Planning Commission Agenda

July 9, 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: June 25, 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 500 Milbert Road.
      Recommendation: Recommend the city council approve the request (4 votes)
      • Recommendation to City Council (Tentative Date: July 27, 2015)
      • Project Planner: Susan Thomas
   B. A conditional use permit for Redstone American Grill at 12401 Wayzata Boulevard
      Recommendation: Recommend the city council approve the request (4 votes)
      • Recommendation to City Council (Tentative Date: July 27, 2015)
      • Project Planner: Jeff Thomson
   C. Sign plan amendment for Ridgedale Center.
      Recommendation: Recommend the city council approve the staff-drafted amendment (4 votes)
• Recommendation to City Council (Tentative Date: July 27, 2015)
• Project Planner: Jeff Thomson

9. Other Business

A. Concept plan review for Williston Woods West at 5431 and 5439 Williston Road

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

10. 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 July 20, 2015 Planning Commission meeting:

   Project Description: The property owners are proposing to construct an addition onto the existing home at 16924 Cottage Grove Ave. The proposed addition would maintain the minimum 10-foot side yard setback. However, the proposal requires an aggregate side yard setback variance from 30 feet to 13 feet for a portion of the addition.
   Project No.: 15021.15a
   Ward/Council Member: 3-Brad Wiersum
   Staff: Ashley Cauley
   Section: 17

   Project Description: Salsa a La Salsa is proposing to occupy the former Macaroni Grill space at Westridge Market. In addition to major remodeling of the restaurant building itself, a new patio would be constructed on the west side of the building. The proposal requires: (1) an amendment to the existing Westridge Market master development plan; and (2) a conditional use permit for the outdoor seating space.
   Project No.: 15022.15a
   Ward/Council Member: 2-Tony Wagner
   Staff: Jeff Thomson
   Section: 02

   Project Description: Mes Amis, a French immersion school serving 24 students, is proposing to occupy space at St. Paul’s Lutheran Church at 13207 Lake Street Extension. The proposal requires a conditional use permit.
   Project No.: 99029.15a
   Ward/Council Member: 1-Bob Ellingson
   Staff: Susan Thomas
   Section: 22
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.
Unapproved
Minnetonka Planning Commission
Minutes
June 25, 2015

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

2. Roll Call
Commissioners Rettew, Calvert, Knight, Magney, O’Connell, Odland, and Kirk were present.

Staff members present: Community Development Director Julie Wischnack, Principal Planner Susan Thomas, Planner Jeff Thomson, Planning Technician Ashley Mellgren, Water Resources Engineer Liz Stout, and Natural Resource Specialist Aaron Schwartz.

3. Approval of Agenda: The agenda was approved as submitted with modifications and additional comments provided in the change memo dated June 25, 2015.

4. Approval of Minutes: June 11, 2015

   Odland moved, second by Magney, to approve the June 11, 2015 meeting minutes as submitted.

   Rettew, Calvert, Knight, Magney, O’Connell, Odland, and Kirk voted yes. Motion carried.

5. Report from Staff
Wischnack briefed the commission on land use applications considered by the city council at its meeting of June 22, 2015:

- Adopted a resolution approving a conditional use permit for Cross Fit Gym.
- Adopted a resolution approving items for Eagle Ridge Academy.
- Adopted a resolution vacating easements for Bauer Custom Hitches.
- Reviewed the concept plan for the Pagel Activity Center.
- Discussed the cross parking agreement involving the Play and Learn and Lone Spur.
The first Glen Lake meeting is tentatively scheduled for July 9, 2015. More information will emailed when it becomes available.

A developer will be holding a meeting July 16, 2015 from 3 p.m. to 5 p.m. regarding a site on Bren Road East located fairly close to United Health Group. The proposal is a large apartment building.

6. **Report from Planning Commission Members**: None

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

**A. Conditional use permit for Kona Grill at 12401 Wayzata Boulevard.**

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

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

Chair Kirk asked if the sidewalk detail needs to be taken into consideration by the commission. Thomson explained that the site plan and sidewalk are included as a condition of approval, so they would be reviewed administratively by city staff during the building permit review process. More detail may be worked out before the city council meeting.

Chair Kirk asked if the sign would be located on Nordstrom’s wall. Thomson clarified that it would be the shopping center’s wall, but outside of the Kona lease space.

Chair Kirk assumed that the shopping center has regulations on exterior exposure signs. Thomson confirmed that the center has its own internal wall regulations. The city allows exterior signs for department stores, restaurants, and Ridgedale itself. The proposed amendment to the sign plan would apply the same regulations to all restaurants that have exterior frontage at Ridgedale Center.

Ian Brown, representing Kona Grill, applicant, stated that the height of the sign was meant to be visible through the trees and be complimentary to Red Stone Grill’s sign. The most important thing is for the sign to be located high enough to be visible.

In response to Chair Kirk’s question, Mr. Brown stated that he is working with the landlord to make the sidewalk feasible.

The public hearing was opened.

Ben Freeman, of General Growth Properties, representing Ridgedale Center, stated that he is working with Kona Grill and staff to locate the sidewalk and to find a balance of the sign with the façade. He supports these the Kona and Redstone sign, but not for all restaurants in the shopping center.

No additional testimony was submitted and the hearing was closed.
Odland asked if there would be access into the restaurant from the parking lot. Mr. Thomson explained that a patron would have to go into the mall’s glass entrance first to enter the restaurant. He believed Red Stone would have mall and exterior accesses.

Chair Kirk noted that it would be nice to know if Red Stone’s plans would be in alignment. He assumed Red Stone could be addressed in a similar way. Thomson agreed that it would be nice to look at the requests together. The restaurants are on different time frames. The Redstone application has been submitted and may be reviewed at the next planning commission meeting. Both items will be reviewed by the city council July 13, 2015.

Chair Kirk asked if there would be more of a separation between a restaurant and the sidewalk. Thomson clarified that an enclosure such as tall planters would be required to separate the area where alcohol would be served.

Rettew was not sure about proceeding without knowing Red Stone’s plans. Thomson stated that staff’s recommendation would not change dependent on Red Stone’s application. The recommendation is based on Kona Grill.

Chair Kirk confirmed that the proposed amendment to the sign plan would apply to every restaurant in Ridgedale Center.

Odland asked if the proposed sign plan amendment would allow Ike’s to locate its sign on the façade of the building. Thomson explained that Bar Louie’s blade sign was specifically approved for that tenant space because it was done in lieu of another sign. Bar Louie would not be required to change its signage.

The public hearing was reopened.

Mr. Freeman was open to tabling action on the sign plan amendment portion of the application.

No additional testimony was submitted and the hearing was closed.

Chair Kirk noted that the sign plan amendment could be tabled until the July 9, 2015 planning commission meeting to be reviewed at the same time as the sign plan amendment for Red Stone Grill. Thomson agreed.
Rettew confirmed with Thomson that the sign plan amendment would apply to Ridgedale only. Ridgedale is one of the most unique developments in Minnetonka. No other retail establishment is the same.

*Rettew moved, second by Odland, to recommend that the city council adopt the resolution on pages A8-A12 of the staff report which approves the conditional use permit for a restaurant in Ridgedale Center at 12401 Wayzata Boulevard and postpone action on the resolution on pages A13-A16 of the staff report which approves an amendment to the sign plan for Ridgedale Center at 12401 Wayzata Boulevard until the planning commission meeting on July 9, 2015.*

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

This item is tentatively scheduled to be reviewed by the city council at its July 13, 2015 meeting.
B. Variance for a pool and spa to be located between the front property line and the existing home at 4915 Highland Road.

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.

The applicant was present for questions.

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

Odland moved, second by O’Connell, to adopt the resolution on pages A7-A11 of the staff report which approves a variance to construct a pool and spa in front of the existing home at 4915 Highland Road.

Rettew, Calvert, Knight, Magney, O’Connell, Odland, and Kirk voted yes. 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.

C. Items concerning the property at 3211 Chase Drive.

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.

Calvert asked what would happen in the future with a new owner. Cauley explained that the property owner would be required to reside in one of the units, but the city cannot approve or deny the application based on who resides in the unit that the property owner is not living in. Calvert asked if the intent is to prevent the space from being rented. Cauley answered that rental could occur. The current proposal would be occupied by the property owner and family members of the property owner.

Cauley explained that the property owner was unable to attend the meeting, but does agree with the staff report and conditions of approval.
The public hearing was opened. No testimony was submitted and the hearing was closed.

Calvert thinks the proposal is a great idea. She has heard comments from neighbors in support of the addition for the family and the neighborhood.

**Odland moved, second by Rettew, to recommend that the city council adopt the resolution approving an aggregate side yard setback variance for an addition and a conditional use permit for an accessory apartment at 3211 Chase Drive (see pages A13-A19).**

Rettew, Calvert, Knight, Magney, O’Connell, Odland, and Kirk voted yes. Motion carried.

This item is tentatively scheduled to be reviewed by the city council at its July 13, 2015 meeting.

In response to Kirk’s request, Thomas explained city ordinances related to single-lot subdivisions and zoning ordinance requirements.

D. **Preliminary plat, with lot width variances, for a two lot subdivision at 12601 Ridgemount Avenue.**

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

Cauley reported. She recommended denial of the application based on the findings listed in the staff report.

