><strong>197</strong></td>
</tr>
</tbody>
</table>

*67 constructed stalls plus 9 proof-of-parking stalls
**120 constructed and proof-of-parking stalls plus 77 stalls available in reconfigured “overflow” lot

From staff’s perspective, shared use of the “overflow” parking lot is appropriate and reasonable for two reasons:
1. The “overflow” parking lot is not necessary to meet the city code and ITE anticipated parking demand of the office building. If the stalls in the lot are reserved for the office building only and are unused, they simply represent unnecessary impervious surface on the site.

2. The applicant could construct the demand-required 150 parking stall on the site outside of the “overflow” lot, but this would result in more tree loss, more impervious surface, and more required stormwater treatment.

Unfortunately, a private easement and covenants cover the “overflow” parking lot and dictate how it may be used. Essentially, under these private agreements, the lot may be reconfigured – as is proposed – but a certain number of spaces must be maintained for the sole use of the office building property. Nevertheless, as a condition of approval staff suggests that the applicant provide evidence that they have the right to share a minimum of 30 parking stalls in the “overflow” lot. This minimum amount of shared parking would ensure the parking demand of the hotel and future day care are met.

- Are the proposed signs reasonable?

The Minnetonka Corporate Center sign plan was approved in 1983. Under the plan, the building on Site 14 is allowed two wall signs with a maximum letter height of 36 inches. This regulation reflects the city’s sign ordinance for hotels. However, the ordinance for hotel signs also specifically notes: (1) “because of the need for high visibility and the variety in size and shape of hotel structures, variances will be considered but not necessarily granted”; and (2) “variances may be considered for letter height based on the proportional relationship to the mass and height of the building.” (City Code §300.30 Subd. 5c)

The applicant proposes to install signs on the southwest, southeast, and northeast façades. These signs would exceed both the maximums outlined in the existing sign plan and the sign ordinance. However, in researching the sign information for the four existing hotels in Minnetonka, staff found that none would meet the Minnetonka Corporate Center sign plan or current sign ordinance.

<table>
<thead>
<tr>
<th></th>
<th>Stories</th>
<th>Letter Height</th>
<th>Sq.Ft. per sign</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hampton Inn</td>
<td>5</td>
<td>5.5 (stacked)</td>
<td>77 sq.ft.</td>
</tr>
<tr>
<td>Holiday Inn</td>
<td>4</td>
<td>10 ft</td>
<td>180 sq.ft.</td>
</tr>
<tr>
<td>Marriott</td>
<td>16</td>
<td>6 ft</td>
<td>186 sq.ft.</td>
</tr>
<tr>
<td>Sheraton</td>
<td>4</td>
<td>6 ft</td>
<td>228 sq.ft.</td>
</tr>
<tr>
<td>Home2</td>
<td>5</td>
<td>7 to 12 ft (SW and SE)</td>
<td>175 sq.ft.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4 to 7 ft (NE)</td>
<td>63 sq.ft.</td>
</tr>
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Staff finds that the signs proposed by the applicant are reasonable for several reasons:
• While “taller” than signs at other hotels in the community, the individual signs would have less total area than other individual signs;

• The proposed hotel would have some level of visibility from I-494, Highway 62, and Clearwater Drive; and

• The proposed signs would be proportionally sized to the mass and height of the proposed building.

Summary Comments

The proposed hotel and day care uses would complement the existing uses in the Minnetonka Corporate Center. Further, in developing the last vacant site in the area, the applicant’s proposal represents completion of the business park – 30 years after its original approval. Staff supports and recommends approval of the proposal.

Staff Recommendation

Recommend the city council adopt the following pertaining to 6030 Clearwater Drive:

1. Ordinance approving a major amendment to the existing Minnetonka Corporate Center master development plan (see pages A40-A42);

2. Resolution approving preliminary and final plats (see pages A43-A45);

3. Resolution approving a conditional use permit for the hotel (see pages A46-A48);

4. Resolution approving final site plan for the overall site and final building plans for the proposed hotel (see pages A49-A59); and.

5. Resolution approving an amendment to the Minnetonka Corporate Center sign plan. (see pages A60-A62)

Originator: Susan Thomas, AICP, Principal Planner
Supporting Information

Surrounding Land Uses
Northerly: vacant office building; zoned PUD
Easterly: GE Osmonics; zoned I-1
Southerly: medical office building; zoned PUD
Westerly: Interstate 494

Planning
Guide Plan designation: Mixed use
Existing Zoning: PUD

Introduction
The proposal was introduced to the city council on November 11, 2015. The few comments the council had pertained to appearance and maintenance of the existing stormwater pond. (See page A38.)

City Actions
The proposal necessitates the following applications:

- **Master Development Plan Amendment.** By city code, development that does not comply with a condition of a master development plan is allowed only by a major amendment to that plan. Though the original master development plan envisioned a hotel on the subject property, the most recent iteration of the plan calls for construction of a ten-story office building. A day care was never contemplated for the site.

- **Preliminary and Final Plat.** The applicant is proposing to divide the subject property to allow for separate ownership of the hotel and day care sites.

- **Conditional Use Permit.** Both hotels and day cares are conditionally-permitted uses in commercial PUDs. At this time the applicant is requesting approval of a CUP for the hotel only. A CUP request would for the day care would be submitted by a specific day care provider sometime in the future.

- **Site and Building Plan Review.** By city code, site and building plan review is required in conjunction with construction in a PUD. At this time, the applicant is requesting site plan review and approval of the entirety of the site and building plan approval for the hotel only. A further request for site and building plan review for the day care would be submitted by a specific day care provider sometime in the future.
• **Sign Plan Amendment.** Signs within the Minnetonka Corporate Center are regulated by a sign covenant approved in 1983. The applicant is requesting an amendment to this plan to allow for wall signs of greater number and size than allowed under the plan.

### Grading

To accommodate the proposed development, significant excavation would occur. Between two and ten feet of cut would remove the existing knolls and make the site level. Even with this grading, the proposed southerly parking lots would still sit ten feet above the existing “overflow” parking lot.

### Stormwater

Runoff from the developed site would be direct to one of two proposed infiltration basins. The easterly of these basins would outlet to the large stormwater pond already existing in the northeast corner of the site. As a condition of approval, a final stormwater management plan and specifications must be submitted prior to issuance of a grading permit. The plans must meet the standards of the city’s Water Resources Management Plan, incorporating rate control, volume control, and water quality treatment.

### Trees

The property is subject to the regulations of the tree protection ordinance. Due to the proposed subdivision of the site, removal of/impact to high priority trees is limited to 35%. Based on the submitted plans, the proposal would result in removal or significant impact to 23% of the site’s high priority trees.

