Planning Commission Agenda

June 16, 2016—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 2, 2016

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. Parking lot setback variance from 20 feet to 5 feet at 11311 K-Tel Drive.

      Recommendation: Adopt the resolution approving the request (5 votes)

      - Final Decision Subject to Appeal
      - Project Planner: Susan Thomas

   B. Site plan review for two new parking lots on the Cargill campus at 15407 McGinty Road.

      Recommendation: Adopt the resolution approving the request (5 votes)

      - Final Decision Subject to Appeal
      - Project Planner: Susan Thomas
C. Expansion Permit for the construction of a new home at 20 Westwood Circle.

Recommendation: Adopt the resolution approving the request (4 votes)

• Final Decision Subject to Appeal
• Project Planner: Drew Ingvalson

D. Variances to allow construction of a new home at 3105 Shores Boulevard.

Recommendation: Adopt the resolution approving the request (5 votes)

• Final Decision Subject to Appeal
• Project Planner: Ashley Cauley

E. Preliminary plat of FRETHAM 18th ADDITION, a three lot subdivision at 12689 and 12701 Lake Street Extension and an unaddressed parcel

Recommendation: Recommend the city council approving the resolution (4 votes)

• Recommendation to City Council (Tentative Date: July 11, 2016)
• Project Planner: Susan Thomas

F. Ordinance rezoning a portion of the property at 4301 Highview Place and an adjacent unaddressed parcel from R-1 to R-1A.

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

• Recommendation to City Council (Tentative Date: July 11, 2016)
• Project Planner: Ashley Cauley

9. Other Business

A. Glen Lake Study

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 and items scheduled for the July 7, 2016 Planning Commission meeting:

   Project Description: The applicant is proposing to redevelop the site at 13008 Minnetonka Blvd into a pizza restaurant with outdoor seating. The proposal requires: (1) site and building plan review; (2) a conditional use permit.
   Project No.: 86091.16a
   Ward/Council Member: 2—Tony Wagner
   Staff: Susan Thomas
   Section: 15

   Project Description: Concept plan review for a small lot subdivision at 3639 Shady Oak Road.
   Project No.: 16007.16a
   Ward/Council Member: 1—Bob Ellingson
   Staff: Susan Thomas
   Section: 14

   Project Description: The applicant, on behalf of the property owner, is proposing to tear down the existing house at 2512 Bantas Point Lane in order to construct a new home. While the proposed home would generally be located within the existing home’s footprint, the proposal requires expansion permits and a side yard setback variance.
   Project No.: 93026.16a
   Ward/Council Member: 3—Brad Wiersum
   Staff: Ashley Cauley
   Section: 08

   Project Description: Concept plan review for Minnetonka Hills Apartments, 2828 Jordan Avenue, for construction of a new apartment building.
   Project No.: 86157.16a
   Ward/Council Member: 2—Tony Wagner
   Staff: Ashley Cauley
   Section: 01

   Project Description: US Internet Corporation is proposing to locate microwave antennas at 12475 Marion Lane. The proposal requires a conditional use permit.
   Project No.: 16008.16a
   Ward/Council Member: 3—Brad Wiersum
   Staff: Drew Ingvalson
   Section: 02

   Project Description: The applicant is proposing a twelve person residential care facility at 19 Westwood Rd.
   Project No.: 16001.1aa
   Ward/Council Member: 2—Tony Wagner
   Staff: Susan Thomas
   Section: 01
WELCOME TO THE MINNETONKA PLANNING COMMISSION MEETING

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

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

2. Staff presents their report on the item.

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

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

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

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

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

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

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

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

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

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

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

2. **Roll Call**

Commissioners Hanson, Knight, O'Connell, Odland, Powers, and Calvert were present. Kirk was absent.

Staff members present: Community Development Director Julie Wischnack, City Planner Loren Gordon, Senior Planner Ashley Cauley, Planner Drew Ingvalson, Water Resources Engineer Tom Dietrich, and Natural Resource Manager Jo Colleran.

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

4. **Approval of Minutes:** May 5, 2016

   *Powers moved, second by Knight, to approve the May 5, 2016 meeting minutes.*

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

5. **Report from Staff**

Gordon briefed the commission on land use applications considered by the city council at its meetings of May 9, 2016 and May 23, 2016:

- Adopted a resolution approving the conditional use permit for Field Day, a restaurant at Ridgedale Shopping Center.
- Adopted a resolution approving a conditional use permit for a therapy center for Partners in Excellence.
- Adopted a sign ordinance amendment.

Gordon introduced Minnetonka Water Resources Engineer Tom Dietrich and Planner Drew Ingvalson.

The next planning commission meeting will be June 16, 2016.
Wischnack shared that Pat Kehr, an employee of the city for 34 years, passed away recently.

6. **Report from Planning Commission Members**

Hanson attended an affordable housing conference that emphasized the importance of language. He encouraged commissioners to attend a conference being held in Minneapolis April of 2017 called Solutions for Housing Communications.

7. **Public Hearings: Consent Agenda**

Item 7A, a conditional use permit for 2,328 square feet of accessory structures at 4915 Highland Road, was removed from the consent agenda for discussion and separate action.

_Hanson moved, second by Powers, to approve the item listed on the consent agenda as recommended in the staff report as follows:_

_B. Lot-behind-lot setback variance for a garage and living space addition at 1724 Ford Road._

Adopt the resolution approving a lot-behind-lot setback variance for a garage and living space addition at 1724 Ford Road on pages A10-A13 of the staff report.

_Hanson, Knight, O’Connell, Powers, Calvert, and Odland voted yes. Kirk was absent. Motion carried and the item on the consent agenda was approved as submitted._

_A. A conditional use permit for 2,328 square feet of accessory structures at 4915 Highland Road._

Calvert asked if the project has already begun. She visited the site and it looked like trees were being removed. She questioned what would happen if the application would not be approved.

Ingvalson reported.

Calvert confirmed with Ingvalson that the footings have already been approved through the building permit process. Calvert was concerned that mature trees near the pool house would not survive. Colleran explained that the city’s ordinance allows the removal of trees within 20 feet of a footprint without
mitigation. If the impact would extend past 20 feet, mitigation would be required for certain species of trees. This proposal would be within the basic tree removal area.

Acting Chair Odland asked if freezing of the pipes would impact the trees. Colleran answered in the negative.

The public hearing was opened.

Bill Monk, 4930 Highland Road, asked if landscaping would be added between the pool and pool house and the street. It is important to him that the noise and view be screened.

Ingvalson explained that the proposal’s front yard setback would be double the required 50-foot setback. Staff found that the elevation change and existing trees would provide sufficient screening from the view from the public street. The variance for the pool was approved in 2015. The current conditional use permit is for the pool house to have a bathroom.

Mr. Monk stated that the pool and pool equipment would be visible from the street. Distance is not a factor.

Gordon explained that screening is not required between residential properties. A fence is required for a pool. One of the graphics showed landscaping.

Hanson confirmed with Gordon that a fence a minimum of 5-feet tall with a lockable gate would be required to enclose the pool. Gordon noted that the fence is a safety feature and not required for aesthetic purposes.