Ashish Aggarwal, applicant and Plymouth resident, appreciated the opportunity to speak. He stated that:

- He strongly believes that the project would greatly enhance and add value to the neighborhood.
- He lived in Minnetonka for 11 years. He moved to Plymouth because he could not find a new construction house in Minnetonka.
- The option of building 2 smaller houses on the site stood out.
- He sought feedback from 25 neighboring properties, hosted an open house, and sent letters to those who could not attend. Two neighbors attended the open house and were supportive of the small house options. Staff has received no opposition to the lot split from the immediate houses. The only comment was from a neighbor outside of the immediate area.
- The only reason for staff's recommendation of denial is because of the inability to meet lot width setback requirements. He consulted other professionals. He respectfully disagrees with staff. He believes that one big mcmansion would change the character of the neighborhood, but two smaller houses would not.

- The proposal would be attractive for the city and the neighborhood because the lot is unique in the neighborhood. It is 170 feet in width. There is no other lot as large in the neighborhood. The existing lot does not fit the character of the neighborhood. Twenty percent of the neighborhood's lots do not meet the lot width at the setback requirement.

- On the north side of Ridgemount, some lots are as narrow as 65 feet.

- Putting a mcmansion house on the lot would change the character of the neighborhood. Building a large mcmansion would reduce the value of the existing properties. Building houses that fit the scale of the neighborhood would increase the value of the neighborhood.

- Two small houses would be in line with the spirit of R-1A zoning which the city council recently enacted. There is a need for more diversity in housing. His proposal would meet setback requirements and the mcmansion policy.

- The proposal would support the 2030 land use and comprehensive guide plan that calls for 2 to 3 housing units per acre for this area.

- The proposal would provide much needed vitality in this neighborhood.

- The advantages of the project outweigh any shortcoming.

- He requested the city approve the application. He was available for questions.

Samantha Gross, architect for the applicant, stated that:

- The site is in a great neighborhood across from the elementary school.

- If a large house would be built on the site, it would devalue the neighboring properties and they would be looked at as land only.

- Our vision is to fit two houses that would fit nicely on the lots and remain in the scale of the neighborhood instead of one oversized house.

- There would be no issue with the mcmansion policy and the building pad would stay within setback requirements for an R-1 zoned property.
The public hearing was opened.

Max Norton, resident of Inver Grove Heights, on behalf of the applicant, stated that:

- He saw nothing but advantages to the immediate neighborhood and the city at large to divide the single lot into two.
- Staff has pointed out that precedent is determined on an individual basis.
- The commission’s value is to weigh the benefits even if the measurements do not all fall exactly into place.
- Granting a variance is a concession. In this case, it would be an improvement instead of a detriment. The existing house would be removed and replaced with two new, attractive, environmentally sensitive, conservatively sized houses without overshadowing or altering the value of the houses on either side.
- This is an opportunity to guide the first step in renewal of the neighborhood.

No additional testimony was submitted and the hearing was closed.

In response to Rettew’s question, Cauley explained that the property divided into a lot behind lot would require a right-of-way lot width variance.

Rettew asked how the proposed site compares to surrounding properties. Cauley said that traveling down Ridgemount Avenue, the proposed lot appears similar in width to the surrounding lots from Sunset Drive South to City View Drive. The proposed site is deeper, but that is not visible from the road.

In response to Rettew’s question, Cauley answered that of the properties along City View Drive, 2 properties are 22,000 square feet and the rest exceed 43,000 square feet which is similar in size to the proposed site.

In response to Calvert’s question, Cauley explained that one of two criteria need to be met for a property to be considered for rezoning to R-1A. At least 60 percent of the lots within a neighborhood need to have lot standards that do not meet ordinance requirements or all lots would be accessible by a newly created street. The proposed site would not meet either of those conditions.

Magney noted that the north side of Ridgemount is in Plymouth. Cauley agreed. Staff determined that those lots do exceed 100 feet in width.
Calvert stated that ordinances are created for a reason. Although the arguments are good ones, she supports staff’s recommendation. Arbitrary decisions are not good. The proposal would change the character of the neighborhood because the proposed houses would be very close together and the lots would be very narrow.

Chair Kirk was on the fence since the lot was close to meeting the requirements. He understood the applicant’s thoughts on one large house. Mr. Aggarwal said that a house up to 10,000 or 15,000 square feet in size could be built and meet setback requirements on the site. His proposed lots would meet setback requirements.

Magney favored two small houses, but the unique circumstance requirement for a variance is not met. Calvert concurred with Magney. It is so close, but there is a burden of proof that would not be met even though the arguments are compelling and she is sympathetic to the need for single-family housing within the desired requirements of young families.

O'Connell asked what the findings to approve the proposal would be. Cauley explained that it would be up to commissioners to identify the findings or reasons for the city council to approve the application and grant a variance.

Odland stated that while there are compelling arguments, staff has done a fantastic job laying out the visual impact of how the proposal would look when driving down the road. Perhaps if the lot was located on a corner, then it would be more amenable, but it appears like it would be the sore thumb of the neighborhood and not enhance the area.

Calvert was not convinced that the burden of proof would be met to approve a variance.

Chair Kirk noted that each situation is unique.

Odland moved, second by Magney, to recommend that the city council adopt the resolution denying a preliminary plat with lot width variances with the changes made in the change memo dated June 25, 2015 at 12601 Ridgemount Avenue (see pages A7-A9).

Rettew, Calvert, Knight, Magney, O’Connell, Odland, and Kirk voted yes. Motion carried.
E. Preliminary plat, with lot width variance, for Oakhaven Acres 2nd Addition at 13929 Spring Lake Road.

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

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

Rettew said that it seems to make more sense to divide a long, skinny property to create a lot behind a lot. The other benefit would be that the house in the front could be more centered and provide an easement for the driveway for the back lot. Thomson stated that, in general, it is much more desirable to have frontage on a street from the city and homeowner’s perspective for utility connections and access. The proposal would make more intuitive sense for the location of the property lines. A lot behind lot would create the need for a substantial variance on one lot to have the other lot conform to ordinance requirements. Given the 100-foot frontages currently along Spring Lake Road, the proposal makes the best sense.

Rettew asked if the applicant had considered a lot behind a lot. Thomson stated that more than two lots had been considered. The amount of the impact on the trees would not have met ordinance requirements.

Rettew asked what makes this application different than the proposal reviewed for 12601 Ridgemount Avenue. Thomson answered that the existing lots in the current proposal’s neighborhood are narrower than city standards. The proposed lots would be the same width as the existing lots.

Odland asked if moving the driveway to save four trees had been considered. Thomson invited the applicant to answer the question. He thought the location of the driveway had to do with the sewer easement. Instead of the driveway covering the length of the sewer line, it is better for the driveway to cut across a portion of it on the west.

Chair Kirk confirmed with Thomson that any improvement done in a utility easement runs the risk of the improvement having to be removed at the cost of the property owner. Driveways are allowed to crossover utility easements to gain access to the house.

Chair Kirk asked what defines a tree preservation area. Schwartz answered that a woodland preservation area relates to the composition of species and woodland characteristics. Most of the high-priority trees on the site are single
trees. There are some large oak and evergreen trees in the area. The area to the south does have a woodland character to it. The species in the area are more floodplain species. A remnant woodland area is more valuable. Thomson added that the proposal locates the house outside of the woodland area. Chair Kirk noted that the circumstance is unique and not caused by the property owner.

Ben Wickstrom, of Lakewest Development, applicant, stated that:

- His engineer looked at the topography when positioning the driveway. He was happy to change the alignment of the driveway so it would wrap around the four trees.
- City ordinance allows the applicant to remove 25 percent of the woodland area. He understood the concern.
- The location of the house in the back is due to the utility lines. It is also a much nicer setting.
- The intent here is to provide a fitting visual impact, spacing of houses, create an impervious surface limitation in combination with the lot area, and avoid long, narrow lots. The lots would be over 100 feet wide and fit with the character of the neighborhood.
- Moving the utilities would be addressed at the time of the building permit. The owner would like to see the two lots.
- He was available for questions.

The public hearing was opened.

Marie Carlson, 13915 Spring Lake Road, stated that:

- She asked when the mcmansion policy went into place. There is one house in a newer development that has a FAR of .24.
- She supports moving the driveway to save the trees.
- She supports conditions looking at the FAR.
- The neighborhood has no other houses in another residence’s back yard. She did not want a house in her back yard. If it is done well, there should be enough room to be able to share.

No additional testimony was submitted and the hearing was closed.

Thomson referred to the mcmansion illustration included in the staff report. The policy was adopted in 2008. A “FAR neighborhood” includes the properties 1,000 feet up and down the street and all properties within a circumference of 400 feet from the site. The FAR is the total above grade house and attached garage floor
area, plus one half of any partially exposed area, divided by the lot area. The FAR of a neighborhood changes over time. It does not matter when a house was constructed. The site could meet the mcmansion policy. The maximum FAR for the proposed site is .24.

Rettew noted that a large house on a deep, narrow lot would appear large from the street. Thomson agreed. The mcmansion policy is just one way to measure neighborhood character. The site needs a lot width variance, so the lot widths in the neighborhood are looked at as part of the neighborhood character.

Chair Kirk asked how much control the commission has regarding the building pad. Thomson explained that the city does not restrict house size or location unless there is a benefit or connection between the variance that is being requested. The house location and size is restricted by tree preservation ordinances. In this case, the proposal requires a lot width variance which makes the mcmansion policy apply to the proposal. The house will still need to meet setback requirements which may impact the size.

Wischnack added that the intention of the mcmansion policy is to look at a broader view rather than a specific lot.

Thomson clarified that the application’s variance is related to the lot width. Staff is recommending that the lot width is reasonable based on what is happening in the neighborhood. No other lots in the area have a FAR restriction. It would be burdensome to put a FAR restriction based on the lot width variance because there are several other lots of less than standard with without such restriction.

Calvert heard the neighbor’s concerns regarding the impact on her sight line and trees. She asked what could be done to help address those concerns. Thomson explained that the relocation of the driveway would help meet Ms. Carlson’s goal by moving the driveway away from her property and saving four trees adjacent to her property line. Thomson pointed out where the buildable area would be on the lot.