<table>
<thead>
<tr>
<th></th>
<th>Existing</th>
<th>Removed/Impacted</th>
<th>% Removed</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Priority</td>
<td>22</td>
<td>5</td>
<td>23%</td>
</tr>
<tr>
<td>Significant</td>
<td>121</td>
<td>87</td>
<td>72%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>143</td>
<td>92</td>
<td>64%</td>
</tr>
</tbody>
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### Utilities

Public water, sanitary, and storm sewer facilities are available to the site from Clearwater Drive. The applicant is proposing to connect water and sanitary sewer services to existing private lines on the adjacent property to the south. While the city would allow such connection, as a condition of approval the applicant must provide an easement or agreement that would allow for such connections.

### Traffic

The city commissioned a traffic study to understand:

1. Anticipated vehicle trip generation associated with the proposed uses; and
2. Existing and anticipated intersection operations.

In evaluating these items, the city’s traffic engineering consultants drew on general engineering principles, as well as specific observations of the existing site. (See pages A25–A37.) The study concluded:

1. The proposal is anticipated to generate 174 p.m. peak hour trips and 1,300 daily trips.

2. Existing intersections operated at Level of Services (LOS) A. This LOS A would be maintained after development of the hotel and day care.

Building Design

The proposed five-story building would have a code-defined height of 65 feet to the highest point of the parapet wall.

The building façade would be primarily EIFS, with metal panel and stone accents. As a condition of approval the area under the proposed southeasterly wall sign must receive a façade treatment similar to the treatment under the southwesterly and northeasterly wall signs. (See page A19.)

CUP Standards

By City Code §300.21 Subd.2 and Subd.3(h), hotels must meet both general and specific conditional use permit standards. The proposed hotel would meet these standards.

General Standards:

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

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

3. The use 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 section 300.28 of this ordinance; and

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

1. Shall not be located adjacent to any low density residential parcels as identified in the comprehensive plan;

Finding: The proposed hotel would be surrounded by office and services uses. It would be located over one-third mile from the closest low-density residential area.

2. Shall be developed to serve primarily the office district in which the use is located; and

Finding. The proposed hotel is anticipated to serve travelers to the various businesses in and around the Minnetonka Corporate Center.

3. Shall only be permitted when it can be demonstrated that operation will not significantly lower the existing level of service as defined by the institute of traffic engineers on streets and intersections.

Finding. This condition is met. See the “Traffic” section of this report.

SBP Standards

By City Code §300.27 Subd.5, in evaluating a site and building plan, the planning commission and city council shall consider its compliance with certain standards. The proposed hotel and future day care site would meet 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: The proposal has been reviewed by city planning, engineering, natural resources, public works, fire, and legal staff and found to be generally consistent with the city's development guides.

2. Consistency with this ordinance;

Finding: The proposal would be generally consistent with the zoning ordinance, as well as the original master development plan for the site.

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 proposal would result in significant grading. However, the level of grading and resulting tree impact would be anticipated with any development consistent with the previously approved master development plan for the site and with other existing development on adjacent and surrounding properties.

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: Finding: The proposed site design is intuitive, and would result in appropriate location of buildings, parking areas, and open spaces relative to existing buildings, parking areas, and open spaces.

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 design is intuitive, with appropriate circulation patterns established for vehicular traffic. In addition, sidewalk connections are proposed from both the hotel and future day care to the sidewalk adjacent to Clearwater Drive. This existing sidewalk connects to the trail on Bren Road, and ultimately to the regional trail. (See pages A4.)
The proposed building design would feature EIFS, with metal panel and stone accents. While this façade is unlike others in the Minnetonka Corporate Center, there is not one predominate design in the business park. The variety of buildings include buildings of almost entirely glass facades, almost entirely brick facades, facades of a combination of brick and EIFS, and others of entirely concrete panels. Given this variety, the proposed building would not detract from any existing design expression.

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;

Finding: As new construction, the proposed hotel would meet all current building code standards including those pertaining to energy conservation.

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 not negatively impact adjacent or neighboring properties. In fact, staff anticipates the proposal would complement the existing uses of these properties.

Motion Options

The planning commission has four options:

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

2. Disagree with staff’s recommendation. In this case, a motion should be made recommending the city council deny the requested master development plan amendment, final site and building plans, conditional use permit, sign plan amendments and plat requests. This motion must include a statement as to why denial is recommended.

3. Concur with some of staff’s recommendations and disagree with the others. In this case a motion should be made recommending approval of the some and denial of the
others. This motion must include a statement as to why denial is recommended.

4. 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.

<table>
<thead>
<tr>
<th>Neighborhood Comments</th>
<th>The city sent notices to 27 area property owners and received no responses to date.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deadline for Action</td>
<td>February 8, 2016</td>
</tr>
</tbody>
</table>
Location Map

Project: Home2
Applicant: Buhl Investors Minnetonka I LLC
Address: 6030 Clearwater Dr
(15033.15a)
**Owner Statement for Request for C.U.P. for 6030 Clearwater Drive, Minnetonka MN**

**Applicant:** Buhl Investors Minnetonka I, LLC Development

**Proposed Uses:** Owner is requesting that a 102-unit five story franchised hotel property be permitted to be built on the subject property together with a 2-story daycare facility consisting of approximately 10,781 square feet.

The Property will be split into two separate Lots as shown on the site plan. There will be an Operation, Easement and Access Agreement recorded against both properties to address the shared access drive, any necessary utility and drainage easements and cross access for pedestrians and cross-parking.

The hotel use and daycare facility are complimentary uses to each other in that the primary high-peak for the hotel is in the evenings and the primary for the day care is morning drop-off and after school pick-up. These uses we believe are also complimentary to the overall development in the park providing lodging and daycare needs to the office park.

The Property is subject to the Planned Unit Development Agreement dated March 16, 1984 where the City approved by council action on July 18, 1983 a mixed use development of office and a hotel. The use of a hotel is consistent with the terms of the P.U.D. and Master Development Plan that the City approved for this development. The hotel was contemplated on a different lot location but the development contemplated a 150,000 square foot hotel. The daycare was not included in the original P.U.D. so we are requesting that it be permitted and think that it is a complimentary use to the development that has occurred in this office park and the surrounding community.
HOME2 SUITES

MINNETONKA
HENNEPIN COUNTY, MINNESOTA
1. MITIGATION OF PROTECTED TREES TO BE REMOVED IS NOT REQUIRED. ALL REMOVED TREES LIE WITHIN THE "BASIC TREE REMOVAL AREA" AS DEFINED IN MINNETONKA CITY CODE SECTION 300.28, SUBDIVISION 19, REGULATING TREE PROTECTION.

2. SEE L001 FOR TREE PROTECTION & REMOVAL PLAN.

3. SEE L100 FOR PLANTING PLAN.

NOTES
EXISTING POND

EXISTING TREE, TYP.

CITY SUBMITTAL 10-15-2015

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly registered landscape architect in the State of Minnesota.

signature
name
reg. no.