Jeremy Peterson, 13110 Excelsior Boulevard, representing the applicant, along with Amy Hanson of 4915 Highland Road, applicant, stated that a landscape plan was created to help shade and provide a screen along the property line from the street view surrounding the pool and pool house. That would not be required to be in compliance, but the homeowners are planning on doing it anyway.

Ms. Hanson said that the plants were delivered that day. She is a master gardener. There would be 6 maples outside the fence line and 13 lilacs, which she knows the neighbor loves. Aspen trees would be added along with big smoke bushes. The pool equipment would be covered with lattice and vines to make it invisible from the house and street. It is a beautiful property and she wants to make it look good.

No additional testimony was submitted and the hearing was closed.
Knight confirmed with Mr. Peterson that the doors of the pool house would be different than the rendering.

Powers moved, second by O'Connell, to recommend that the city council adopt the resolution on pages A9-A12 of the staff report. This resolution approves a conditional use permit for accessory structures with a gross floor area of 2,328 square feet.

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

8. Public Hearings

A. Items concerning parking lots on the Minnetonka High School campus at 18301 State Highway 7.

Acting Chair Odland introduced the proposal and called for the staff report.

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

O'Connell noted that neighbors previously complained that a gate that was supposed to be closed was routinely not being closed. Gordon confirmed that a condition of approval from 2003 requires the gate to be closed at the end of the school day to keep traffic directed to the main entrance. Gordon invited school representatives to comment.

Acting Chair Odland asked if there would be an exit from the east parking addition. Gordon answered affirmatively. The new stalls would be connected to the existing drive.

Paul Bourgeois, Director of Finance and Operations for Minnetonka Public Schools, applicant, stated that he was available for questions.

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

Powers knows that parking is a huge problem for the high school because it is so well attended and respected. He supports staff's recommendation. The proposal would mitigate current problems and help to solve future issues.
Powers moved, second by Knight, to recommend that the city council adopt the following:

1. Resolution approving a lot division at 5258 Michaele Lane (see pages A30-A33 of the staff report).

2. Resolution amending an existing conditional use permit for an educational institution at 18301 State Highway 7 (see pages A34-A40).

3. Resolution approving final site plans for parking lot reconfiguration and construction on the Minnetonka High School at 18301 State Highway 7 (see pages A41-A49).

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

The city council is tentatively scheduled to review this item at its June 6, 2016 meeting.

B. A conditional use permit for an accessory apartment at 13800 Spring Lake Road.

Acting Chair Odland 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 if the accessory apartment is required to be occupied by the property owner. Cauley explained that the property owner would be required to live in one of the two dwelling units and that is a condition of approval.

Powers asked if there is a limit to the size of the accessory apartment. Cauley explained that the ordinance allows an accessory apartment to be larger if it can be shown that there would be no adverse impact on surrounding properties. In this case, the addition would not be visible from an adjacent right of way. Staff feels that the proposal meets that requirement.

Calvert asked if there is a buffer requirement to Spring Lake. Cauley explained that a small patio would extend beyond the addition. Staff met with the property owner on site and verified that the patio and addition would maintain the wetland and floodplain setbacks. Colleran clarified that Spring Lake is actually a wetland.
Calvert asked if grading would be mitigated. Cauley said that would be part of the building permit review process.

Hammad Bajwa, 13800 Spring Lake Road, applicant, was present for questions.

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

O’Connell moved, second by Knight, to recommend that the city council adopt the resolution on pages A5-A10 of the staff report. This resolution approves a conditional use permit for an accessory apartment at 13800 Spring Lake Road.

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

The city council is tentatively scheduled to review this item at its June 27, 2016 meeting.

C. Resolution approving final site and building plans for two condominium buildings in the Legacy Oaks development.

Acting Chair Odland introduced the proposal and called for the staff report.

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

Gordon reviewed what streets are public and private in the area.

Powers asked what was originally planned between the buildings. Gordon provided the plan that showed green space and a sidewalk.

Tim Whitten, of Whitten Associates, representing the applicant, stated that staff did a great job explaining the project. He was available to answer questions.

Marty Campion, of Campion Engineering, representing the applicant, stated that there would be 20 additional parking stalls.

Mr. Whitney stated that the cost of the stalls would be shared by all three buildings and the stalls would be available for use by anyone.

The public hearing was opened. No testimony was submitted and the hearing was closed.
Calvert noted that she has concerns regarding the narrow area between the buildings and favored more green space.

Knight was concerned with the runoff from the street. Dietrich stated that the existing storm water features would be expanded to meet requirements.

_Hanson moved, second by Powers, to adopt the resolution approving final site and building plans for the final two of three condominium buildings within Legacy Oaks (see pages A16-A19 of the staff report)._ Hanson, Knight, O’Connell, Powers, Calvert, and Odland voted yes. Kirk was absent. Motion carried.

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

9. Adjournment

_Knight moved, second by Calvert, to adjourn the meeting at 7:50 p.m. Motion carried unanimously._

By: ____________________________

Lois T. Mason
Planning Secretary
Minnetonka Planning Commission Meeting
June 16, 2016

Agenda Item 7

Public Hearing: Consent Agenda

(No Items)
Minnetonka Planning Commission Meeting  
June 16, 2016  

Agenda Item 8  

Public Hearing: Non-Consent Agenda
MINNETONKA PLANNING COMMISSION
June 16, 2016

Brief Description  Parking lot setback variance from 20 feet to 5 feet at 11311 K-Tel Drive

Recommendation  Adopt the resolution approving the variance

Background  Though funding for the Southwest Light Rail Transit (SWLRT) line has not been finalized, planning for construction continues. Over the next several months, the planning commission will consider a variety of applications directly related to construction of SWLRT and the Shady Oak and Opus stations.

Request  Metro Transit will need to acquire right-of-way throughout the transit corridor to accommodate the SWLRT line. The property at 11311 K-Tel Drive will be impacted by such acquisition. As currently planned, 47 feet of the eastern portion of this office/industrial property will be taken, resulting in removal of 65 parking spaces.

The property owner, St. Paul Fire and Marine Insurance Company, is actively trying to lease the currently vacant building on the 11311 K-Tel Drive property. This effort is complicated by the future SWLRT taking and reduction in parking. Additional parking meeting the required 20-foot setback could not be added to the site. Were a 5-foot setback requirement applied to the new SWLRT right-of-way, however, 15 stalls could be added. The property owner is requesting a setback variance from 20 feet to 5 feet to accommodate these additional stalls. (See pages A1–A9.)

Staff Analysis  Staff finds that the requested variance is reasonable for two primary reasons:

1. **Past Practice.** Right-of-way takings in city and county roadway projects sometimes impact existing property improvements. It has been the past practice of the city to approve setback variances to reduce the real and negative impact of these takings. For instance, right-of-way acquisition along County Road 101 and Shady Oak Road resulted in removal of several monument signs or significant reduction in their setbacks. The city approved variances to allow the signs to be relocated in their pre-
2. **Variance Standard.** The request would meet the variance standard outlined in state statute and city code.

- **Reasonableness and Unique Circumstance.** The property currently meets minimum parking requirements on-site. The right-of-way taking will result in a noticeable reduction in parking; after the taking parking requirements could only be met through the use of off-site parking. The requested setback variance would allow the property owner to recover some of the “taken” parking. This is reasonable request based on the unique situation not common to all industrial properties in the community.