Rettew was opposed to staff’s recommendation to approve the variance because it did not meet the burden of proof. There are policies for a reason. He was against making long, skinny lots skinnier. There might be other lots in the area that have the lot width, but he did not feel like that is the character of the city overall. He did not know if he appreciated staff’s concerns about a lot behind a lot scenario. He would vote to deny the proposal.
Chair Kirk saw a 2.6 acre lot which is considered large. It is reasonable to have 102 feet of width as it relates to the lots in the area which also have 100 feet of width. The view from the street would be very consistent. There are a number of situations where houses end up behind houses in Minnetonka. He saw the request as being reasonable. The property is encumbered by the easement. The property with 2.6 acres is clearly large enough for 2 houses on reasonably sized lots. He supports the proposal because the lot width would be similar to the lots in the area. The fact that Spring Lake Road makes it a larger front yard view makes it even better. It meets the intent.

Calvert and O'Connell concurred with Chair Kirk.

**Odland moved, second by Magney, to recommend that the city council adopt the resolution on pages A7-A14 of the staff report which grants preliminary plat approval to Oakhaven Acres 2nd Addition, a two lot subdivision at 13929 Spring Lake Road, with a change to move the driveway to save 4 high-priority trees.**

*Calvert, Knight, Magney, O'Connell, Odland, and Kirk voted yes. Rettew voted no. Motion carried.*

This item is tentatively scheduled to be reviewed by the city council at its July 13, 2015 meeting.

**F. Preliminary plat, with lot width variances, for Buckman Addition at 15700 Highwood Drive.**

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 stated that the site has very obvious, unique circumstances.

In response to Odland’s question, Thomas explained that staff revised Exhibit B to show a very small area in the corner of the site as woodland preservation area. The revision will provide clarification in the future.

O'Connell asked for the meaning of a “functional setback.” Thomas used the term to point out that where the existing house is actually located, there is well over 110 feet of area.
Knight noted that the driveway is currently located in the neighbor’s yard. Visually, it looks like the lot is wider, but it is not. Thomas agreed. The property was once larger and divided in the 1970s. The driveway is allowed by an easement.

Chair Kirk noted that the access easement and driveway would stay.

Linda Buckman, 15700 Highwood Drive, thanked commissioners and staff. She was available for questions.

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

Calvert saw this one as more cut and dry. This one seems easier to come to a conclusion. She supports staff’s recommendation to approve the proposal.

Chair Kirk noted that the unique circumstances of the lot allow a buildable area that is further back than the setback. If the front yard setback was 70 feet, then the lot could comfortably have enough room for a house.

O’Connell added that the front of the lot could be modified to not need a variance, but the variance would improve the site.

**Odland moved, second by O’Connell, to recommend that the city council adopt the resolution approving the preliminary plat with lot width variances of Buckman Addition with the modification provided in the change memo dated June 25, 2015 (see pages A10-A16 of the staff report).**

Rettew, Calvert, Knight, Magney, O’Connell, Odland, and Kirk voted yes. Motion carried.

This item is tentatively scheduled to be reviewed by the city council at its July 13, 2015 meeting.
G. Preliminary plat of Saville West, a twelve lot subdivision generally located at the southeast quadrant of the County Road 101/Excelsior Boulevard intersection.

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

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

In response to Chair Kirk’s comment, Thomas explained that a PUD is a flexible zoning district with a specific site plan to regulate the appearance and location of buildings very specifically. R-1A is a traditional zoning district that has no flexibility if a property meets ordinance requirements. The R-1A ordinance has a maximum FAR and impervious surface and height restrictions.

Wischnack added that R-1A zoning establishes lot size parameters which have to be discussed and determined in each case with a PUD.

Thomas explained that the proposal has been evaluated based on the lot width correction to the R-1A ordinance provided in the supporting information section of the report.

Chair Kirk asked if the wetland currently exists and how it operates with the pond. Thomas answered that the wetland is a naturally occurring wetland. The pond would be created. Stout explained that most of the site, including the new cul-de-sac, would drain into the newly constructed stormwater pond and overflow into the existing wetland. There would be 2 small raingardens on Lots 10 and 4 that would capture and treat the runoff from those lots.

Chair Kirk noted that the houses on the north and northeast drain into the wetland. Stout explained the drainage patterns for the area.

Rettew asked if there would be room for snow removal. Thomas answered affirmatively. Public works personnel did not indicate any snow removal or storage concerns.

Reid Schultz, of Landform Professional Services, representing the applicant, stated that:

- He thanked staff for their endless help throughout the process.
- In 2014, Lakewest proposed a subdivision of 22 townhomes. There were major objections from neighbors and the city council. A new
concept was created and a neighborhood meeting was held in December of 2014 to listen to the concerns. The consensus is a result of the city council and neighbors’ concerns.

- The neighbors were concerned with the width and character of Spring Lane and preferred Tracy Lane to provide access. That is what is being proposed. The existing bulb of the cul-de-sac would be vacated.
- He submitted a rezoning application. He has met with staff to discuss a number of concerns. He intends to meet all of the conditions.
- He requests a recommendation of approval.
- He was present to answer questions.

The public hearing was opened.

Roger Omlid, 5321 Tracy Lynn Terrace, stated that:

- Over the last 12 years, there have been renters at the site and it has been abandoned.
- He supports development of the site. It is a beautiful property. Get it done. The developer is good.

No additional testimony was submitted and the hearing was closed.

Chair Kirk noted that part of the property vacated would go to a neighbor and part to the city. Thomas explained that right-of-way easement vacations are reviewed only by the city council.

Odland moved, second by O’Connell, to recommend that the city council adopt the resolution approving the preliminary plat of Saville West (see pages A27-A40 of the staff report).

Rettew, Calvert, Knight, Magney, O’Connell, Odland, and Kirk voted yes. Motion carried.

This item is tentatively scheduled to be reviewed by the city council at its July 13, 2015 meeting.
9. Adjournment

*Odland moved, second by Knight, to adjourn the meeting at 9:25 p.m. Motion carried unanimously.*

By: __________________________________________

Lois T. Mason
Planning Secretary
Minnetonka Planning Commission Meeting
July 9, 2015

Agenda Item 7

Public Hearing: Consent Agenda

(No Items)
Minnetonka Planning Commission Meeting
July 9, 2015

Agenda Item 8

Public Hearing: Non-Consent Agenda
MINNETONKA PLANNING COMMISSION
July 9, 2015

Brief Description
Items concerning 500 Milbert Road:

1) Amendment to a maximum floor area ratio condition; and

2) Conditional use permit for an accessory apartment.

Recommendation
Recommend the city council adopt the resolutions

Project No. 15020.15a

Property 500 Milbert Road

Applicant Daniel Maki

Background
In 2007 the city was in a temporary development moratorium as staff drafted several ordinances related to natural resource protection. During the moratorium, only planned unit developments (PUD) were considered. One PUD reviewed during that time was a two-lot subdivision of the property at 506 Milbert Road. As proposed by the then owner, the existing home would remain on the lot at 506 Milbert Road and a new home would be constructed at 500 Milbert Road. (See page A2.)

As the subdivision would result in lots slightly under 22,000 square feet, the city chose to apply the “mansion policy,” limiting new homes on the lots to a maximum 0.17 floor area ratio (FAR). This FAR corresponded to the highest FAR in the area at that time.

<table>
<thead>
<tr>
<th>ADDRESS</th>
<th>LOT AREA</th>
<th>FAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>506 Milbert Rd</td>
<td>21,995 sq.ft.</td>
<td>3,739 sq.ft.</td>
</tr>
<tr>
<td>500 Milbert Rd</td>
<td>21,970 sq.ft.</td>
<td>3,735 sq.ft.</td>
</tr>
</tbody>
</table>

Since the 2007 approval, the existing home has remained on the 506 Milbert Road property and the 500 Milbert Road property has remained vacant. While these lots have remained the same over the last eight years, the maximum FAR of the neighborhood has risen to 0.24, likely due to additions and new home construction in the area.
Proposal

The applicant is proposing to construct a new home on the 506 Milbert Road property. The home would include a 950 square foot accessory apartment, which could be accessed both by an exterior door to the home’s front porch and by an interior door to the home’s foyer. The home would meet all minimum setback requirements. However, at just over 5,780 square feet in size – including a four car garage and accessory apartment – the home would have a FAR of 0.26. (See pages A1–A8.) The applicant’s proposal requires:

1) An amendment to the 2007 maximum FAR condition; and

2) A conditional use permit for the accessory apartment.

Staff Analysis

Staff finds the requests to be reasonable:

FAR. Given the situation of lots in the Milbert Road area, and of the subject property itself, two different types of amendments could be considered:

1. **CURRENT FAR.** Applying specific FARs under the “mcmansion policy” has proven to be problematic. The highest FAR in an area/neighborhood can change over time through code-compliant additions and new home construction. In recognizing the dynamic nature of area FAR calculations, staff has recently stopped quoting specific FARs in suggested conditions of approval. Rather, a general condition is included limiting FAR to the maximum of the area at the time of construction.

   In the case of the subject property, the highest FAR in the area is currently 0.24. (See page A9.) As such, it would be fair and reasonable to reestablish the maximum FAR for the property at this 0.24 ratio. This would require that the applicant reduce the total size of the proposed home from 5,780 square feet to 5,340 square feet.