GARRETT A. TEWS
48408

10/15/2015

CITY SUBMITTAL 12-02-2015

1. MITIGATION OF PROTECTED TREES TO BE REMOVED IS NOT REQUIRED. ALL REMOVED TREES LIE WITHIN THE "BASIC TREE REMOVAL AREA" AS DEFINED IN MINNETONKA CITY CODE SECTION 300.28, SUBDIVISION 19, REGULATING TREE PROTECTION.

2. PROVIDE CONSTRUCTION FENCING AROUND CRITICAL ROOT ZONE OF ALL TREES TO BE PROTECTED.

3. SEE L000 FOR TREE INVENTORY PLAN.

4. SEE L100 FOR PLANTING PLAN.

NOTES

PROTECTED TREE - AREA OF CRITICAL ROOT ZONE

PROTECTED TREE TO BE REMOVED

KEY

PROTECTED TREE TO BE REMOVED

NORTH

0 10 20 40

0 100 200
NOTES

1. SEE LIST FOR PLANTING NOTES & DETAILS.
2. SEE L100 FOR TREE INVENTORY PLAN.
3. SEE L100 FOR TREE PROTECTION & REMOVAL PLAN.
PLANTING NOTES

1. ALL PLANT MATERIAL SHALL BE WARRANTED BY THE CONTRACTOR FOR A PERIOD OF ONE YEAR AFTER THE OWNER'S WRITTEN ACCEPTANCE. ANY PHYSICAL DAMAGE OR DAMAGE WHICH OCCURS PRIOR TO THE OWNER'S WRITTEN ACCEPTANCE SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.

2. ALL PLANT MATERIAL SHALL BE CLEARLY IDENTIFIED (COMMON OR SCIENTIFIC NAME) AND THE PLANT SELECTIONS, SOIL CONDITIONS, OR ANY OTHER SITE CONDITIONS WHICH MIGHT NEGATIVELY AFFECT PLANT MATERIAL ENSURE REVIEW PRIOR TO APPROVAL.

3. ALL DISTURBED AREAS SHALL BE RESTORED TO TURF UNLESS EXPRESSLY DISCLAIMED AND FERTILIZER RECOMMENDATIONS FOR REVIEW PRIOR TO APPROVAL.

4. ALL PLANT MATERIALS ARE TO BE INSTALLED PER PLANTING DETAILS.

5. LANDSCAPE ARCHITECT MUST APPROVE THE DECOMPACTED SUBGRADE PRIOR TO ANY DIGGING.

6. NO PLANT MATERIAL SUBSTITUTIONS WILL BE ACCEPTED UNLESS EXPRESSLY AS SUCH. MULTIPLE STEM STOCK WITH STEMS REMOVED AND/OR BURLAP.

7. ALL PLANTING BEDS NOT CONTAINED BY STRUCTURES, CURB, OR EDGE MUST BE EDGED WITH METAL LANDSCAPE EDGING. PERMALOC "CLEANLINE" 4" X 3/4" BLACK ANODIZED FINISH, OR APPROVED EQUAL.

8. ALL PLANTING BEDS TO BE PLANTED ON THIS SIDE OF EXISTING TREE, EXISTING POND, OR REGULARLY MAINTAINED GARDEN. NAMING SOIL MIXES, THE CONTRACTOR SHALL SET AMEND EXISTING SOIL WITH ORGANIC MATTER & PEAT MOSS. INCORPORATE SLOW RELEASE FERTILIZER & MIX THOROUGHLY.

9. LANDSCAPE ARCHITECT SHALL BE NOTIFIED AT LEAST 48 HOURS IN ADVANCE OF THE SUBMITTAL DATE FOR ALL PLANT MATERIALS.

10. ALL PLANT MATERIALS SHALL BE WARRANTED BY THE CONTRACTOR FOR A PERIOD OF ONE YEAR AFTER THE OWNER'S WRITTEN ACCEPTANCE. ANY PHYSICAL DAMAGE OR DAMAGE WHICH OCCURS PRIOR TO THE OWNER'S WRITTEN ACCEPTANCE SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.

11. ADJUSTMENT IN LOCATION OF PROPOSED PLANT MATERIAL MAY BE CONSIDERED ONCE DEGREE OF PLANTING BEDS IS DETERMINED BY LANDSCAPE ARCHITECT. LANDSCAPE ARCHITECT SHALL BE NOTIFIED AT LEAST 48 HOURS IN ADVANCE OF THE SUBMITTAL DATE FOR ALL PLANT MATERIALS.

12. ALL PLANT MATERIALS TO BE INSTALLED PER PLANTING DETAILS.

13. ALL PLANT MATERIALS SHALL BE WARRANTED BY THE CONTRACTOR FOR A PERIOD OF ONE YEAR AFTER THE OWNER'S WRITTEN ACCEPTANCE.

14. IF THE LANDSCAPE CONTRACTOR PERCEIVES ANY DEFICIENCIES IN LANDSCAPE EDGING, THE CONTRACTOR SHALL STAKE THE \n
15. CONTRACTOR SHALL PROVIDE A WRITTEN REQUEST FOR THE OWNER ACCEPTANCE INSPECTION UPON COMPLETION OF ALL PLANTING WORK.

16. IF THE LANDSCAPE CONTRACTOR PERCEIVES ANY DEFICIENCIES IN LANDSCAPE EDGING, THE CONTRACTOR SHALL STAKE THE
SCALE:  1/2" = 1'-0"

SCALE:  1 1/2" = 1'-0"

SCALE:  1/4" = 1'-0"

DRAWN BY: JRM

STRUCTURAL

CONC. SLAB - SEE 6" REINFORCED CMU W/ TRUSS S
W/ SEALANT, TYP.

AT TOP OF 8" 'U' BLOCK

MANUFACTURED STONE TO MATCH

PAINT INTERIOR SIDE OF WALL (TYP)

TRASH/RECYCLING AREA OF TRASH RECEPT.

1/4" SLOPE

SEE PLANS BB1

BB

#3 TIES

18" DIA.

4" W/ SEALANT FILLER

1/2" EXPANSION JOINT W/ SEALANT FILLER

FLASHING COLLAR

SCREENED DRY SAND

SET IN SEALANT

EFUSE RECEPTACLE/STORAGE BUILDING SECTION

OLLARD DETAIL

LAG POLE DETAIL

REF. ELEC. JOINT

@ 12" O.C. HORIZ.

EFUSE ROOF EDGE

TRASH/RECYCLING

STORAGE

PREFINISHED METAL COPING

SCUPPER, GUTTER

6' - 0"
FOAM PLASTIC INSULATION GREATER THAN 4" IN THICKNESS SHALL HAVE A MAXIMUM FLAME BACKER ROD

A.2

ALL EXTERIOR VENTS & LOUVERS TO BE PAINTED TO MATCH ADJACENT WALL COLOR. SEE EIFS NOT TO EXCEED 144 SQ. FT. W/O CONTROL JOINT. SEE DETAILS FOR CONTROL AND PROVIDE BLOCKING AND ELECTRICAL CIRCUITING TOO ALL SIGN LOCATIONS; COORDINATE WITH...