- **Neighborhood Character.** The reduced setback would be adjacent to the SWLRT line itself and opposite from the proposed SWLRT operation and maintenance facility. Though construction of the line will alter the surrounding area, the requested setback variance itself would not negatively impact the surrounding land uses or neighborhood character.

**Summary Comments**

Staff supports the property owner’s request based on the future right-of-way taking and resulting reduction in on-site parking spaces. If SWLRT is not funded, no taking would occur, and no parking would be eliminated. As such, staff has included a condition of approval outlining that the variance is effective only upon the taking and construction of the SWLRT line. No changes would be made to the site at this time. When the right-of-way taking and construction occur, Metro Transit would remove and reconstruct parking on the site.

**Staff Recommendation**

Adopt the resolution approving a parking lot setback from 20 feet to 5 feet at 11311 K-Tel Drive. (See pages A10–A13.)

Originator: Susan Thomas, AICP, Assistant City Planner

Through: Loren Gordon, AICP, City Planner
Supporting Information

**Surrounding Land Uses**

North: Office/Industrial property  
South: Ponding and Office/Industrial property beyond  
East: City of Hopkins, future SWLRT Operations and Maintenance Facility  
West: Office/Industrial property

**Planning**

Guide Plan designation: Industrial  
Zoning: R-1

**Shady Oak Station**

Information regarding the Shady Oak Station can be found here: [http://tinyurl.com/Shady-Oak-Station](http://tinyurl.com/Shady-Oak-Station)

**Variance Standard**

A variance may be granted from the requirements of the zoning ordinance when: (1) it is in harmony with the general purposes and intent of the ordinance; (2) it is consistent with the comprehensive plan; and (3) when an applicant establishes that there are practical difficulties in complying with the ordinance. Practical difficulties mean that the applicant proposes to use a property in a reasonable manner not permitted by the ordinance, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and, the variance if granted, would not alter the essential character of the locality. (City Code §300.07)

**Motion Options**

The planning commission has three options:

1. Concur with the staff recommendation. In this case a motion should be made to adopt the resolution approving the request.

2. Disagree with staff’s recommendation. In this case, a motion should be made denying the request. This motion must include a statement as to why the request is denied.

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 31 area property owners and received no comments to date.
<table>
<thead>
<tr>
<th><strong>Appeals</strong></th>
<th>Any person aggrieved by the planning commission’s decision about the requested variances may appeal such decision to the city council. A written appeal must be submitted to the planning staff within ten days of the date of the decision.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Deadline for Decision</strong></td>
<td><strong>September 12, 2016</strong></td>
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</table>
Location Map

Project: St. Paul Properties
Applicant: Peter Beck
Address: 11311 K-Tel Dr
Project No. 16009.16a

This map is for illustrative purposes only.
Submittal Requirements

Application Fee: Submitted

Legal Description: See attached

Survey: See attached

Also Attached:

- SWLRT Right of Way Parcel Layout Sketches (2) dated 2/25/2016
- Westwood SWLRT Impact Plan showing permanent and temporary takings dated 3/4/2016
- Westwood Post Conditions Plan showing revised parking with 20 foot setback, dated 11/4/2015
- Westwood Post SWLRT Plan showing revised parking with 5 foot setback, dated 12/15/2015

Practical Difficulties Worksheet: See attached

Grading and Drainage Plan:

Grading, Drainage and Landscaping Plans will be prepared and implemented by the SWLRT Project Office. The new parking lot edge, at the 5 foot setback if approved, will likely be constructed as part of the light rail line project. Construction will not begin until all requirements of the City for that project, including approval of grading and drainage plans, have been met. A variance is sought at this time so that the SWLRT grading and drainage plans, when submitted, reflect the 5 foot setback.

Building Rendering: No changes to the existing building are proposed.

Floor Plan: No changes to the existing building are proposed.

Written Statement: See attached Practical Difficulties Worksheet
Practical Difficulties Worksheet

Background

The easterly 47 feet of the property located at 11311 K-Tel Drive (the “Property”) is proposed to be permanently taken for construction of the SWLRT Line. This taking will result in the loss of 65 parking spaces if a 20 foot setback is maintained adjacent to the light rail line. 15 of these spaces can be saved if the parking setback is reduced to 5 feet. The Owner is requesting the parking setback variance in order to preserve as many parking spaces on the Property as possible.

1. The proposed variance is in harmony with the general purpose and intent of the zoning ordinance.

There is no proposed change to the current office-warehouse use of the Property, nor to the use along the eastern property line—which is and will remain parking. The proposed variance will simply save 15 parking spaces while moving the parking 15 feet closer to the light rail line. The variance will not affect any other adjacent properties and is in harmony with the intent of the zoning ordinance.

2. The proposed variance is consistent with the Comprehensive Plan.

As noted, no change in use is proposed for the Property, nor in the area of the proposed variance. Therefore, the proposed variance is not inconsistent with the Comprehensive Plan.

3(a) The proposed use is reasonable.

The proposed use is and will remain parking to serve the building on the Property. Moving the parking 15 feet closer to the light rail line to preserve 15 of the 65 parking spaces taken for construction of the light rail line is a reasonable request.

3(b) The need for the variance is caused by circumstances unique to the Property, not created by the property owner, and not solely based on economic considerations.

The need for the variance is due to the taking for the SWLRT line. This circumstance is unique to the Property (and perhaps other properties impacted by the light rail line) and not caused by the property owner. In fact, the property owner has made several efforts over the past two years to have the proposed taking eliminated or reduced, as documented in the attached comment letter on the SDEIS for the SWLRT project. The purpose of the request is to preserve as many parking spaces as possible for a property that is already underparked.

3(c) The proposed use would not alter the essential character of the surrounding area.

As noted, the use is not expected change. Allowing the existing parking use to be 15 feet closer to the light rail line will not impact any adjacent properties or alter the character of the area. The 5 foot setback will be adjacent only to the light rail tracks. On the other side of the tracks there will be a SWLRT Operations and Maintenance Facility. Neither the tracks nor the Operations and Maintenance Facility will be adversely impacted by having parking within 5 feet of the right of way.
Planning Commission Resolution No. 2016-

Resolution approving a parking lot setback variance from
20 feet to 5 feet at 11311 K-Tel Drive

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

Section 1. Background.

1.01 The subject property is located at 11311 K-Tel Drive. It is legally described as:
Lot 2, Block 2; That part of Outlot B, lying Northwesterly of a line 15.00 feet Southeasterly of, measured at a right angle to and parallel with the Southeasterly line of Lot 2, Block 2, all in Napco Industrial Park, according to the recorded plat thereof on file or of record in the office of the Registrar of Title in and for Hennepin County, Minnesota

1.02 To accommodate construction of the Southwest Light Rail Transit line, 47 feet of the eastern portion of this office/industrial property will be taken for transit right-of-way purposes, resulting in removal of 65 parking spaces.

1.03 By City Code §300.28 Subd.12(b)(4)(b), parking must be set back a minimum of 20 feet from public right-of-way. Following the taking, parking could not be added to the site meeting this setback requirement.