2. **ELIMINATE FAR.** As approved, the subject property is just 30 square feet below the required 22,000 square foot R-1 minimum lot size. A simple lot line shift at the time of the subdivision would have essentially eliminated the application of the “mcmansion policy.” Given this, and that several properties in the surrounding area are smaller than the subject property and do not have FAR restrictions, it would be fair and reasonable to eliminate the FAR restriction on the property. (See page A10.)
APARTMENT: Generally, accessory apartments are consistent with the housing goals of the Comprehensive Guide Plan. They add to the diversity of housing types, sizes, and prices in the community. Specifically, the proposed accessory apartment would meet all minimum conditional use permit standards. These specific standards are outlined in the “Supporting Information” section of this report.

Staff Recommendation

Recommend the city council adopt the following resolutions associated with the property at 500 Milbert Road:

1. Either:
   - Resolution reestablishing a maximum floor area ratio; (See page A12–A13.)
   - Resolution eliminating the maximum floor area ration requirement. (See page A14–A15.)

2. Resolution approving a conditional use permit for an accessory apartment. (See page A16–A20.)

Originator: Susan Thomas, AICP, Principal Planner
Supporting Information

Surrounding Land Uses

All properties to the north, east, south and west are zoned R-1, and guided for low density residential.

Planning

Guide Plan designation: low density residential
Zoning: R-1, low density residential

CUP Standards

The proposal would meet the general conditional use permit standards as outlined in City Code §300.16 Subd.2:

1. The use is consistent with the intent of this ordinance;
2. The use is consistent with the goals, policies and objectives of the comprehensive plan;
3. The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements; and
4. The use does not have an undue adverse impact on the public health, safety or welfare.

The proposal would meet the specific conditional use permit standards for accessory apartments as outlined in City Code §300.16, Subd. 3(d):

1. to be created only on property zoned for single family detached dwellings and no more than one apartment to be created in any dwelling;

   **Finding:** The property is zoned R-1, single family residential. The proposed home would contain just one accessory apartment.

2. structures in which an accessory apartment is created to be owner-occupied, with the owner residing in either unit on a continuous basis except for temporary absences throughout the period during which the permit is valid;

   **Finding:** This is included as a condition of approval.

3. adequate off-street parking to be provided for both units of housing with such parking to be in a garage, carport or on a
paved area specifically intended for that purpose but not within a required turnaround;

**Finding:** The property would have a four-car attached garage and a driveway area that would allow for adequate on-site parking for the both the primary dwelling unit and accessory apartment.

4. may be created by the conversion of living space within the house but not by conversion of garage space unless space is available for a two-car garage on the lot without the need for a variance;

**Finding:** The apartment would be constructed in conjunction with, and integrated into, a new home.

5. an accessory apartment must be no more than 35 percent of the gross living area of the house or 950 square feet, whichever is smaller. The gross living area includes the accessory apartment. The city council may approve a larger area where the additional size would not substantially impact the surrounding neighborhood.

**Finding:** The accessory apartment would be 950 square feet in size, which would represent 22 percent of the living area of the home.

6. exterior changes to the house must not substantially alter the single family character of the structure;

**Finding:** The apartment would be constructed in conjunction with, and integrated into, a new home.

7. no apartment to be created except in compliance with all applicable building, housing, electrical, plumbing, heating and related codes of the city;

**Finding:** As the apartment would be constructed in conjunction with the new home, appropriate permits must be submitted and approved to ensure compliance with current construction codes.

8. to be permitted only where it is demonstrated that the accessory unit will not have an undue impact on adjacent properties and where there will not be a substantial alteration of the character of the neighborhood; and
**Finding:** Many of the homes on Milbert Road are single-story ramblers constructed several decades ago. As such, the applicant’s new home will be different than many in the area. However, the accessory apartment itself would have no impact on the area, visual or otherwise.

9. all other provisions of this ordinance relating to single family dwelling units to be met, unless specifically amended by this subdivision.

**Finding:** This condition is met.

**Neighborhood Comments**

The city sent notices to 43 area property owners and received no comments to date.

**Approving Body**

The planning commission makes a recommendation to the city council, which has final authority to approve or deny the request. (City Code §300.06 Subd. 4)

**Motion Options**

The planning commission has the following motion options:

1. Concur with staff’s recommendation. In this case, a motion should be made recommending the city council approve the FAR amendment and conditional use permit based on the findings outlined in the staff-drafted resolution.

2. Disagree with staff’s recommendation. In this case, a motion should be made recommending the city council deny FAR amendment and/or the conditional use permit. The motion should include findings for denial.

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

**Pyramid of Discretion**

![Pyramid of Discretion](image)

This proposal
Deadline for Decision                      September 28, 2015
Location Map

Applicant: Daniel & Elizabeth Maki
Address: 500 Milbert Rd
(15020.15a)
2007 APPROVED SUBDIVISION

Daniel Maki
500 Milbert Road
FAR and CUP
Conditional Use Permit for 500 Milbert Rd

The scope of our project is to construct a home on our half acre lot (22,000 sq. ft.). We are constructing a home with a 950 sq. ft. accessory apartment (mother in law apt) on the first floor because we are having my wife’s retired parents live with us. In addition, we have five children who are high school/ college age. Our home will have 2056 sq. ft. (inside dimensions) on the main floor (including the apt) and 2235 sq. ft. on the second floor. Our main floor in addition to the apartment will be quite typical with a kitchen, living area and a half bath. The second floor will have our four bedrooms and an office along with a family room. The foundation will be on a slab with a 184 sq. ft. unfinished basement to be used as a utility room and storm shelter. Our home will look like an attractive single family home from the exterior and will include a four-car garage (1049 sq. ft.) with living space above two of the garage stalls.

Enclosed with our permit application is a survey with an outline of our intended construction along with our building floor plans and a rendering of all exposures.

We need this space to accommodate our large family and my wife’s parents and we will need the garage space so we can shelter our vehicles as well. We would like to allow Liz’s parents to maintain their independence and privacy as they age while still being available to help if needed. We wanted as few stairs as possible and more natural light in our home so we decided to build mainly up instead of having a large basement area.
LEGAL DESCRIPTION:
Lot 1, Block 1, Ylitalo Acres, Heimepin Cooniy, Minnesota.

SCOPE OF WORK & LIMITATIONS:
1. Showing the length and direction of boundary lines of the legal description which we are furnished.
2. Showing the location of existing improvements we deemed important.
3. Setting new monuments or verifying existing monuments to mark the corners of the property.
4. Showing existing spot elevations and/or contours necessary to show elevation differences on the site.
5. While we show a proposed location for this home, we are not as familiar with your house plans as you and your architect and/or builder are. Check our proposed location and siting of the home and yard grades carefully to see that they match your plans before construction begins. Also, we are not as familiar with local codes and minimum requirements as the local building official and zoning official in this community are. Be sure to show this survey to these officials, or any other officials that may have jurisdiction over the home and its proposed location, and obtain their approvals before beginning construction or planning improvements to the property.
6. Showing elevations on the site at selected locations to give some indication of the topography of the site. We have also provided a benchmark for your use in determining elevations for construction on this site. The elevations shown relate only to the benchmark provided on this survey. Use this benchmark and check at least one other feature shown on the survey when determining other elevations for use on this site or before beginning construction.
7. The utilities shown are based on source information from surveys, plans, and/or markings and have been combined with observed evidence to develop a view of those underground utilities. However, without excavation, the exact location of underground features cannot be guaranteed, completely and reliably depicted. Where additional or more detailed information is required, the client is advised that excavation may be necessary. Some law requires underground utilities to be located 48 hours prior to any excavation.

STANDARD SYMBOLS & CONVENTIONS:
* Denotes 1/2" ID pipe with plastic plug bearing State License Number 0235, set, unless otherwise noted.

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

Signed: James H. Parker
Typed Name: James H. Parker
Reg. No.: 9235
Date: June 9, 2015

Draw. No. 150454 PROPOSED

Drw. No. 150454 PROPOSED

500 Milbert Road
FAR and CUP
FRONT ELEVATION
SCALE: 1/4" = 1'-0"

REAR ELEVATION
SCALE: 1/8" = 1'-0"

LEFT ELEVATION
SCALE: 1/8" = 1'-0"

RIGHT ELEVATION
SCALE: 1/8" = 1'-0"

Daniel Maki
500 Milbert Road
FAR and CUP
SECOND FLOOR PLAN

NOTE: ALL DIMENSIONS ARE TO THE EXTERIOR OF ½" SHEATHING.
FAR within 400 FT perimeter and 1000 FT frontage
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Resolution No. 2015-

Resolution reestablishing maximum floor area ratio on the property at 500 Milbert Road

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

Section 1. Background.

1.01 By the city’s written “mcmansion policy” the city may choose to restrict the size of new homes on subdivisions needing a variance. This restriction is a floor area ratio (FAR) that is no greater than the highest FAR of the homes within 400 feet of the lot on which the new home is to be constructed and within 1,000 feet of the lot on both sides of the same street.

1.02 In 2007, the city council approved YLITALO ACRES, creating the property at 500 Milbert Road. As the new property was undersized, at 21,970 square feet, the city chose to use the “mcmansion policy” and included a condition of approval restricting the FAR on the new lot to 0.17. This was the largest FAR in the area at that time.

1.03 Since the 2007 approval, the property at 500 Milbert Road has remained vacant and the highest FAR in the area has risen to 0.24.

1.04 The current owner of 500 Milbert Road, Daniel Maki, is proposing to construct a new house on the vacant lot. The proposed structure, including an attached garage and accessory apartment, would have a total floor area of roughly 5,780 square feet and a FAR of 0.26.

Section 2 Findings.

2.01 The intent of the “mcmansion policy” is to ensure homes that require a variance – or homes constructed on a lot that requires a variance – do not have a mass significantly larger than other existing homes in the neighborhood.
2.02 The highest FAR in an area can change over time as code-compliant additions are made or new homes are constructed.