NFPA 1199 & SEALANT
BACKER ROD

ALL EXTERIOR VENTS & LOUVERS TO BE PAINTED TO MATCH ADJACENT WALL COLOR. SEE

3' - 9"

1 1/2"

10' - 1 7/8"

FOAM PLASTIC INSULATION GREATER THAN 4" IN THICKNESS SHALL HAVE A MAXIMUM FLAME

W1

10' - 1 7/8"

117A

PROVIDE BLOCKING AND ELECTRICAL CIRCUITING TOO ALL SIGN LOCATIONS; COORDINATE WITH

EIFS NOT TO EXCEED 144 SQ. FT. W/O CONTROL JOINT. SEE DETAILS FOR CONTROL AND

10' - 1 7/8"

W1

OUTDOOR LOUNGE
STAFF DRAFTED ATTACHMENTS
Memorandum

SRF No. 0159079

To: Susan Thomas, AICP, Principal Planner
City of Minnetonka

From: Matt Pacyna, PE, Senior Associate
Tom Sachi, EIT, Engineer

Date: December 8, 2015

Subject: 6030 Clearwater Drive Traffic and Parking Study

Introduction

SRF has completed a traffic study for the proposed extended stay hotel and daycare development located near the northwest quadrant of the Trunk Highway 62 (TH 62)/Clearwater Drive intersection in Minnetonka, MN (see Figure 1: Project Location). The main objectives of this study are to review existing operations within the study area, evaluate traffic and parking impacts including the proposed access and circulation, and recommend any necessary improvements to accommodate the proposed development. The following information provides the assumptions, analysis, and recommendations offered for consideration.

Existing Conditions

The existing conditions were reviewed to establish a baseline in order to identify any future impacts associated with the proposed development. The evaluation of existing conditions includes intersection turning movement counts, field observations, and an intersection capacity analysis.

Data Collection

Peak hour turning movement counts were collected at the Clearwater Drive and Medical Office Building intersection by SRF during the week of November 16, 2015. Observations were also completed during that time to identify roadway characteristics and parking utilization within the study area (i.e. roadway geometry, posted speed limits, and traffic controls). Average daily traffic volumes were provided by the Minnesota Department of Transportation.

Clearwater Drive is primarily a four-lane roadway immediately adjacent to the proposed development with a posted speed limit of 30 miles per hour. The study intersection is side-street stop controlled. Existing geometrics, traffic controls, and volumes in the study area are shown in Figure 2.
Existing Conditions

6030 Clearwater Drive Traffic and Parking Study
City of Minnetonka, MN

Figure 2

LEGEND

XX - A.M. Peak Hour Volume
(XX) - P.M. Peak Hour Volume
XXX - Estimated Average Daily Traffic (ADT) Volume
- Side-Street Stop Control

Home2
6030 Clearwater Drive
A27
15033.15a
Intersection Capacity Analysis

An existing intersection capacity analysis was completed for the a.m. and p.m. peak hours to establish a baseline condition to which future traffic operations can be compared. The study intersections were analyzed using Synchro/SimTraffic (V8).

Capacity analysis results identify a Level of Service (LOS), which indicates the quality of traffic flow through an intersection. Intersections are given a ranking from LOS A through LOS F. The LOS results are based on average delay per vehicle, which correspond to the delay threshold values shown in Table 1. LOS A indicates the best traffic operation, with vehicles experiencing minimal delays. LOS F indicates an intersection where demand exceeds capacity, or a breakdown of traffic flow. Overall intersection LOS A through LOS D is generally considered acceptable in the Twin Cities Metro Area.

Table 1 Level of Service Criteria for Signalized and Unsignalized Intersections

<table>
<thead>
<tr>
<th>LOS Designation</th>
<th>Signalized Intersection Average Delay/Vehicle (seconds)</th>
<th>Unsignalized Intersection Average Delay/Vehicle (seconds)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>≤ 10</td>
<td>≤ 10</td>
</tr>
<tr>
<td>B</td>
<td>&gt; 10 - 20</td>
<td>&gt; 10 - 15</td>
</tr>
<tr>
<td>C</td>
<td>&gt; 20 - 35</td>
<td>&gt; 15 - 25</td>
</tr>
<tr>
<td>D</td>
<td>&gt; 35 - 55</td>
<td>&gt; 25 - 35</td>
</tr>
<tr>
<td>E</td>
<td>&gt; 55 - 80</td>
<td>&gt; 35 - 50</td>
</tr>
<tr>
<td>F</td>
<td>&gt; 80</td>
<td>&gt; 50</td>
</tr>
</tbody>
</table>

For side-street stop controlled intersections, special emphasis is given to providing an estimate for the level of service of the side-street approach. Traffic operations at an unsignalized intersection with side-street stop control can be described in two ways. First, consideration is given to the overall intersection level of service. This takes into account the total number of vehicles entering the intersection and the capability of the intersection to support these volumes.

Second, it is important to consider the delay on the minor approach. Since the mainline does not have to stop, the majority of delay is attributed to the side-street approaches. It is typical of intersections with higher mainline traffic volumes to experience high levels of delay (i.e. poor levels of service) on the side-street approaches, but an acceptable overall intersection level of service during peak hour conditions.

Results of the existing intersection capacity analysis shown in Table 2 indicate that the study intersection currently operates at an acceptable overall LOS A during the a.m. and p.m. peak hours with the existing geometric layout and traffic control. No significant delay or queuing issues were identified.
### Proposed Development

The proposed development, shown in Figure 3, is located in the northwest quadrant of the Clearwater Drive/Medical Office Building intersection. The proposed development is expected to include an extended stay hotel (102 rooms) and a daycare facility (approximately 10,800 square feet). For purposes of this study, the proposed development was assumed to be fully operational by the year 2017. Access to the proposed development is proposed along the existing driveway to the Medical Office Building. Access will also be available through the adjacent office parking lot to the north. A total of 111 parking spaces are proposed (67 for the hotel, 44 for the daycare).

### Year 2017 Conditions

To identify potential impacts associated with the proposed development, traffic forecasts for year 2017 conditions were reviewed. The year 2017 conditions take into account general area background growth and traffic generated by the proposed development. The following sections provide details on the background traffic forecasts, estimated trip generation, and intersection capacity analysis for year 2017 conditions.

#### Background Traffic Growth

To account for general background growth in the area, an annual growth rate of one-half percent was applied to the existing peak hour traffic volumes to develop year 2017 background traffic forecasts. This growth rate is considered a conservative estimate since there has been negative growth in the area since 2005. It should be noted that the adjacent office development to the north is currently vacant. No change in this use was assumed to help identify potential impacts of the proposed development.