1.04 The property owner, St. Paul Fire and Marine Insurance Company, is requesting a setback variance from 20 feet to 5 feet. Such setback would allow for reconstruction of 15 of the lost 65 parking stalls.

1.05 Minnesota Statute §462.357 Subd. 6, and City Code §300.07 authorizes the Planning Commission to grant variances.

Section 2. Standards.

2.01 By City Code §300.07 Subd. 1, a variance may be granted from the requirements of the zoning ordinance when: (1) the variance is in harmony
with the general purposes and intent of this ordinance; (2) when the variance is consistent with the comprehensive plan; and (3) when the applicant establishes that there are practical difficulties in complying with the ordinance. Practical difficulties means: (1) The proposed use is reasonable; (2) the need for a variance is caused by circumstances unique to the property, not created by the property owner, and not solely based on economic considerations; and (3) the proposed use would not alter the essential character of the surrounding area.

Section 3.  Findings.

3.01 The proposal meets the variance standard outlined in City Code §300.07 Subd. 1(a):

1. PURPOSE AND INTENT OF THE ZONING ORDINANCE: The intent of the parking setback from right-of-way requirement is to ensure appropriate distances between parked vehicles and the traveled portion of right-of-way, so as to promote and maintain safety. As the light rail transit corridor would be a controlled right-of-way serving only light rail cars and those at measured intervals, the proposed 5-foot setback would meet this intent.

2. CONSISTENT WITH COMPREHENSIVE PLAN: The proposed variance is consistent with the comprehensive plan. The guiding principles in the comprehensive plan provide for allowing flexibility in the application of development controls to encourage public facilities and benefits. The proposed setback variance is consistent with this principal. Though a reduction in a development control, the variance would allow both an existing property owner and future public transportation system to be accommodated.

3. PRACTICAL DIFFICULTIES: There are practical difficulties in complying with the ordinance:

   a) REASONABLENESS and UNIQUE CIRCUMSTANCES: The subject property currently meets minimum parking requirements on-site. The right-of-way taking will result in a noticeable reduction in parking; after the taking, parking requirements can only be met through the use of off-site parking. The requested setback variance would allow the property owner to recover 15 parking spaces. This is a reasonable request based on a unique situation not common to all industrial properties in the community.
b) CHARACTER OF LOCALITY: The reduced setback would be adjacent to the Southwest Light Rail Transit line itself and opposite from the proposed light rail operation and maintenance facility. Though construction of the light rail line will alter the surrounding area, the requested setback variance itself would not negatively impact surrounding land uses or neighborhood character.

Section 4. Planning Commission Action.

4.01 The planning commission approves the above-described variance based on the findings outlined in section 3 of this resolution. Approval is subject to the following conditions:

1. This variance is effective only upon the legal taking of 47 to 50 feet of right-of-way for construction of the Southwest Light Rail Transit line.

2. Prior to construction of the parking lot, a final landscape and tree mitigation plan must be submitted for staff review and approval.

3. This variance will expire on December 31, 2017, unless the planning commission has approved a time extension.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on June 16, 2016.

________________________________________
Brian Kirk, Chairperson

Attest:

________________________________________
Kathy Leervig, Deputy 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 Planning Commission of the City of Minnetonka, Minnesota, at a duly authorized meeting held on June 16, 2016.

Kathy Leervig, Deputy City Clerk
Brief Description  Site plan review for two new parking lots on the Cargill campus at 15407 McGinty Road

Recommendation  Adopt the resolution approving the final site plans

Background  The roughly 150-acre Cargill campus is located on McGinty Road, just east of Crosby Road. The principal office building on the site was constructed in 1975. The building is currently undergoing a major remodel in order to accommodate roughly 500 additional employees who are currently working at other Cargill locations.

Proposal  To serve these additional employees, two new surface parking lots are proposed. One parking lot would be located north and west of the office building; it would contain 232 parking stalls. A second lot would be located south of an existing parking ramp and surface lot; it would contain 227 parking stalls. (See pages A1-A16.)

Proposal Requires:  By City Code §300.24 Subd.2(c), site plan approval is required for any change in the use of a parcel of land which results in a different intensity of use.

Staff Analysis  Staff finds that the proposed parking lots are reasonable for a variety of reasons:

1) The lots would be centrally located on the Cargill campus, hundreds of feet from the closest public right-of-way. (See page A2.)

2) Though the lots would add impervious surface to the site, they would comprise just 2.5 percent of the total campus area. (See page A2.)

3) The proposed parking lots would meet all minimum site plan standards. (See the “Supporting Information” section of this report.)
Staff Recommendation

Adopt the resolution approving final site plans for two new parking lots on the Cargill campus at 15407 McGinty Road West. (See pages A20–A24.)

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

**Surrounding Land Uses**
- Northerly: one single-family home and McGinty Road
- Easterly: wetlands and single-family homes beyond
- Southerly: Minnehaha Creek and single-family homes beyond
- Westerly: wetlands and single-family homes beyond

**Planning**
- Guide Plan designation: Office and Open Space
- Existing Zoning: Office and R-1, low-density residential

**Employees**
The zoning ordinance regulates land use: the type of land use; the location of the use (structures/parking areas) on a property; facilities (parking/stormwater) required by the land use; and the land use's impact to natural features (trees, shoreland, floodplain, wetland.)

Other than to ensure minimum parking standards are met for a use, the zoning ordinance does not regulate how many people may occupy a property. In other words, the city cannot dictate how many or how few employees work out of the Cargill campus.

**Stormwater**
The proposal triggers the city’s stormwater management rules. To meet these rules – which regulate runoff volume, rate, and quality – filtration areas would be constructed south and east of the proposed parking lots. (See pages A5 and A12.) The applicant’s stormwater management plan has been reviewed by city engineering staff and found to be generally acceptable.

**Grading**
Grading would occur to accommodate the proposed parking lot and stormwater facilities.

- North Parking: Construction of the parking lot would require one to four feet of excavation, while construction of the associated filtration basin would require one to five feet of excavation. (See page A6.)
- South Parking: Construction of the parking lot and filtration basins would require both fill and excavation; in some areas up to seven feet of fill would be added and in other areas up to 5 feet of excavation would occur. (See page A13.)

**Wetland**
There are five separate wetlands located in proximity to the proposed parking lots. The lots would meet setback requirements from four of the five wetlands. However, a very small wetland
would be filled to accommodate the southerly lot. It is staff’s opinion that this wetland – wetland #3 – is an “incidental” wetland. In other words, this area was not historically a wetland but took on wetland characteristics over time as drainage from the surrounding parking lot was directed to this naturally low area. If the wetland is an incidental wetland, as staff suspects, filling would be allowed. As a condition of approval, the applicant/property owner must prove that wetland #3 is incidental prior to issuance of a grading permit.

**Trees**

Since 1950 the Cargill campus has been registered with the Tree Farm System. According to the “Minnesota Shade Tree Advocate” over 150,000 trees were planted on the campus between 1975 and 1955. (See pages A17–A19 of this report.)

Based on the submitted grading plans, the following tree removal would occur:

- **North Parking**: There are 35 trees adjacent to or within the footprint of the proposed north parking lot. Ten high priority trees and 12 significant trees would be removed or significantly impacted. By city code, trees may be removed within the “basic tree removal area” without mitigation. The “basic tree removal area” is 10 feet from a driveway or parking lot and 20 feet from a principal structure. The location of the trees removed/impacted would require 267 evergreen feet and 18 inches of mitigation.