2.03 The highest FAR in the Milbert Road area has risen to 0.24.

Section 3 City Council Action.

3.01 Based on the findings outlined in section 3 of this resolution, the maximum floor area ratio on the property at 500 Milbert Road is limited to the highest FAR of the homes within 400 feet of the property and within 1,000 feet of the property on both sides Milbert Road.

Adopted by the City Council of the City of Minnetonka, Minnesota, on July 27, 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.

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 July 27, 2015.

______________________________
David E. Maeda, City Clerk
Resolution No. 2015-
Resolution removing the maximum floor area ratio restriction
on the property at 500 Milbert Road

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

Section 1. Background.

1.01 By the city’s written “mcmansion policy” the city may choose to restrict the size of new homes on subdivisions needing a variance. This restriction is a floor area ratio (FAR) that is no greater than the highest FAR of the homes within 400 feet of the lot on which the new home is to be constructed and within 1,000 feet of the lot on both sides the same street.

1.02 In 2007, the city council approved YLITALO ACRES, creating the property at 500 Milbert Road. As the new property was undersized, at 21,970 square feet, the city chose to apply the “mcmansion policy” and included a condition of approval restricting the FAR on the new lot to 0.17. This was the largest FAR in the area at that time.

1.03 Since the 2007 approval, the property at 500 Milbert Road has remained vacant and the highest FAR in the area has risen to 0.24.

1.04 The current owner of 500 Milbert Road, Daniel Maki, is proposing to construct a new house on the vacant lot. The proposed structure, including an attached garage and accessory apartment, would have a total floor area of roughly 5,780 square feet and a FAR of 0.26.

Section 2. Findings.

2.01 The intent of the “mcmansion policy” is to ensure homes that require a variance – or homes constructed on a lot that requires a variance – do not have a mass significantly larger than other existing homes in the neighborhood.
2.02 The property at 500 Milbert Road is just 30 square feet under the city's minimum R-1 lot size of 22,000 square feet.

2.03 There are several properties in the surrounding area that are smaller than the 500 Milbert Road. However, these properties are not subject to a FAR restriction.

Section 3 City Council Action.

3.01 Based on the findings outlined in section 3 of this resolution, the maximum floor area ratio restriction for 500 Milbert Road is removed.

Adopted by the City Council of the City of Minnetonka, Minnesota, on July 27, 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.

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 July 27, 2015.

David E. Maeda, City Clerk

Daniel Maki
500 Milbert Road
FAR and CUP
Resolution No. 2015-

Resolution approving a conditional use permit for an accessory apartment at 500 Milbert Road

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

Section 1. Background.

1.01 The property owner, Daniel Maki, is proposing to construct a home containing a 950 square foot accessory apartment.

1.02 The property is located at 500 Milbert Road Chase Drive. It is legally described as: Lot 1, Block 1, YLITALO ACRES.

1.03 By City Code §300.10 Subd. 4, accessory apartments are conditionally permitted uses within the R-1 zoning district.

1.04 On July 9, 2015, 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. Standards.

2.01 City Code §300.16 Subd. 2 outlines the following general conditional use permit standards:

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

2. The use is consistent with the goals, policies and objectives of the comprehensive plan;
3. The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements; and

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

2.02 City Code §300.16, Subd. 3(d) outlines the following specific conditional use permit standards for accessory apartments:

1. To be created only on property zoned for single family detached dwellings and no more than one apartment to be created in any dwelling;

2. Structures in which an accessory apartment is created to be owner-occupied, with the owner residing in either unit on a continuous basis except for temporary absences throughout the period during which the permit is valid;

3. Adequate off-street parking to be provided for both units of housing with such parking to be in a garage, carport or on a paved area specifically intended for that purpose but not within a required turnaround;

4. May be created by the conversion of living space within the house but not by conversion of garage space unless space is available for a two-car garage on the lot without the need for a variance;

5. An accessory apartment must be no more than 35 percent of the gross living area of the house or 950 square feet, whichever is smaller. The gross living area includes the accessory apartment. The city council may approve a larger area where the additional size would not substantially impact the surrounding neighborhood.

6. Exterior changes to the house must not substantially alter the single family character of the structure;

7. No apartment to be created except in compliance with all applicable building, housing, electrical, plumbing, heating and related codes of the city;

8. To be permitted only where it is demonstrated that the accessory unit will not have an undue impact on adjacent properties and where there will not be a substantial alteration of the character of the
neighborhood; and

9. All other provisions of this ordinance relating to single family dwelling units to be met, unless specifically amended by this subdivision.

Section 3. Findings:

3.01 The proposal would meet the general conditional use permit standards as outlined in City Code §300.16 Subd. 2.

3.02 The proposal would meet the general specific conditional use permit standards as outlined in City Code §300.16, Subd. 3(d):

1. The subject property is zoned R-1, single family residential. The proposed home would contain just one accessory apartment.

2. As a condition of this resolution, the property owner must reside in either the primary dwelling unit or accessory apartment on a continuous basis except for temporary absences throughout the period during which the permit is valid.

3. The property would include a four-car garage and a driveway area that would allow for adequate on-site parking for both the primary dwelling unit and accessory apartment.

4. The accessory apartment would be constructed in conjunction with, and integrated into, a new home.

5. The accessory apartment would be 950 square feet in size, which would represent 22 percent of the living area of the home.

6. As a condition of this resolution, the accessory apartment must comply with all applicable building, housing, electrical, plumbing, heating and related codes of the city.

7. Many of the homes on Milbert Road are single-story ramblers constructed several decades ago. As such, the applicant’s new home will be different than many in the area. However, the accessory apartment itself would have no impact on the area, visual or otherwise.


4.01 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:
   - Floor plans and elevations dated June 9, 2015

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

3. The property owner must reside in either the primary dwelling unit or accessory apartment on a continuous basis except for temporary absences.

4. The accessory apartment must comply with all applicable building, housing, electrical, plumbing, heating and related codes of the city.

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

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

Adopted by the City Council of the City of Minnetonka, Minnesota, on July 27, 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.

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 July 27, 2015.

__________________________________
David E. Maeda, City Clerk
Brief Description  A conditional use permit for Redstone American Grill at 12401 Wayzata Boulevard

Recommendation  Recommend the city council approve the request

Proposal

Redstone American Grill is proposing to operate a restaurant within Ridgedale mall; the existing Redstone restaurant located on the south side of Ridgedale Drive would be relocated to the proposed site. The restaurant would be located on the north side of the mall expansion that is currently under construction. The proposal includes a new exterior entrance, updates to the exterior of the mall, and a new outdoor patio. The proposal requires a conditional use permit. (See pages A1-A6.)

Background Information

On March 7, 2013, the city council approved the master development plan for Ridgedale Mall. The master development plan consists of three phases:

- **Phase 1**: The first phase included construction of an 80,000 square foot addition to Macy’s, updating the exterior of the Macy’s store, as well as parking lot, stormwater and landscaping improvements on the north side of the site. Phase 1 was approved by the city in 2013 and construction is complete.

- **Phase 2**: The second phase consisted of demolishing the existing Macy’s Men’s and Home store, and constructing an addition to the mall and a new 140,000 square foot anchor department store. Phase 2 also includes parking lot, stormwater, and landscaping improvements along the south side of the mall property. Phase 2 is currently under construction.

- **Phase 3**: Phase 3 consists of three new freestanding restaurants on the northwest side of the mall, as well as the final parking lot and landscaping improvements. Phase 3 continues to be a future phase of the master development plan.

The plans for the Phase 2 expansion to the mall included two new sit-down restaurants to be located on the north side of the mall, adjacent to the new north entrance. One restaurant would be located within the existing mall space, and the second would be located within the new mall addition. The city included the restaurant uses in the analysis of parking, traffic, and overall site design. However, the city council did not approve the conditional use permits for the restaurants as it was anticipated that each of
the restaurants were going to provide separate “trade dress” design on the exterior of the mall which would be unique to the actual restaurant tenant. The city determined that the conditional use permits would be reviewed at a later time once the restaurants were identified.

Ridgedale Center has now identified that Kona Grill and Redstone American Grill would be the tenants occupying the restaurant spaces. The planning commission reviewed the CUP for Kona Grill at its previous meeting on June 25th. Redstone has now applied for a conditional use permit for its restaurant, and submitted detailed information.

**Proposed Restaurant**

Redstone American Grill is a full service, sit down restaurant. The proposed restaurant at Ridgedale would be 8,500 square feet in size, and would be located entirely within the mall. The proposal does not include any additions to the building. The proposal includes the following items:

- **Exterior entrance:** The applicant is proposing to construct a new exterior entrance, which would be used as the main entrance into the restaurant. A secondary entrance would be provided from the interior of the mall. The proposed design includes a new tower feature above the entrance. The tower would not add square feet to the restaurant space. It functions as a covered entryway and visual element for the restaurant façade. (See page A4.)

- **Exterior architecture:** The applicant is proposing to provide “trade dress” design on the exterior so that the restaurant has a visual presence on the outside of the mall. The tower features would consist of glass and stone panels with a natural stone veneer along the base. The balance of the exterior storefront consists of metal panels along the top, with predominantly glass doors and natural stone veneer along the bottom. The glass doors are designed to open up on to the outdoor patio to connect with the interior dining room. (See pages A4-A5.)

- **Outdoor patio:** The proposal includes an outdoor dining patio on the north side of the restaurant, which would be used for seasonal dining. The patio would be surrounded by landscaping, and would be enclosed with a combination of fencing and natural boulders. The outdoor patio would also include a large outdoor fireplace. (See page A5.)