#### Trip Generation

To account for traffic impacts associated with the proposed development, a trip generation estimate for the a.m. and p.m. peak hours and on a daily basis was developed. This trip generation estimate, shown in Table 3, was developed using the *ITE Trip Generation Manual, Ninth Edition*. Results of the trip generation estimate indicate the proposed development is expected to generate a total of approximately 170 a.m. peak hour, 174 p.m. peak hour and 1,300 daily trips.

### Table 2 Existing Intersection Capacity Analysis

<table>
<thead>
<tr>
<th>Intersection</th>
<th>A.M. Peak Hour</th>
<th>P.M. Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>LOS</td>
<td>Delay</td>
</tr>
<tr>
<td>Clearwater Drive/Medical Office Building</td>
<td>A/B</td>
<td>14 sec.</td>
</tr>
</tbody>
</table>

(1) Indicates an unsignalized intersection with side-street stop control, where the overall LOS is shown followed by the worst approach LOS. The delay shown represents the worst side-street approach delay.
Table 3 Trip Generation Estimate

<table>
<thead>
<tr>
<th>Land Use Type (ITE Code)</th>
<th>Size</th>
<th>A.M. Peak Hour Trips</th>
<th>P.M. Peak Hour Trips</th>
<th>Daily Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>In</td>
<td>Out</td>
<td>In</td>
</tr>
<tr>
<td>All Suites Hotel (311)</td>
<td>102 Rooms</td>
<td>21</td>
<td>17</td>
<td>18</td>
</tr>
<tr>
<td>Daycare Center (565)</td>
<td>10,800 SF</td>
<td>70</td>
<td>62</td>
<td>63</td>
</tr>
<tr>
<td>Total New Roadway Network Trips</td>
<td>91</td>
<td>79</td>
<td>81</td>
<td>93</td>
</tr>
</tbody>
</table>

Trips generated by the proposed development were distributed throughout the study area based on the directional distribution shown in Figure 4, which was developed based on existing travel patterns and engineering judgment. It should be noted that all development traffic was assumed to use the Medical Office Building access to Clearwater Drive. The resultant year 2017 traffic forecasts, which include general background growth and trips generated by the proposed development, are shown in Figure 5.

Year 2017 Intersection Capacity Analysis

To determine if the existing roadway network can accommodate the year 2017 traffic forecasts, a detailed intersection capacity analysis was completed using Synchro/SimTraffic software. Results of the year 2017 intersection capacity analysis, shown in Table 4, indicate that the study intersection and proposed access location are expected to operate at an acceptable overall LOS A during the a.m. and p.m. peak hours with the existing roadway geometry and traffic controls. No significant delay or queuing issues are expected. Therefore, the proposed development is not expected to have a significant operational impact to the study area.

Table 4 Year 2017 Build Intersection Capacity Analysis

<table>
<thead>
<tr>
<th>Intersection</th>
<th>A.M. Peak Hour</th>
<th>P.M. Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>LOS</td>
<td>Delay</td>
</tr>
<tr>
<td>Clearwater Drive/Medical Office Building</td>
<td>A/B</td>
<td>14 sec.</td>
</tr>
<tr>
<td>Site Driveway/Medical Office Building</td>
<td>A/B</td>
<td>10 sec.</td>
</tr>
</tbody>
</table>

(1) Indicates an unsignalized intersection with side-street stop control, where the overall LOS is shown followed by the worst approach LOS. The delay shown represents the worst side-street approach delay.
Figure 4
Directional Distribution
6030 Clearwater Drive Traffic and Parking Study
City of Minnetonka, MN
A32
Parking Review

As previously mentioned, the proposed development is planning to provide a total of 111 parking spaces (67 hotel; 44 daycare). To determine if the proposed parking supply will meet the demand for the site, a detailed parking review was completed using both the Minnetonka City Code as well as the ITE Parking Generation Manual, 4th Edition. The purpose of the parking review is to determine if, and by how much, the proposed parking can be reduced through sharing with the adjacent office. The following information summarizes the parking demand for the proposed development and adjacent office.

1) The minimum parking requirement based on Minnetonka City Code (Chapter 3, Section 300.28) states that for a hotel development, the minimum number of parking spaces required is one (1) space per room and one (1) space per employee during the major shift. Additionally, for a daycare facility, the Code states that one space is needed per six (6) children enrolled. Based on discussions with the developer, there will be 102 hotel rooms with a maximum of 10 employees working during the major shift and the daycare will be licensed for a maximum of 185 children. Based on the Minnetonka City Code, a total of 143 spaces are required, which results in a 32 space deficit.

2) The 85th percentile parking demand for the proposed development based on ITE is a total of 150 parking spaces, which results in a 39 space deficit. This accounts for a demand of 110 spaces for the hotel and 40 spaces for the daycare. The hotel use was assumed to be fully occupied.

3) For the adjacent office which is currently vacant, ITE and the Minnetonka City Code require/recommend a total of 345 to 400 spaces, respectively. A total of 525 spaces are currently provided for the adjacent office, of which 93 of these spaces are located on the proposed development site. It should be noted that the proposed development is expected to modify the adjacent lot, leaving a total of 77 spaces. The 525 spaces would represent a 125 space surplus for the adjacent office.

Based on the parking demand information identified, the following parking considerations are offered:

4) If the adjacent 77 remaining spaces that are currently located within the proposed development site are shared with the proposed development, a total of 73 new spaces would need to be provided on site to meet the estimated demand.
   a. An additional 23 spaces on site should be provided to help reduce internal circulation and the perception of inadequate parking. This equates to 15 percent of the total demand, which is recommended by ITE, resulting in a need of 96 total new parking spaces for the proposed development. It should be noted that this does not account for any shared-use throughout the day, which could further reduce the necessary parking spaces.

5) The a.m. peak period for both the hotel and daycare uses coincide with one another. Therefore, if shared parking between the uses was desired, only a small reduction (i.e. approximately 10 spaces) would be reasonable to consider.

6) Further discussions with the developer, adjacent office owner, and City should occur to determine the use of the adjacent parking within the area.
Site Plan Review

A review of the proposed site plan was completed to identify any issues and recommend potential improvements with regard to site access, circulation, and parking. The following improvements are offered for consideration, which are illustrated in Figure 6:

a) Relocate the hotel handicap parking near the main lobby entrance to reduce potential conflicts.

b) Review the main lobby driveway aisle and identify one-way operations or widen the driveway aisle to accommodate two-lanes of travel. Specific movements in/out of this area should be considered as part of the review.

c) Incorporate traffic controls, signing and striping based on guidelines established in the Manual on Uniform Traffic Control Devices (MUTCD), where appropriate.
Summary and Conclusions

The following study conclusions and recommendations are offered for consideration:

1) Results of the existing intersection capacity analysis indicate that the study intersection currently operates at an acceptable overall LOS A during the a.m. and p.m. peak hours with the existing geometric layout and traffic control.

2) The proposed development is expected to include both an extended stay hotel and a daycare facility, which was assumed to be fully operational by the year 2017.