- **South Parking**: There are 379 trees adjacent to or within the footprint of the proposed south parking lots. Three hundred and eight high priority trees and 14 significant trees would be impacted. The location of the trees removed/impacted would require 212 evergreen feet and two significant trees of mitigation.

**SBP Standards**

The proposal would comply with all site and building standards as outlined in City Code 300.27 Subd.5

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

**Finding**: The proposal has been reviewed by city planning, engineering, natural resources, public works, fire, and legal staff and found to be generally consistent with the city’s development guides.
2. Consistency with this ordinance;

**Finding:** The proposal would meet all minimum standards of the zoning ordinance.

3. Preservation of the site in its natural state to the extent practicable by minimizing tree and soil removal and designing grade changes to be in keeping with the general appearance of neighboring developed or developing areas;

**Finding:** Though the proposal would result in grading and some tree removal, the proposed parking areas would be appropriately located in generally developed areas of the campus.

4. Creation of a harmonious relationship of buildings and open spaces with natural site features and with existing and future buildings having a visual relationship to the development;

**Finding:** The proposed site design is intuitive and would result in appropriate location of parking areas.

5. Creation of a functional and harmonious design for structures and site features, with special attention to the following:

a) an internal sense of order for the buildings and uses on the site and provision of a desirable environment for occupants, visitors and the general community;

b) the amount and location of open space and landscaping;

c) materials, textures, colors and details of construction as an expression of the design concept and the compatibility of the same with the adjacent and neighboring structures and uses; and

d) vehicular and pedestrian circulation, including walkways, interior drives and parking in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangement and amount of parking.

**Finding:** The proposed site design is intuitive and would result in appropriate location of parking areas.
5. Promotion of energy conservation through design, location, orientation and elevation of structures, the use and location of glass in structures and the use of landscape materials and site grading; and

*Finding:* This standard pertains primarily to structures. The proposal would not alter the existing campus buildings.

6. Protection of adjacent and neighboring properties through reasonable provision for surface water drainage, sound and sight buffers, preservation of views, light and air and those aspects of design not adequately covered by other regulations which may have substantial effects on neighboring land uses.

*Finding:* The proposed parking lots would not negatively impact adjacent or neighboring properties. The lots would be centrally located on the Cargill property. The north lot would be over 175 feet from the closest home – which is surrounded by the campus – and both lots would be located hundreds of feet from the closest public right-of-way.

**Motion Options**

The planning commission has three options:

1. Concur with the staff recommendation. In this case a motion should be made to adopt the resolution approving the final site plan.

2. Disagree with staff’s recommendation. In this case, a motion should be made directing staff to prepare a resolution for denying the proposal. This motion should include findings for denial.

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

**Neighborhood Comments**

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

**Appeals**

Any person aggrieved by the planning commission’s decision may appeal such decision to the city council. A written appeal must be submitted to the planning staff within ten days of the date of the decision.
Deadline for Decision

September 12, 2016
Location Map

Project: Cargill parking lot
Address: 15407 McGinty Rd W
Project No. 89055.16a

This map is for illustrative purposes only.

City of minnetonka

Gargill Parking Expansion
15407 McGinty Road W
Cargill Parking Expansion
15407 McGinty Road W
SOUTH LOT
Cargill Parking Expansion
15407 McGinty Road W
When Cargill purchased a personal residence on McGinty Road in Minnetonka, Minnesota in 1944, the area was forever changed. This residence would eventually become a corporate campus with approximately 1500 employees coming and going each day.

Cargill’s campus is special in many ways. For example, consider what you see while driving through the suburbs. You might see the same types of houses, all in a row, with maybe a neighborhood park here and there. Well, not on McGinty Road. What appears to be just another typical neighborhood unexpectedly becomes a tree farm where all you see are wetlands, trees, trees, and more trees.

The campus site covers approximately 240 acres. The wooded portions encompass close to 150 acres. The property has been registered with the Tree Farm System since the inception of the program in Minnesota in 1950. In fact, it is the southern most tree farm with conifers in Minnesota. Over 150,000 Red and White Pine, White Spruce and Northern White Cedar were planted between 1947 and 1955. Approximately 70 acres are conifers with the remaining 80 acres being various hardwoods.

Managing a forest as a Tree Farm is both challenging and rewarding. The Cargill Farm has been maintained by both nature and nurture since the original planting was done. Cargill uses a forestry management plan developed by the Minnesota Department of Natural Resources. The Grounds Team, as part of the Facility Services group, administers the plan to keep this wonderful resource healthy and viable.

Cargill’s Corporate Campus continued on p. 3
Over the years, the trees have weathered Pine Bark Beetles, Dutch Elm Disease, and Blister Rust. The Grounds Team is proud of the fact that, with proper management and control efforts, damage was always minimal. However, in the late 1970’s, the campus did lose 145 cords of Elm to Dutch Elm Disease.

Common Buckthorn has been the hardest hurdle for the team. This plant, brought over from Europe years ago as a landscape hedge, invaded native forests relentlessly. It grows anywhere, under any conditions, and completely overtakes everything around it. Since the late 1990’s, Cargill has made a large investment in the removal of this invasive and destructive plant. Cargill took the necessary steps to save its wetlands and forests from the Buckthorn and, in the process, developed a model for others to use.

Using loaders with large brush cutters, tractors with brush cutters, and weed whips with metal blades to fight the battle, the Grounds Team has removed 25’ Buckthorn trees measuring up to 10” in diameter. Main seed producers are removed by chainsaw and placed in a wood chipper. When an area is cleared of Buckthorn, it is then sprayed with Garlon 4 to kill any remaining plants and host roots. This chemical has proven to be a powerful weapon that kills the Buckthorn in one application.

Yet, to illustrate how insidious this plant can be, there are still many berries in the area and spraying continues on a regular basis. This work will likely go on for many years and may not ever end for this campus, however Cargill and the Grounds Team are committed to success. On a more positive note, as soon as the Team establishes good control of the Buckthorn in a given area, they replant native trees for the future.

The Grounds Team is also responsible for the other approximately 90 acres of buildings, wetlands, grass areas, paved surfaces, and plantings. Cargill maintains around 35 acres of manicured lawns and garden areas. The Team employs two full time Grounds maintenance staff and several seasonal workers. Cargill values the outdoor features of this property as much as the indoor office space. It is an important resource for employees and visitors.

A recently completed two-mile fitness walking path meanders through the trees and gardens. Employees enjoy the natural beauty of the forests and plants while improving their health and fitness. During path construction, the project team worked closely with local officials, the Grounds Crew and a local contractor to minimize construction impact to the forest, wetlands, and habitat areas.

Cargill continues to collaborate with the DNR and a local tree company to scrutinize the health and vigor of the trees. Currently, Cargill and its tree contractor have been working on a tree survey. Many of the trees have been identified and mapped. Maintenance such as pruning, fertilizing, and other care is tracked through the survey process. During the last few years, Dutch Elm Disease re-emerged and several majestic and beautiful trees were lost. As a result, the Grounds Crew learned that being proactive and vigilant is more important than ever. They have invested thousands of dollars in Dutch Elm treatment. In addition, quick response helped save many other at-risk elms.