**Staff Analysis**

(1) **Conditional use Permit**

Staff finds that the proposed restaurant is reasonable:

- The master development plan for the mall, and the larger vision outlined in the city’s Ridgedale village center study, have always anticipated adding additional restaurants to the mall property. The restaurants increase the
vitality of the mall as a regional attraction, and continue the adaptation and reinvestment in Ridgedale Center.

- The parking demands and traffic associated with the restaurant can be accommodated within the existing site without the need for additional parking or traffic improvements. The restaurants were included in the parking and traffic analysis that were conducted in 2014 for the mall expansion project, and there have been no changes that would adversely impact parking and traffic on the site.

- The proposed exterior design maintains the high quality design and materials that are being used in the other improvements at the mall, including the new Macy’s, Nordstrom, and update of the mall entrances. The materials used – glass, stone, and metal panels – are all used extensively within the current mall updates.

(2) Pedestrian Accommodations

During the review of the Kona Grill, staff noted concerns about the sidewalk width along the edge of the restaurants. The proposed plans for Redstone also include a reduced sidewalk width of six feet along the north side of the patio. Staff is concerned about the reduced width given the goals of the Ridgedale village center study to increase pedestrian accommodations within the larger Ridgedale area. City staff has discussed this concern with the applicant, and the applicant indicated that they would be amenable to revising the patio plans to provide a better pedestrian experience. The tower feature would limit the sidewalk width to six feet at that point, but there is room to decrease the size of the landscape area to increase the width of the sidewalk. This would also allow for additional pedestrian amenities near the mall entrance, such as benches, plantings, and a passenger waiting area. Staff finds that this would be an acceptable solution to address the issue. The sidewalk width is included as a condition of approval, and staff will continue to work with the applicant and the mall to finalize the plans.

Staff Recommendation

Recommend that the city council adopt the resolution on pages A7-A10, which approves the conditional use permit for a restaurant in Ridgedale Center at 12401 Wayzata Boulevard.

Originator: Jeff Thomson, Planner
Through: Susan Thomas, AICP, Principal Planner
Supporting Information

Project No. 03046.15c

Property Ridgedale Center, 12401 Wayzata Blvd.

Applicant Wilkus Architects

Property Owner Ridgedale Anchor Acquisition, LLC

Approving Body The planning commission makes a recommendation to the city council, which has final authority to approve or deny the request. (City Code §300.06 Subd. 4)

Surrounding Land Uses
- Northerly: I-394
- Easterly: Crane Lake, zoned PID/Planned I-394 District and guided for open space
- Southerly: Mix of institutional, office, residential and hospitality uses, zoned PID and guided for mixed use
- Westerly: Mix of bank, retail, restaurant and commercial uses, zoned PID and guided for mixed use

Planning Guide Plan designation: Mixed Use
Zoning: PID/Planned I-394 District

CUP Standards The proposal would meet the general conditional use permit standards as outlined in City Code §300.21 Subd.2:

1. The use is consistent with the intent of this ordinance;
2. The use is consistent with the goals, policies and objectives of the comprehensive plan;
3. The use 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.

The proposal would meet the specific conditional use permit standards as outlined in City Code §300.31 Subd. 4(b)2(o) for restaurants located on property designated for retail use:

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

   **Finding:** The proposed restaurant would be located in Ridgedale Center, a multiple tenant regional shopping center. The exterior design of the restaurant is incorporated into the design of the mall, and maintains the high quality design and materials that are being used in the other improvements at the mall.

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

   **Finding:** The traffic associated with the restaurant can be accommodated within the existing roadway system and on-site access and parking areas.

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

   **Finding:** The outdoor dining area would be fully enclosed by the building, decorative fence, and larger boulders. The only interruption to the enclosure would be a gate within the fence that is required by the building code for fire access.

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

   **Finding:** The proposed outdoor patio is not located near any residential properties.
c) must be located and designed so as not to interfere with pedestrian and vehicular circulation;

**Finding:** The outdoor dining patio would not interfere with pedestrian or vehicular circulation.

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

**Finding:** The outdoor dining patio would be located adjacent to the main entrance to the restaurant.

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

**Finding:** This is included as a condition of approval.

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

**Finding:** The proposed outdoor patio is not located near any residential properties.

g) must meet building setback requirements.

**Finding:** The proposed outdoor patio would meet all setback requirements from property lines.

4. Drive-up windows and related stacking spaces will be approved only subject to the following:
   a) public address systems must not be audible from any residential parcel; and
   b) stacking for a minimum of six cars per aisle must be provided subject to applicable parking lot setbacks.
   c) must be set back at least 100 feet and screened from any adjacent property designated in the comprehensive plan for residential use.

**Finding:** The proposed restaurant does not include a drive-up window.

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

**Finding:** The proposed restaurant would exceed 1,200 square feet, so the requirements of the section would apply to the proposal.

<table>
<thead>
<tr>
<th>Neighborhood Comments</th>
<th>The city sent notices to 234 area property owners and received no comments.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deadline for Decision</td>
<td>August 11, 2015</td>
</tr>
</tbody>
</table>
Location Map

Project: Redstone
Applicant: Duane Perry
Address: 12401 Wayzata Blvd
(03046.15c)

This map is for illustrative purposes only.
CONDITIONAL USE PERMIT STATEMENT

DATE:  12 June 2015

TO:  Jeffrey R. Thomson  
CITY OF MINNETONKA  
14600 Minnetonka Blvd.  
Minnetonka, MN 55345

REFERENCE: REDSTONE AMERICAN GRILL, TENANT SPACE AT RIDGEDALE CENTER

FROM:  Duane L. Perry AIA  
WILKUS ARCHITECTS, P.A.  
15 Ninth Avenue North  
Hopkins, MN 55343  
952-941-8660

Redstone will be a new 8,500 sf tenant on the northeast side of Ridgedale Center next to the new Nordstrom store. Following the guidelines of the mall, Redstone will be creating a storefront between Nordstrom and the new entry to the mall. General Growth Properties, owner of the mall, has encouraged Redstone to let their brand be expressed on the exterior with an entry element, signage, outdoor patio and landscaping.

The entry element and façade materials are signature elements of Redstone’s brand. The entry element is not an enclosed space or leased space; it is an element for the purpose of identifying and enhancing the entry to create ambiance that reflects the character of Redstone. The patio and landscaping is another essential element of Redstone’s character. A pergola and fireplace help extend the interior finishes and elements to the exterior making the eating experience as rich as the interior. Redstone has developed a standard for extensive landscaping with the use of trees, shrubs and boulders to help extend Redstone’s character and creating a comfortable private experience. Exterior materials are important too. Redstone’s use of natural stone and other finishes are important in portraying quality of materials and attention to detail that is a reflection of the food they serve.
NORTH ELEVATION

3/16" = 1'-0"

REDSTONE
12401 WAYZATA BLVD

NORTHWEST VIEW - NIGHT

NORTHWEST VIEW - DAY

NORTHWEST VIEW

EAST VIEW

NORTH ELEVATION

NORTHWEST VIEW

NORTHWEST VIEW - NIGHT

NORTHWEST VIEW - DAY

3'-6" x 38'-0" BACK-LIT SIGNAGE

BLACK METAL STANDING SEAM ROOFING AND FASCIA

EXISTING MALL FINISHES

NORDSTROM'S FACADE

PRE-FINISHED ALUMINUM STOREFRONT SYSTEM

5' X 5' DARK FINISHED METAL MEDALLION

CAST STONE PANELS WITH INTEGRAL BANDING AND REVEALS

PRE-FINISHED METAL PANEL WITH 2" RELIEF

PRE-FINISHED STEEL PERGOLA

NATURAL STONE VENEER BLACK BURNISHED CONCRETE BLOCK

EXISTING MALL FINISHES

EXISTING MALL ENTRANCE

1'-8" X 1'-8" DARK FINISHED METAL MEDALLIONS - BACK-LIT

NATURAL BOULDERS FOR PATIO ENCLOSURE
RESTAURANT SPACE - 8,650 SF
OUTDOOR PATIO - 1,051 SF
TRASH - 892 SF

SEATING:
MAIN DINING - 136
MAIN BAR - 31
CAFE DINING - 48
CAFE BAR - 17
PHOTO - 54

WINE DISPLAY
SERVICE DOOR
LIQUOR STORAGE
EQUIP. PLATFORM
G
C
D
R

18" 36" H
C
H
D
H
C
D
H
C
D
H
C
D
H
C
D
H
C

1/8" = 1'-0"

ARCHITECTURAL FLOOR PLAN
Resolution No. 2015-

Resolution approving a conditional use permit for a restaurant at Ridgedale Center at 12401 Wayzata Boulevard

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

Section 1. Background.

1.01 Redstone American Grill and Wilkus Architects have requested a conditional use permit for a restaurant. (Project 03046.15b)

1.02 The property is located at 12401 Wayzata Boulevard. It is legally described as: TRACT E, REGISTERED LAND SURVEY NO. 1826

1.03 On July 9, 2015, 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 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 §300.31 Subd. 4(b)2(o) lists the following specific standards that must be met for granting a conditional use permit for restaurants located on property designated for retail use:

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

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

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

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

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

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

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

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

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

   g) must meet building setback requirements.

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

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

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

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

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

Section 4. Findings.

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

4.02 The proposal meets the specific conditional use permit standards as outlined in City Code §300.31 Subd. 4(b)2(o).

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, except as modified below.

- Floor plan dated June 12, 2015
- Building elevations dated June 12, 2015

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

   b) The site plan must be revised. The sidewalk along the north
side of the restaurant must be increased in width. The revised plan should include additional pedestrian amenities near the north entrance to the mall.