3) The proposed development is expected to generate a total of 170 a.m. peak hour, 174 p.m. peak hour and 1,300 daily trips.

4) An annual growth rate of one-half percent was applied to the existing peak hour traffic volumes to develop year 2017 background traffic forecasts.

5) Results of the year 2017 intersection capacity analysis indicate that the study intersection and proposed site driveway are expected to operate at an acceptable overall LOS A during the a.m. and p.m. peak hours with the existing roadway geometry and traffic controls.

6) The Minnetonka City Code requires 143 parking spaces, which results in a 32 space deficit.

7) The 85th percentile parking demand for the proposed development based on ITE is a total of 150 parking spaces, which results in a 39 space deficit.

8) For the adjacent office, ITE and the Minnetonka City Code require/recommend a total of 345 to 400 spaces, respectively. A total of 525 spaces are currently provided for the adjacent office, of which 93 of these spaces are located on the proposed development site.
   a. The proposed development is expected to modify the adjacent lot, leaving a total of 77 spaces. The 525 spaces would represent a 125 space surplus for the adjacent office.

9) If the adjacent 77 remaining spaces that are currently located within the proposed development site are shared with the proposed development, a total of 73 spaces would need to be provided on site to meet the estimated demand.
   a. An additional 23 spaces on site should be provided to help reduce internal circulation and the perception of inadequate parking, resulting in a need of 96 total new parking spaces for the proposed development.

10) Consider the following site plan modifications:
    a. Relocate the hotel handicap parking near the main lobby entrance to reduce potential conflicts.
    b. Review the main lobby driveway aisle and identify one-way operations or widen the driveway aisle to accommodate two-lanes of travel.
    c. Incorporate traffic controls, signing and striping based on guidelines established in the Manual on Uniform Traffic Control Devices (MUTCD), where appropriate.
pursuant to Minnesota Statutes section 13D.03. All voted “yes.” Motion carried.

F. City manager performance pay

Allendorf moved, Acomb seconded a motion to approve a lump sum merit pay amount of $1,424.59. All voted “yes.” Motion carried.

11. Consent Agenda – Items requiring Five Votes: None

12. Introduction of Ordinances:

   A. Items concerning a hotel and daycare on the property at 6030 Clearwater Drive:

      1) Ordinance amending the existing Minnetonka Corporate Center master development plan;
      2) Conditional use permit;
      3) Site and building plan review;
      4) Sign plan amendment; and
      5) Preliminary and final plats.

Acting City Planner Susan Thomas gave the staff report.

Beth Timm, representing the developer, said the proposal was for an extended stay hotel and a daycare that would be a complementary use to the existing corporate center. The extended stay would cater to corporate users.

Acomb said she visited the site earlier in the day and noted the stormwater pond looked very sterile. She asked that attention be given to natural landscaping around it or something be done to improve its look.

Schneider asked if the city currently had management over the stormwater pond. Thomas said she believed the city did not maintain the pond but staff would confirm that.

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

13. Public Hearings: None
ORDINANCE AND RESOLUTIONS
Ordinance No. 2016-

An ordinance amending the existing master development plan of Minnetonka Corporate Center as it pertains to the property at 6030 Clearwater Drive

The City Of Minnetonka Ordains:

Section 1.

1.01 This ordinance hereby amends the Minnetonka Corporate Center master development plan as it pertains to the property at 6030 Clearwater Drive.

1.02 The property is legally described as: Lot 2, Block 1, Minnetonka Corporate Park.

1.03 The amendment approves hotel and daycare land uses on the site.

Section 2.

2.01 This ordinance is based on the following findings:

1. The proposal is consistent with the 2030 Comprehensive Guide Plan.

2. The amendment would not negatively impact the public health, safety, and welfare.

Section 3.

3.01 Approval is subject to the following conditions:

1. The site must be developed and maintained in substantial conformance with the following plans:

   • Site and Utility Plan, revised date December 4, 2015
The above plans are hereby adopted as the master development plan for the 6030 Clearwater Drive property.


Section 4. A violation of this ordinance is subject to the penalties and provisions of Chapter XIII of the city code.

Section 5. This ordinance is effective immediately.

Adopted by the city council of the City of Minnetonka, Minnesota, on January 4, 2016.

Terry Schneider, Mayor

Attest:

David E. Maeda, City Clerk

Action on this Ordinance:

Date of introduction: November 9, 2015
Date of adoption: January 4, 2016
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 January 4, 2016.

______________________________
David E. Maeda, City Clerk
Resolution No. 2016-
Resolution approving the preliminary and final plats of
BUHL MINNETONKA ADDITION at 6030 Clearwater Drive

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

Section 1.    Background.

1.01   Buhl Investors Minnetonka I LLC has requested preliminary and final plat
       approval of BUHL MINNETONKA ADDITION.

1.02   The property is located at 6030 Clearwater Drive. It is legally described as:
       Lot 2, Block 1, Minnetonka Corporate Park.

1.03   On December 7, 2015, the planning commission held a hearing on the
       proposed plat. The applicant was provided the opportunity to present
       information to the 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 grant preliminary plat and final approval.

Section 2.    General Standards.

2.01   City Code §400.030 outlines subdivision standards

Section 3.    Findings.

3.01   The proposed preliminary and final plats would meet the design
       requirements as outlined in City Code §400.030.


Home2
6030 Clearwater Drive
15033.15a
4.01 The above-described preliminary and final plats are hereby approved, subject to the following conditions:

1. Prior to release of the final plat for recording:
   a) Provide the following documents for the city attorney’s review and approval. These documents must be prepared by an attorney knowledgeable in the area of real estate.
      1) Title evidence that is current within thirty days before release of the final plat.
      2) Shared access agreement or easement between Lots 1 and 2. The agreement/easement must state the maintenance responsibilities of each owner.
      3) Private utility easements over proposed sanitary and watermain.
   b) Submit the following:
      1) A revised final plat drawing. The final drawing must include:
         a. Drainage and utility easement over the existing stormwater pond.
         b. 14-foot wide drainage and utility easement centered on the new property line.
      2) Two sets of mylars for city signatures.
      3) An electronic CAD file of the plat in microstation or DXF.
      4) Park dedication fee of $42,000. Staff may approve a reduction of this fee based on cost associated with construction of the sidewalk connecting the hotel and day care site to the existing sidewalk on Clearwater Drive.

2. This plat approval will be void if: (1) the final plat is not recorded with the county within one calendar year of preliminary plat approval; and (2) the city has not received and approved a written application for a
time extension within one calendar year of final plat approval.

Adopted by the City Council of the City of Minnetonka, Minnesota, on January 4, 2016.

__________________________
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 January 4, 2016.

__________________________
David E. Maeda, City Clerk
Resolution No. 2016-

Resolution approving a conditional use permit for a hotel at 6030 Clearwater Drive

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

Section 1. Background.