Many corporations, large and small, give back to their communities in a variety of ways. Cargill embraces this idea by supporting community-based organizations such as the McKnight Foundation and the United Way. The corporate campus is another way that Cargill supports the community. Finding 240 undeveloped acres, in the middle of a busy suburban area, is a rare
thing. Another company may have built up the land up or sold it for development. The forest, wetlands, and habitats are wonderful natural resources that have been well maintained in the past and to which Cargill is committed to preserving for the present and the future.

Scott Adams is a Grounds Supervisor with Cargill.

Office With A View from p. 2

If someone is interested in becoming a climbing arborist, there are several places to get information and training. Tree climbing can be very dangerous for someone who has not learned proper techniques and safe work practices, which is why it is very important to get your information and training from a qualified instructor or climber. If you were to ask, most climbers will tell you a great place to learn is from other climbers at the local ISA chapter conferences and trade shows. For myself, The Wisconsin Arborist Association was a great place to see climbing demonstrations and chat with other climbers. Mid-State technical college in Wisconsin Rapids, Wisconsin offers a two year program to become an Urban Forestry Technician. Graduates of the program are trained in planting, pruning, maintaining and removing urban trees. An aerial component is included in the curriculum for students who are physically and mentally capable of ascending a tree. Elective courses include a series of aerial tree pruning and rigging courses. These classes feature rope and saddle techniques along with bucket truck operation to prune trees of all sizes.

Tree climbing is not only just for the professionals anymore; recreational tree climbing groups are gaining in popularity. A sense of adventure and a love of the outdoors are the biggest attractors for most recreational tree climbers. I’ve been a part of several recreational tree climbs ranging from sleeping overnight in a 200-foot Douglas fir to showing my nephews and nieces how to climb grandpa’s 20-foot sugar maple with a rope and saddle. With advancements in climbing equipment and techniques, tree climbing is becoming easier and easier for the professionals as well as the weekend enthusiast.

Climbing trees on a daily basis can be very demanding both physically and mentally but the rewards are worth it. When I get paid for a job that some people do for fun and adventure on the weekends, I’m reminded that I’ve found something very unique.

Mike Stanonik is a Certified Arborist for the City of Appleton, Wisconsin, and an adjunct instructor for Mid-State Technical College. He was the 2003 Tree Climbing Champion for the Wisconsin Arborist Association. He can be reached at happytrees@earthlink.net
Resolution No. 2016-

Resolution approving final site plans for two new parking lots on the Cargill Campus at 15407 McGinty Road West

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

Section 1. Background.

1.01 Cargill has proposed construction of two new parking lots to accommodate 500 additional employees at its Minnetonka campus.

1.02 That part of the campus impacted the proposal is located at 15407 McGinty Road West. It is legally described as:

That part of Lot 1, Block 1, Greendale Park lying southerly of a line drawn 1191.26 feet northerly of and parallel with the most southerly line of said Lot 1 and lying easterly of and parallel with the most westerly line of said Lot 1.

and

Lot 3, Block 1, Greendale Park 2nd Addition

1.03 On June 16, 2016, 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.

Section 2. Standards.

2.01 City Code §300.27, Subd. 5, outlines several items that must be considered in the evaluation of site and building plans. Those items are incorporated by reference into this resolution.
Section 3. Findings

3.01 The proposal would meet site plan standards outlined in the City Code §300.27, Subd.5.

1. The proposal has been reviewed by city planning, engineering, natural resources, public works, fire, and legal staff and found to be generally consistent with the city’s development guides.

2. The proposal would meet all minimum standards of the zoning ordinance.

3. Though the proposal would result in grading and some tree removal, the proposed parking areas would be appropriately located in generally developed areas of the campus.

4. The proposed site design is intuitive and would result in appropriate location of parking areas.

5. The proposal would not alter the existing campus buildings.

6. The proposed parking lots would not negatively impact adjacent or neighboring properties. The lots would be centrally located on the Cargill property. The north lot would be over 175 feet from the closest home – which is surrounded by the campus – and both lots would be located hundreds of feet from the closest public right-of-way.

Section 4. Planning Commission Action.

4.01 The above-described site plans are hereby approved subject to the following conditions:

1. Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, except as modified by the conditions below:

   • Cargill Office Parking Lot Expansions, civil plan set, dated May 26, 2016

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

   a) The following must be submitted for the grading permit to be considered complete.
1) An electronic PDF copy of all required plans and specifications.

2) Three full size sets of construction drawings and project specifications.

3) Documentation of the incidental status of Wetland #3.

4) Final site, grading, stormwater management, utility, landscape, tree mitigation, and natural resource protection plans, and a stormwater pollution prevention plan (SWPPP) for staff approval.
   a. Final grading plan must:
      1. Must show either: (1) no floodplain alteration; or (2) floodplain alteration less than 1,000 and 20 cubic yards and associated compensation.
      2. Show stormwater facilities, including pipe or culverts, located outside of all wetlands.
   b. Final landscaping and tree mitigation plans must:
      1. Include species, sizes, and quantities. Colorado spruce will not be allowed.
      2. Include wetland buffers at widths to be determined after staff review and concurrence with the provided MNRAMs.
      3. Meet minimum landscaping and mitigation requirements as outlined in ordinance. At the sole discretion of natural resources staff, mitigation may be adjusted based on landscaping and site conditions.

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

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

- A final as-built survey has been submitted;
- An electronic CAD file or certified as-built drawings for public infrastructure in microstation or DXF and PDF format have been submitted;
- Vegetated ground cover has been established; and
- Required landscaping or vegetation has survived one full growing season.

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

- The property will be brought into compliance within 48 hours of notification of a violation of the construction management plan, other conditions of approval, or city code standards; and
- If compliance is not achieved, the city will use any or all of the escrow dollars to correct any erosion or grading problems.

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

b) Prior to issuance of the grading permit:
1) Install temporary rock driveways, erosion control, tree and wetland protection fencing and any other measures identified on the SWPPP for staff inspection. These items must be maintained throughout the course of construction.

2) Submit conservation easements for review and approval of the city attorney. The easements must cover wetlands #1, 2, 4, and 5 and associated wetland buffers.

3. During construction adjacent streets must be kept free of debris and sediment.

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

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on June 16, 2016.

Brian Kirk, Chairperson

Attest:

Kathy Leervig, Deputy 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 Planning Commission of the City of Minnetonka, Minnesota, at a duly authorized meeting held on June 16, 2016.
Kathy Leervig, Deputy City Clerk
Expansion Permit for the construction of a new home at 20 Westwood Circle

Adopt the resolution approving the requested expansion permit

10043.16a
20 Westwood Circle
Greg Mlodozyniec

The applicant is proposing to construct a new home on the property. (See plans on pages A1-A11).

**Proposal Requirements**

- **Expansion Permit.** An expansion permit is required for any expansion of a non-conforming use when such expansion would not intrude into required setbacks beyond the distance of the existing structure. (City Code 300.29 Subd. 2)

The site is located on Westwood Circle, north of Wayzata Boulevard, just west of the city limits with St. Louis Park and south of the city limits with Plymouth. The lot is approximately 52,000 square feet in size, and contains a 1,728 square foot single-family house with an attached two stall garage. (See pages A2-A3).