3. The outdoor patio must be equipped with refuse containers and periodically patrolled for litter pick-up.

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

5. 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 July 27, 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.

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 July 27, 2015.

______________________________
David E. Maeda, City Clerk
Brief Description  Sign plan amendment for Ridgedale Center

Recommendation  Recommend the city council approve the staff-drafted amendment

Proposal

Kona Grill and Redstone American Grill have submitted applications to open restaurants in Ridgedale Center. As part of each of the applications, the applicants are requesting exterior signage that does not comply with the requirements of the sign plan for Ridgedale Center. The planning commission reviewed the conditional use permit and sign plan amendment for Kona Grill at its last meeting on June 25th. At the meeting, the planning commission recommended approval of the CUP. However, the planning commission tabled action on the sign plan amendment. The planning commission wanted to review the sign proposals for both of the restaurants together. Redstone American Grill has now submitted their proposed signs. Both the Kona Grill and Redstone American Grill applications require an amendment to the existing sign plan for Ridgedale Center. (See pages A1-A6.)

Existing Sign Plan

The original sign plan for Ridgedale Center was approved by the planning commission in June 1986. In March 2015, the planning commission approved a new sign plan for the mall. The new sign plan rescinded the previous requirements, and adopted new standards for exterior signs based on the new exterior signs related to the expansion and remodeling of the mall.

The existing sign plan allows for exterior signs to identify the mall and three types of tenants: anchor department stores, restaurants located adjacent to an exterior entrance, and freestanding tenants. Tenants that are interior to the mall are not allowed exterior signs. The current sign plan allows restaurants with exterior frontage to have one exterior wall sign per building elevation with a maximum height of 30 inches.

Proposed Signs

Kona Grill is proposing to have two exterior signs. The first would be a wall-mounted sign that would be 42 inches in height. The proposed sign has been reduced in size from the previous proposal that the planning commission reviewed. The size has been reduced to be consistent with the size of the proposed Redstone wall sign. The second sign would be located at the base of the tower, and would include "Kona Grill" in a vertical alignment. (See pages A3-A4.)
Redstone is proposing one exterior wall sign. The proposed sign would consist of the Redstone American Grill in a stacked configuration. The sign would have a total height of 42 inches. Redstone was originally proposing a taller sign, but they reduced the size of the sign based on feedback from city staff. (See page A5–A6.)

The Kona Grill and Redstone signs would both be mounted above each of the restaurant’s tenant space, and on the exterior of the mall rather than to the restaurant façade. The applicants have revised the signs from the previous proposals. The signs would be located lower on the mall than the previous proposal. The signs would be placed at the same height on the building elevation, and the top of the signs would align with the tower features of each of the restaurant’s exterior. (See page A3.)

**Staff Analysis**

Staff recognizes that Ridgedale Center is a unique destination in the community and has a need to provide varying signs beyond what the standard sign ordinance would allow. These unique visibility needs are recognized in the existing sign plan that was reviewed and approved by the planning commission earlier this year. Under the existing sign plan, the anchor department stores and restaurants with exterior frontage are the only tenants that are allowed signs on the exterior of the mall. Staff continues to find that allowing exterior signs for Kona Grill and Redstone is reasonable, and staff supports an increased size of the signs from 30 inches to 42 inches.

However, staff is concerned about the location of the proposed signs. It is standard practice throughout the community, and also at Ridgedale Center, that exterior signs for a tenant must be located within the leased space of that tenant. The reason for this requirement is based on the purpose of the sign ordinance – to allow signs which provide tenant identification and wayfinding. Signs that are located within the tenant space and are integrated into the design of the tenant space provide more instinctive identification. The proposed signs are not integrated into the tenant’s exterior façade, and would be unnecessarily high on the building.

In addition, staff does not support the second wall sign for Kona Grill. The current sign plan does not allow any tenant to have more than one wall sign on a building elevation. Tenants that have more than one elevation are allowed one sign on each elevation. Restaurant tenants that have only one exterior building elevation are, therefore, only allowed one sign. Staff does not support the expansion of the sign plan to allow tenants more than one sign per elevation.

As such, staff is recommending that the sign plan for Ridgedale Center be amended to increase the maximum height for restaurant signs from 30 inches to 42 inches. The staff recommended changes would not allow the Kona Grill and Redstone signs in the proposed location. Rather, they would need to be placed within the restaurant’s exterior building façade.
Staff Recommendation

Recommend that the city council adopt the resolution on pages A7-A10 which approves a staff-drafted amendment to the sign plan for Ridgedale Center at 12401 Wayzata Boulevard.

Originator: Jeff Thomson, Planner
Through: Susan Thomas, AICP, Principal Planner
Supporting Information

Project No. 03046.15c
Property Ridgedale Center, 12401 Wayzata Blvd.
Applicant Wilkus Architects
Property Owner Ridgedale Anchor Acquisition, LLC

Approving Body
Typically the planning commission makes a final decision on sign plan requests. However, in the case of a sign plan review that is part of an application that is reviewed by the city council, the planning commission makes a recommendation and the city council makes the final decision. Since Kona Grill and Redstone American Grill have both applied for conditional use permits, the planning commission makes a recommendation to the city council, which has final authority to approve or deny the request.

Surrounding Land Uses
Northerly: I-394
Easterly: Crane Lake, zoned PID/Planned I-394 District and guided for open space
Southerly: Mix of institutional, office, residential and hospitality uses, zoned PID and guided for mixed use
Westerly: Mix of bank, retail, restaurant and commercial uses, zoned PID and guided for mixed use

Planning
Guide Plan designation: Mixed Use
Zoning: PID/Planned I-394 District

Sign Plan Review Standards
City Code Section 300.30 Subd. 9(h) states that the city may approve a sign plan with differing requirements. Factors which will be used in determining if an individual sign plan will be considered include the following:

1) The development includes a high rise (greater than 3 story) structure;

2) The development includes multiple structures and/or substantial site area;
3) The development includes mixed uses;

4) A sign plan is uniquely adapted to address the visibility needs of a development while remaining consistent with the intent of this section to direct high quality signage; and

5) The sign plan includes permanent sign covenants which can be enforced by the city.

**Motion Options**

The planning commission has three options:

1) Concur with staff’s recommendation. In this case a motion should be made to approve the staff-drafted sign plan amendment.

2) Disagree with staff’s recommendation. In this case a motion should be made either: (1) denying the staff drafted amendment; or (2) approving the applicants’ preferred amendment. In either motion should include findings for associated with the action.

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

**Neighborhood Comments**

The city sent notices to 234 area property owners and received no comments.

**Deadline for Decision**

August 11, 2015
Project: Redstone
Applicant: Duane Perry
Address: 12401 Wayzata Blvd
(03046.15c)

This map is for illustrative purposes only.
This conceptual design is based upon a preliminary review of entitlement requirements and on unverified and possibly incomplete site and/or building information, and is intended merely to assist in exploring how the project might be developed.

**KEY NOTES**

1. ROOF OVERHANG
   OIL RUBBED BRONZE FINISH

2. WOOD PRINT ACM PANEL

3. HANGER STYLE DOOR
   OIL RUBBED BRONZE W/ TEMPERED GLAZING

4. LIMESTONE TILE

5. SOLID METAL PANEL
   BURNT SIENNA COPPER FINISH

6. BIFOLDING GLASS PARTITION
   OIL RUBBED BRONZE W/ TEMPERED GLAZING

7. SOLID AND PERFORATED METAL PANELS
   BRONZE FINISH

8. BACKLIT TRANSLUCENT FIBERGLASS PANEL
   (BEYOND)

9. 42" TALL ILLUMINATED CHANNEL
   PRIMARY SIGNAGE

10. RECESSED ILLUMINATED CHANNEL
    PEDESTRIAN SIGNAGE

---

**Conceptual Elevations**

- **Second Sign Location**
- **East**
- **North**

---

**Kona Grill - Minnetonka**

**Minnetonka, MN**

**PHX14-6079-00**

06.05.2015
SIGN PLAN REVIEW STATEMENT

DATE: 12 June 2015

TO: Jeffrey R. Thomson
CITY OF MINNETONKA
14600 Minnetonka Blvd.
Minnetonka, MN 55345

REFERENCE: REDSTONE AMERICAN GRILL, TENANT SPACE AT RIDGEDALE CENTER

FROM: Duane L. Perry AIA
WILKUS ARCHITECTS, P.A.
15 Ninth Avenue North
Hopkins, MN 55343
952-941-8660

Redstone will be a new 8,500sf tenant on the northeast side of Ridgedale Center next to the new Nordstrom store. Following the guidelines of the mall, Redstone will be creating a storefront between Nordstrom and the new entry to the mall. General Growth Properties, owner of the mall, has encouraged Redstone to let their brand be expressed on the exterior with an entry element, signage, outdoor patio and landscaping.

Redstone, at all their locations, use signage to inform people who they are. Their approach to signage is to be tasteful and to be seen. There will be small make lit medallions at each side of the entry and a larger medallion above the entry. The main sign on the exterior is positioned for balance and visibility. In the context of the overall mall façade, from Nordstrom to Macy’s, Redstone is a small storefront. Redstone needs to be seen from the distance of the edge of the property to even to the highway beyond. From those distances the signage needs to be positioned in a high enough to not get lost from all other lighting along the building. During the day the signage will be a silver color to be in contrast to the material behind it. At night the signage would be back-lit with halo lighting. In either case the signage will be proportioned to look correct in the over all composition of the mall’s façade.
Resolution No. 2015-

Resolution amending the existing sign plan for
Ridgedale Center at 12401 Wayzata Boulevard

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

Section 1. Background.

1.01 Kona Sushi Inc. and Wilkus Architects have requested an amendment to the existing sign plan for Ridgedale Center at 12401 Wayzata Boulevard.