1.01 Buhl Investors Minnetonka I LLC has requested a conditional use permit for a five-story, 102-unit, extended stay hotel at 6030 Clearwater Drive.

1.02 The property is legally described as: Lot 2, Block 1, Minnetonka Corporate Park.

1.03 On December 17, 2015, the planning commission held a hearing on the proposal. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments received and the staff report, which are incorporated by reference into this resolution. The commission recommended that the city council approve the permit.

Section 2. Standards.

2.01 City Code §300.21 Subd.2 outlines the following general conditional use permit standards:

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

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

3. The use 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 section 300.28 of this ordinance; and

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

2.02 City Code §300.21 Subd.3(h) outlines the following specific conditional use permit standards for hotels:

1. Shall not be located adjacent to any low density residential parcels as identified in the comprehensive plan;

2. Shall be developed to serve primarily the office district in which the use is located; and

3. Shall only be permitted when it can be demonstrated that operation will not significantly lower the existing level of service as defined by the institute of traffic engineers on streets and intersections.

Section 3. Findings.

3.01 The proposal meets the general conditional use permit standards outlined in City Code §300.21 Subd.2.

3.02 The proposal meets all of the specific conditional use permit standards outlined in City Code 300.21 Subd.3(h).

1. The proposed hotel would be surrounded by office and services uses. It would be located over a third of a mile from the closest low-density residential area.

2. The proposed hotel is anticipated to serve travelers to the various businesses in and around the Minnetonka Corporate Center.

3. A city-commission traffic study concluded that the proposed hotel would not significantly lower the existing level of service on area streets or intersections.

Section 4. City Council Action.

4.01 The above-described conditional use permit is approved, subject to the
following conditions:

1. This resolution must be recorded with Hennepin County.

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

3. 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 4, 2016.

______________________________

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 January 4, 2016.

______________________________

David E. Maeda, City Clerk
Resolution No. 2016-

Resolution approving final site and building plans for
6030 Clearwater Drive

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

Section 1. Background.

1.01 Buhl Investors Minnetonka I LLC has requested site and building plan approval for development of the property at 6030 Clearwater Drive. As proposed, a five-story, 102-unit hotel would be constructed on the west half of the site in the near term and a two-story day care facility would be constructed on the east half of the site at some point in the future.

1.02 The property is legally described as: Lot 2, Block 1, Minnetonka Corporate Park.

1.03 On December 17, 2015, the planning commission held a hearing on the proposal. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments received and the staff report, which are incorporated by reference into this resolution. The commission recommended that the city council approve the final site for the entirety of the site and final building plans for the hotel.

Section 2. Standards Findings.

2.01 City Code §300.27, Subd. 5, outlines that the following 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 this 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 city has considered the items outlined in City Code §300.27, Subd. 5 and finds the following:
1. The proposal has been reviewed by city planning, engineering, natural resources, public works, fire, and legal staff and found to be generally consistent with the city’s development guides.

2. The proposal would be generally consistent with the zoning ordinance, as well as the original master development plan for the site.

3. The proposal would result in significant grading. However, the level of grading and resulting tree impact would be anticipated with any development consistent with the previously approved master development plan for the site and with other existing development on adjacent and surrounding properties.

4. The proposed site design is intuitive, and would result in appropriate location of buildings, parking areas, and open spaces relative to existing buildings, parking areas, and open spaces.

5. The proposed site design is intuitive, with appropriate circulation patterns established for vehicular traffic. In addition, sidewalk connections are proposed from both the hotel and future day care to the sidewalk adjacent to Clearwater Drive. This existing sidewalk connects to the trail on Bren Road, and ultimately to the Regional Trail.

6. The proposed building design would feature EIFS, with metal panel and stone accents. While this façade is unlike others in the Minnetonka Corporate Center, there is not one predominate design in the business park. The variety of buildings include buildings of almost entirely glass facades, almost entirely brick facades, facades of a combination of brick and EFIS, and others of entirely concrete panels. Given this variety, the proposed building would not detract from any existing design expression.

7. As new construction, the proposed hotel would meet all current building code standards including those pertaining to energy conservation.

8. The proposal would not negatively impact adjacent or neighboring properties. In fact, staff anticipates the proposal would complement the existing uses of these properties.

Section 3. City Council Action.
3.01 The above-described site and building plans are hereby approved subject to the following conditions:

1. Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, except as modified by the conditions below:
   - Site and Utility Plan, revised date December 4, 2015
   - Grading Plan, revised date December 4, 2015
   - Landscape Plan, most recent date December 2, 2015
   - Exterior Elevations, dated December 4, 2015
   - Exterior Rendering, received December 4, 2015

2. A grading permit is required. Unless authorized by appropriate staff, no site work may begin until a complete grading permit application has been submitted, reviewed by staff, and approved.

   a) The following must be submitted for the grading permit to be considered complete.

      1) An electronic PDF copy of all required plans and specifications.
      2) Three full size sets of construction drawings and project specifications.
      3) Confirmation that existing sanitary facilities are adequately sized to serve both the hotel and day care.
      4) Final site, grading, stormwater management, utility, landscape, tree mitigation, and natural resource protection plans, and a stormwater pollution prevention plan (SWPPP) for staff approval.

         a. Final site plan must:

            1. Illustrate minimum sidewalk clear width of five feet. This five foot clearance must take into consideration automobile overhang into the sidewalk area.
            2. Illustrate clear crosswalk delineation between sidewalks.
3. Include an exhibit illustrating truck turning movements/templates.

4. Consider design changes suggested on Figure 6 of the December 8, 2015 SRF Traffic and Parking Study.

b. Final grading plan must:

1. Minimize grading within the critical root zones of Tree #21 and Tree #30 as identified on Tree Inventory Plan.

c. Final stormwater management plan must meet Nine Mile Creek Watershed District Rules and the requirements of city’s Water Resources Management Plan, Appendix A. Design. The plan must include a narrative indicating conformance with watershed and city rules, impervious surface information, soil boring data, and modeling demonstrating rate control and water quality treatment.

d. Final utility plan must:

1. Show all existing utilities.

2. Clearly label utilities and stormwater facilities as “private.”

3. Include isolation valves on water services lines to both the hotel and future day care.

4. Include a valve at the watermain connection point.

5. Include invert elevation of the sanitary manhole to confirm ability to provide gravity service to the future day care.

6. Include additional storm sewer improvements in the day care parking lot. The southern point of the parking lot must
be connected to the proposed infiltration basin.

7. Include stormwater calculations. The existing pond must be surveyed and modeled to confirm that existing runoff flow rates will be maintained leaving the site. Otherwise, the infiltration basins must be modeled to show that the rate control component is met prior to discharge into the pond.

8. Include two additional hydrants around the hotel: one located off the northeast corner of the hotel in a parking lot island and one located on the west side of the site in the grass area north of the trash enclosure.

e. Final landscaping and tree mitigation plans must:

1. Meet minimum landscaping and mitigation requirements as outlined in city code. However, at the sole discretion of natural resources staff, mitigation may be adjusted based on site conditions.