The existing house on the property is a one story rambler that was constructed in 1948, prior to the adoption of the city's zoning ordinance. The house has non-conforming wetland, floodplain, and side yard setbacks. The majority of the properties located on Westwood Circle have large amounts of wetland and floodplain on them.

**Wetland**

There is a combination Type 2/Type 7 wetland, with Type 1 wetland fringe, on the property (see page A4).
The city’s ordinance requires that homes be located 35 feet from the wetland edge. The existing house has a non-conforming 12-foot setback from the wetland edge.

**Floodplain**

There is a large amount of city-designated 100-year floodplain on the site, which is regulated by the city’s water resources management plan and zoning ordinance. The ordinance requires new structures to be located a minimum of 20 feet from the 100-year floodplain elevation of 891.5 feet. The existing home has a 0-foot setback from the floodplain.

The ordinance requires that the lowest floor of all new structures be built a minimum of 2 feet above the 100-year floodplain elevation, thus, at 893.5 feet for the subject property. In 2011, the existing home had a low floor flood elevation of 893.66, which met the ordinance requirements.

**Side Yard**

The existing house has a non-conforming 8 foot side yard setback and a non-conforming aggregate side yard setback of 21 feet.

**Nonconforming Uses**

Under state law and the city’s zoning ordinance, nonconforming structures can be maintained, replaced, and reconstructed with an administrative building permit. The applicant would be allowed to reconstruct the previous house within one year of demolition. Reconstruction means construction that exactly matches pre-existing conditions, including the exact same footprint and exact same height and volume. An improvement to the nonconforming structure which does not exactly match pre-existing conditions, but does not include an expansion, requires an expansion permit from the planning commission.

As proposed, the new house would be partially located within the footprint of the previous house. (See pages A5-A6). It would maintain the existing wetland, floodplain, aggregate side yard, and side yard setbacks. (See page A5). Additionally, the new house would have a second story, creating a vertical expansion of the existing non-conforming one story area.

**Proposed House**

The proposed house would be 3,968 square feet in size. The house would be two stories in height with an attached three stall garage, and a patio or deck. (See pages A8-A11).
The proposed house requires an expansion permit in order to maintain the existing, non-conforming wetland, floodplain, aggregate side yard, and side yard setbacks.

**Wetland**

A large portion of the wetland has been mowed for many years. City ordinance allows owners of Type 1 wetlands to mow them. While the wetland on the subject property is technically a Type 2/7 wetland, the applicant can continue to mow the Type 1 fringe, but can no longer mow the Type 2/7 wetland itself. Staff has included this as a condition of approval, requiring the applicant to stake the boundary of the “no mow” area.

The city’s ordinance provides that when new development occurs, a 16.5 foot wetland buffer area be created or an existing buffer area maintained around a Type 2 wetland. Because the application of the ordinance’s required wetland setbacks and wetland buffer would render the rear yard essentially unusable, staff is not requiring a wetland buffer. Instead, staff would allow the existing mowed Type 1 wetland fringe to fulfill the wetland buffer requirement. Page A4 shows approximate wetland locations. The applicant is currently in the process of locating the boundary of the wetland since the existing delineation has expired.

**Floodplain**

The new home would maintain the existing 0-foot floodplain setback. The lowest floor of the proposed new home would be built two feet above the 100-year floodplain elevation and thus, will meet the city’s ordinance requirements.

**Side Yard**

The proposed house would maintain the non-conforming side yard setbacks.

**2nd Story Addition**

The existing house is a one story rambler. The applicant is proposing a two story home. The addition of a 2nd story requires approval through the expansion permit process. The 2nd story would not intrude into the required setbacks beyond the distance of the existing structure.

**Staff Analysis**

Staff finds that the proposed expansion is reasonable under the provisions of the non-conforming use ordinance.
The proposed construction of a new home is reasonable.

The existing house was built in 1948 and predates the city’s zoning ordinance. The existing house has non-conforming wetland, floodplain, aggregate side yard, and side yard setbacks.

The proposed house would maintain the existing non-conforming setbacks and would not intrude into the required setbacks beyond the distance of the existing structure.

The proposed new house would maintain the residential character of the surrounding neighborhood.

**Staff Recommendation**

Adopt the resolution on pages A12-A15, which approves an expansion permit for the construction of a new house at 20 Westwood Circle.

Originator: Drew Ingvalson, Planner
Through: Loren Gordon, AICP, City Planner
Supporting Information

**Surrounding Land Uses**

- Northerly: Low density residential
- Easterly: Low density residential
- Southerly: Low density residential
- Westerly: City of Minnetonka open space

**Planning**

- Guide Plan designation: Low Density Residential
- Zoning: R-1 Single Family Residential

**History**

In 2011, the applicant applied for an expansion permit (side yard, aggregate side yard, wetland, floodplain setbacks) and a floodplain alteration permit to construct a two story, single-family home with an attached garage. The planning commission approved:

- An expansion permit (valid through December 31, 2012); and
- A floodplain alteration permit.

In 2012, the property owner had not received a building permit for the proposed home. The city council approved a 12-month extension of the expansion permit and floodplain alteration permit.

In 2013, the applicant applied for an expansion permit (side yard, aggregate side yard, wetland, floodplain setbacks) and wetland setback variance for the construction of a one story, single-family home. The planning commission approved:

- An expansion permit (valid through December 31, 2014); and
- A wetland setback variance (valid through December 31, 2014).

In 2014, the property owner had not received a building permit for the proposed home. The city council approved a 12-month extension of the expansion permit and wetland alteration permit.

The proposed project (two story, single-family home) is the same request that was approved in 2011. The proposed project does not require approval for a floodplain alteration permit. The floodplain alteration permit approved in 2011 does not have an expiration date and is still valid.
**Burden of Proof**

By city code, an expansion permit for a non-conforming use may be granted, but is not mandate, when an applicant meets the burden of proving that:

1. The proposed expansion is reasonable use of the property, considering such things as:
   - Functional and aesthetic justifications for the expansions;
   - Adequacy of off-street parking for the expansion;
   - Absence of adverse off-site impacts from such things as traffic, noise, dust odors, and parking;
   - Improvement to the appearance and stability of the property and neighborhood.

2. The circumstances justifying the expansion are unique to the property, are not caused by the landowner, are not solely for the landowner’s convenience, and are not solely because of economic considerations; and

3. The expansion would not adversely affect or alter the essential character of the neighborhood.

**Natural Resources**

Best management practices must be followed during the course of site preparation and construction activities. This would include installation and maintenance of a temporary rock driveway, erosion control, and tree protection fencing. As a condition of approval the applicant must submit a construction management plan detailing these management practices.

**Motion Options**

The planning commission has three options:

1. Concur with the staff recommendation. In this case a motion should be made to adopt the resolution approving the expansion permit.

2. Disagree with staff’s recommendation. In this case, a motion should be made directing staff to prepare a resolution for denying the proposal. This motion should include findings for denial.