1.02 Under the existing sign plan, restaurants with frontage on the mall exterior are allowed wall signs not exceeding 30 inches in height. The requested amendment would increase the maximum height to 42 inches.

1.03 On July 9, 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 the city council approve the sign plan amendment.

Section 2. Findings.

2.01 Ridgedale Center includes a mix of commercial uses, including retail, restaurant, automotive, and anchor department stores.

2.02 The site has unique visibility needs compared to other commercial properties. Ridgedale abuts three major streets, Wayzata Boulevard, Ridgedale Drive, and Plymouth Road, and has visual frontage from I-394. The site also has seven separate vehicle access points from these public streets. In addition, the site is a regional destination which anchors the larger Ridgedale area regional center.

Section 3. City Council Action.
3.01 The requested sign plan amendment is hereby approved. The amended sign plan is outlined in EXHIBIT A of this resolution.

Adopted by the City Council of the City of Minnetonka, Minnesota, on July 27, 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.

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 July 27, 2015.

David E. Maeda, City Clerk
EXHIBIT A

RIDGDALE SIGN PLAN

Exterior signs for Ridgedale Center must meet all of the requirements of the city’s sign ordinance, except for the following:

1. The mall is allowed exterior signs according to the following standards:
   a) The signs must not exceed the following number, height, and size:

<table>
<thead>
<tr>
<th></th>
<th>Quantity (max.)</th>
<th>Height (max.)</th>
<th>Copy and graphic area (max.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>pylon sign</td>
<td>1</td>
<td>85 ft.</td>
<td>480 sq. ft.</td>
</tr>
<tr>
<td>monument signs</td>
<td>4</td>
<td>8 ft.</td>
<td>40 sq. ft.</td>
</tr>
<tr>
<td>directional signs</td>
<td>9</td>
<td>8 ft.</td>
<td>20 sq. ft.</td>
</tr>
<tr>
<td>entrance towers</td>
<td>4</td>
<td>N/A</td>
<td>225 sq. ft.</td>
</tr>
</tbody>
</table>

   b) There may be no additional freestanding or pylon signs than identified above. All freestanding signs must include the name of the shopping center only, and must not include individual tenant identification. Directional signs must include only directional messages.

2. Anchor department stores that exceed 100,000 square feet in size are allowed exterior signs according to the following standards:
   a) Maximum of one wall sign per exterior elevation.
   b) The total height of the sign must not exceed 8 feet.
   c) The total length of the sign must not exceed 25% of the lineal footage of the surface to which it is affixed.

3. Restaurants that have frontage on the mall exterior are allowed exterior signs according to the following standards:
   a) Maximum of one wall sign per exterior elevation.
   b) The total height of the sign must not exceed 42 inches.

4. Freestanding buildings are allowed exterior signs according to the following standards:
a) Maximum of one wall sign per exterior elevation.

b) The total height of the sign must not exceed 5 feet.

c) The total length of the sign must not exceed 75% of the lineal footage of the surface to which it is affixed.

5. All other tenants are not allowed exterior signs, including temporary business signs.
Minnetonka Planning Commission Meeting
July 9, 2015

Agenda Item 9

Other Business
Concept plan review for Williston Woods West at 5431 and 5439 Williston Road

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

Proposal

Lakewest Development has submitted concept plans for redevelopment of the properties at 5431 and 5439 Williston Road. The properties were previously part of the Kraemer’s redevelopment project that went through concept plan review earlier this year. Lakewest Development is no longer pursuing a multi-family residential apartment project on the larger development site.

Lakewest’s current plan is to purchase the former Kraemer’s hardware site, remodel the existing building, and reuse the building for another commercial tenant. The two residential properties to the north would be developed into six, detached, villa homes. The home sites would be served by a private street from Williston Road. The proposal would be consistent with the properties’ existing low density residential land use designation. If the project were to move forward, it would require a rezoning and subdivision applications. (See pages A1-A7.)

Review Process

Staff has outlined the following review process for the proposal. At this time, a formal application has not been submitted.

- **Neighborhood Meeting.** The developer will be holding a neighborhood meeting on July 9, 2015, prior to the planning commission meeting.

- **Planning Commission Concept Plan Review.** The planning commission Concept Plan Review is intended as a follow-up to the neighborhood meeting. The objective of this meeting is to identify major issues and challenges in order to inform the subsequent applicants, review, and discussion. The meeting will include a presentation by the developer of conceptual sketches and ideas, but not detailed engineering or architectural drawings. No staff recommendations are provided, the public is invited to offer comments, and planning commissioners are afforded the opportunity to ask questions and provide feedback without any formal motions or votes.

- **City Council Concept Plan Review.** The city council Concept Plan Review is intended as a follow-up to the planning commission meeting and would follow the same format as the planning commission Concept Plan Review. No staff recommendations are provided, the public is invited to offer comments, and
council members are afforded the opportunity to ask questions and provide feedback without any formal motions or votes.

Staff Recommendation

Staff recommends the planning commission provide comment and feedback to assist the applicant with future direction that may lead to the preparation of more detailed development plans.

Originator: Jeff Thomson, Planner
Through: Susan Thomas, AICP, Principal Planner
ADDITIONAL INFORMATION

Next Steps

- **Formal Application.** If the developer chooses to file a formal application, notification of the application would be mailed to area property owners. Property owners are encouraged to view plans and provide feedback via the city’s website. Through recent website updates: (1) staff can provide residents with ongoing project updates, (2) residents can “follow” projects they are particularly interested in by signing up for automatic notification of project updates; (3) residents may provide project feedback on project; and (4) and staff can review resident comments.

- **Council Introduction.** The proposal would be introduced at a city council meeting. At that time, the council would be provided another opportunity to review the issues identified during the initial Concept Plan Review meeting, and to provide direction about any refinements or additional issues they wish to be researched, and for which staff recommendations should be prepared.

- **Planning Commission Review.** The planning commission would hold an official public hearing for the development review and would subsequently recommend action to the city council.

- **City Council Action.** Based on input from the planning commission, professional staff and general public, the city council would take final action.

City Roles and Responsibilities

- **City Council.** As the ultimate decision maker, the city council must be in a position to equitably and consistently weigh all input from their staff, the general public, planning commissioners, applicants and other advisors. Accordingly, council members traditionally keep an open mind until all the facts are received. The council ensures that residents have an opportunity to effectively participate in the process.

- **Planning Commission.** The planning commission hosts the primary forum for public input and provides clear and definitive recommendations to the city council. To serve in that role, the commission identifies and attempts to resolve development issues and concerns prior to the council's consideration by carefully balancing the interests of applicants, neighbors, and the general public.

- **City Staff.** City staff is neither an advocate for the public nor the applicant. Rather, staff provides professional advice and recommendations to all interested parties, including the city council, planning commission, applicant and residents.
Staff advocates for its professional position, not a project. Staff recommendations consider neighborhood concerns, but necessarily reflect professional standards, legal requirements and broader community interests.
LOCATION MAP

Project: Williston Woods West
Applicant: Lakewest Development
Address: 5431 & 5439 Williston Rd.
Williston Woods West Minnetonka, MN

APPLICATION FOR CONCEPT PLAN REVIEW

June 26, 2015
INTRODUCTION

Lakewest Development is pleased to submit this application for concept plan review to create 6 villa homes at 5431 and 5439 Williston Road (PID # 3311722110012 and 3311722110013). We anticipate that these high-end owner occupied villas will be a great addition to the neighborhood.

CONCEPT PLAN REVIEW

Lakewest Development is requesting feedback from the City to create 6 detached villa homes served by a private drive. The subject property is currently zoned R-1, and is guided Low Density Residential in the Comprehensive Plan. Lakewest has been working with City planning staff to create a plan for a development that provides lower density residential than the formerly proposed multi-family residential project on the site.

These parcels are no longer a part of the multi-family development that was proposed on the Kraemers Hardware store site. The plans do show an outlot adjacent to the Kraemers site. If future redevelopment of the Kraemers site occurs, the outlot will be incorporated into that plan. Placement of the outlot reduces irregularity of the lot lines, providing a more traditional parcel.

The proposed development is being proposed with an intent to provide a transition between single-family residential to the north and the more intensive commercial uses to the south. The lots were designed to primarily comply with the R-3 (Medium Density Residential) zoning district. However, Lakewest is requesting PUD flexibility for side, front, and rear setbacks and units being served by a private drive.

Section 300.22 of Minnetonka’s City code says that PUD flexibility may be granted if it would result in one of the following public benefits:

a) Greater preservation of existing natural resources, in number or quality, than would otherwise be provided under non-PUD development;
b) Provision of affordable housing;
c) Provision of a housing type or target housing price that is desirable to the city;
d) A mix of land use types;
e) Development that is compatible with existing, surrounding development type and intensity that is no longer allowed in other existing zoning districts; or
f) Greater energy conservation through building and site design than would otherwise be achieved under non-PUD development;
g) Other public benefits as recognized by the city.

The proposed development would provide several public benefits identified in the Code. The design of the site minimizes tree loss on site by providing a smaller building footprint and minimizing non-pervious surfaces through the use of a private drive. Reducing the setbacks allows for additional trees to be saved.

The development provides high-quality housing that would be desirable to many types of residents -- from young to old. The villa style home helps keep densities low while providing a transition from single family residential to the high-intensity commercial uses along Excelsior. The proximity of the homes to the commercial amenities on Excelsior provides more opportunities for future residents to walk to nearby shops.

Lakewest is excited to provide a high-quality housing development in the City of Minnetonka. We welcome feedback on the concept plan from Planning Commission on July 9, 2015 and City Council on July 27, 2015.

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