2. Include an itemized plant material list, including plantings in the infiltration basins.

3. Substitute five of the proposed Autumn Blaze maples with a different deciduous shade tree.

4. Substitute nine of the proposed Black Hills spruce with a different evergreen tree, such as Norway spruce or pine.

5. Include rain sensors on any irrigation systems.

5) The following documents for the review and approval of the city attorney:
a. Shared access agreements or easements over the properties at 6000 and 6050 Clearwater Drive. The agreements/easements must state the maintenance responsibilities of each owner.

b. Stormwater maintenance agreements/easements over all stormwater facilities.

c. Evidence that a parking lot may be constructed in the existing Electric Transmission easement.

d. If utility connections are to be made to private water and sewer lines, an easement or agreement allowing for such connection. The easement/agreement must state the maintenance responsibilities of each owner. Public utilities are available in Clearwater Drive.

6) Individual letters of credit or cash escrow for 125% of a bid cost or 150% of an estimated cost to construct parking lot and utility improvements, comply with grading permit, tree mitigation requirements, landscaping requirements, and to restore the site. One itemized letter of credit is permissible, if approved by staff.

a. The city will not fully release the letters of credit or cash escrow until:

- A final as-built survey has been submitted;
- An electronic CAD file or certified as-built drawings for public infrastructure in microstation or DXF and PDF format have been submitted;
- Vegetated ground cover has been established; and
- Required landscaping or vegetation has survived one full growing season.
7) Cash escrow in an amount to be determined by city staff. This escrow must be accompanied by a document prepared by the city attorney and signed by the builder and property owner. Through this document the builder and property owner will acknowledge:

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

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

8) A construction management plan. The plan must be in a city approved format and must outline minimum site management practices and penalties for non-compliance.

9) All required administration and engineering fees.

b) Prior to issuance of the grading permit:

1) Obtain and submit a permit from the Minnesota Department of Health.

2) Obtain and submit a sanitary sewer extension permit from the Minnesota Pollution Control Agency.

3) Obtain and submit a right-of-way permit from Hennepin County.

4) Install a temporary rock driveway, erosion control, and tree protection fencing and any other measures identified on the SWPPP for staff inspection. These items must be maintained throughout the course of construction.

5) Schedule and hold a preconstruction meeting with engineering, planning, and natural resources staff as determined by city staff.

3. Prior to issuance of a building permit for construction of the hotel:
a) Submit the following documents:

1) Proof of subdivision registration and transfer of NPDES permit.

2) A construction management plan. This plan must be in a city approved format and outline minimum site management practices and penalties for non-compliance. If the builder is the same entity doing grading work on the site, the construction management plan submitted at the time of grading permit may fulfill this requirement.

b) Submit revised building elevations.

1) The parapet walls surrounding the proposed signs must all be constructed to the same height.

2) The area under the proposed southeasterly wall sign must receive a façade treatment similar to the treatment under the southwesterly and northeasterly wall signs, visually incorporating the sign into the wall structure.

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

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

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

If the builder is the same entity doing grading work on the site, the cash escrow submitted at the time of grading permit may fulfill this requirement.

d) Submit all required hook-up fees.
6. Retaining walls over four feet in height must be engineered by a licensed structural engineer and fall protection must be provided.

7. During construction the street must be kept free of debris and sediment.

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

9. This resolution approves the final site plan for the entirety of the site and final building plans for the hotel only. Future construction of the day care requires separate building plan review before the planning commission.

Adopted by the City Council of the City of Minnetonka, Minnesota, on January 4, 2016.

______________________________
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 January 4, 2016.
Resolution No. 2016-

David E. Maeda, City Clerk
Resolution No. 2016-

Resolution approving a sign plan amendment to the sign plan for Minnetonka Corporate Center at 6030 Clewarwater Drive

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

Section 1. Background.

1.01 Minnetonka Corporate Center is governed by a sign plan that was approved by the city council on August 6, 1984.

1.02 Buhl Investors Minnetonka I LLC has requested an amendment to the sign plan as it pertains to the property at 6030 Clearwater Drive. The amendment would allow for three wall signs of the following dimensions:

<table>
<thead>
<tr>
<th>Facade Location</th>
<th>Letter Height</th>
<th>Square Footage of Sign</th>
</tr>
</thead>
<tbody>
<tr>
<td>Southwest</td>
<td>7 ft to 12 ft</td>
<td>175 sq.ft.</td>
</tr>
<tr>
<td>Southeast</td>
<td>7 ft to 12 ft</td>
<td>175 sq.ft.</td>
</tr>
<tr>
<td>Northwest</td>
<td>4 ft to 7 ft</td>
<td>65 sq.ft.</td>
</tr>
</tbody>
</table>

Section 2. Standards

2.01 Under the Minnetonka Corporative Center sign plan, any building at 6030 Clearwater Drive is allowed two wall signs, with maximum letter height of 36 inches.

2.02 By City Code §300.30 Subd. 5(c)(2)(b), hotels are permitted one wall sign except that a second wall sign on a second wall may be permitted if the signs are not directly oriented toward a low density residential area.

2.03 By City Code §300.30 Subd. 5(c)(2)(c), hotels signs are allowed a maximum letter height up to 36 inches. The code goes on to state that “variances may be considered for letter height based on proportional relationship to the mass and height of building.”
2.04 City Code 300.30 Subd 5. (c) states, “because of the need for high visibility and the variety in size and shape of hotel structures, variances will be considered but not necessarily granted.”

Section 3. Findings.

3.01 The Minnetonka Corporate Center sign plan regulates signage on the subject property. However, city code may be used for guidance for establishing appropriate numbers and sizes.

3.02 City code clearly indicates that hotels have unique signage needs and contemplates that deviations from the sign regulations may be approved for hotels.

3.03 Of the four existing hotels in Minnetonka, none would meet the sign regulations for the Minnetonka Corporate Center or the sign ordinance.

3.04 The signs proposed by the applicant area reasonable as:

1. While “taller” than signs at other hotels in the community, the proposed individual signs would have less total area than individual signs at other hotels.

2. The proposed hotel would have some level of visibility from I-494, Highway 62, and Clearwater Drive.

3. The proposed signs would be proportionally sized to the mass and height of the proposed building.

Section 4. City Council Action.

4.01 The above-described sign plan amendment is approved based on the finding outlined in section 3 of this resolution. Approval is subject to the following conditions:

1. This resolution must be recorded with Hennepin County.

2. Wall sign must be designed and located in substantial compliance with those depicted on Building Elevations dated December 4, 2015.

3. Signs permits are required.
Adopted by the City Council of the City of Minnetonka, Minnesota, on January 4, 2016.

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 January 4, 2016.

David E. Maeda, City Clerk