3. Table the proposal. In this case, a motion should be made to table the item. The motion should include a statement as to why the proposal is being tabled with direction to staff, the applicant, or both.
<table>
<thead>
<tr>
<th>Appeals</th>
<th>Any person aggrieved by the planning commission’s decision about the requested permit may appeal such decision to the city council. A written appeal must be submitted to the planning staff within ten days of the date of the decision.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neighborhood Comments</td>
<td>The city sent notices to 20 area property owners and received one comment in favor of approving the expansion permit. (See page A16).</td>
</tr>
<tr>
<td>Deadline for Decision</td>
<td>June 16, 2016</td>
</tr>
</tbody>
</table>
Location Map

Project: Greg Mlodzyniec
Address: 20 Westwood Cir
Project No. 10043.16a

This map is for illustrative purposes only.
This drawing is not a legally recorded plat or an accurate survey. It is intended to be only an approximate representation of information from various government offices and other sources. It should not be used for a purpose that requires exact measurement or precision. People who use this drawing do so at their own risk. The City of Minnetonka is not responsible for any inaccuracies contained in the drawing. The City of Minnetonka provides no warranty, express or implied, about the correctness of the information.
Survey of Existing Conditions and Approximate Wetland Location (Example Only)
Proposed Conditions
Proposed House Location Compared to Existing House Location
Planning Commission Resolution No. 2016- 
Resolution approving an expansion permit for construction  
of a new home at 20 Westwood Circle

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

Section 1. Background

1.01 Greg Mlodzyniec has requested an expansion permit for the construction of a new home at 20 Westwood Circle. The existing house is nonconforming. The existing house was built in 1948 and predates the city’s zoning ordinance. The existing house has non-conforming wetland, floodplain, and side yard setbacks. (Project 10043.16a).

1.02 The property is legally described as follows:

Lot 14, Block 3, OAK KNOLL SECOND ADDITION, Hennepin County, Minnesota

1.03 Minnesota Statute §462.357 Subd. 1(e)(b) allows a municipality, by ordinance, to permit an expansion of nonconformities.

1.04 City Code §300.29 Subd. 3(g) allows expansion of a nonconformity only by variance or expansion permit.

1.05 City Code §300.29 Subd. 7(c) authorizes the city to grant expansion permits.

1.06 On June 16, 2016, the planning commission held a hearing on the application. The applicant was provided the opportunity to present information to the planning commission. The planning commission considered all of the comments and the staff report, which are incorporated by reference into this resolution.
Section 2. Standards

2.01 City Code §300.29 Subd. 7(c) states that an expansion permit may be granted, but is not mandated, when an applicant meets the burden of proving that:

1. The proposed expansion is a reasonable use of the property, considering such things as: functional and aesthetic justifications for the expansion; adequacy of off-site parking for the expansion; absence of adverse off-site impacts from such things as traffic, noise, dust, odors, and parking; and improvement to the appearance and stability of the property and neighborhood.

2. The circumstances justifying the expansion are unique to the property, are not caused by the landowner, are not solely for the landowner’s convenience, and are not solely because of economic considerations; and

3. The expansion would not adversely affect or alter the essential character of the neighborhood.

Section 3. Findings

3.01 The application for the expansion permit is reasonable and would meet the required standards of the ordinance, because:

1. REASONABLE EXPANSION:
   • The proposed construction of a new home is reasonable.
   • The proposed house would maintain the existing non-conforming setbacks and would not intrude into the required setbacks beyond the distance of the existing structure.

2. CIRCUMSTANCES UNIQUE TO THE PROPERTY:
   • The existing house was built in 1948 and predates the city’s zoning ordinance.
   • The existing house has non-conforming wetland, floodplain, and side yard setbacks.
3. NEIGHBORHOOD CHARACTER:

• The proposed new house would maintain the residential character of the surrounding neighborhood.

Section 4. Planning Commission Action

4.01 The above-described expansion permit is hereby approved. Approval is subject to the following conditions:

1. Prior to issuance of a building permit:
   a) This resolution must be recorded with the county.
   b) The property owner must:
      1) Provide a stormwater management plan to the city’s engineering staff for review, comment, and approval.
      2) Provide a soils report from a licensed engineer and structural information from a licensed structural engineer for the new house as required by the city’s building official.
      3) Confirm the utility service location and depth in relation to the storm water basin.
      4) Enter into a “hold harmless/restrictive covenant” agreement with the City. A copy of this agreement must be recorded with the County and a copy of the recorded document returned to the city.
   c) Install a temporary rock driveway, erosion control, and tree and wetland protection fencing for staff inspection. These items must be maintained throughout the course of construction.

2. The property owner must stake the area where the Type 1 wetland edge ends and the Type 2 wetland begins as a “no mow” area beyond that point. Staff must review and approve the location of the stakes.
3. This expansion permit approval will end on June 15, 2016, unless the city has issued a building permit for the project covered by this expansion permit approval or approved a time extension.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on June 16, 2016.

Brian Kirk, Chairperson

Attest:

Kathy Leervig, Deputy 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 Planning Commission of the City of Minnetonka, Minnesota, at a duly authorized meeting held on June 16, 2016.

Kathy Leervig, Deputy City Clerk
Good afternoon, Mr Ingvalson

I am in favor of granting any variance requested for the proposed new home construction at 20 Westwood Circle.

This project would be beneficial to the entire neighborhood.

Regards,

David Schultz
6 Westwood Circle
MINNETONKA PLANNING COMMISSION  
June 16, 2016

**Brief Description**  
Variances to allow construction of a new home at 3105 Shores Boulevard

**Recommendation**  
Adopt the resolution approving the request

---

**Background**

According to county records the existing building on the property at 3105 Shores Boulevard was constructed in 1925. Despite the building being located within in a residential neighborhood, the building has been used primarily for commercial purposes dating back to at least 1958. Since that time, the property has been used as a tavern, V.F.W, Chuckwagon Catering and most recently by Truffles and Tortes. The various commercial uses of the property had been operating as non-conforming uses since the adoption of the city's first zoning ordinance in 1965.

When the property was listed for sale approximately two years ago, staff received numerous inquiries regarding the continuation of a commercial use of the property. At that time, staff indicated that a continued catering use of the property would be allowed under the non-conforming use ordinance. However, any other commercial use of the property would result in an intensification of the non-conforming use and would not be allowed.

In addition to the non-conforming use of the property, the building has a non-conforming side yard setback from three feet.

**Proposal**

The current property owners are proposing to tear down the existing, non-conforming structure in order to construct a new single family residential home. As proposed, the home would be two stories in height with an attached garage and a “lookout” basement. (See pages A1-A21.)

The proposed home requires two front yard setback variances. The chart below is intended to summarize the setbacks for the property:

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>North setback</td>
<td>35 ft</td>
<td>85 ft</td>
<td>50 ft</td>
</tr>
<tr>
<td>(front yard)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>East setback</td>
<td>10 ft</td>
<td>3 ft</td>
<td>10.5 ft</td>
</tr>
<tr>
<td>(side yard)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>South setback</td>
<td>25 ft</td>
<td>40 ft</td>
<td>20 ft *</td>
</tr>
<tr>
<td>(front yard)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>West setback</td>
<td>25 ft</td>
<td>35 ft</td>
<td>16 ft *</td>
</tr>
<tr>
<td>(front yard)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* requires setback variance
A majority of the existing property is paved for a parking lot. The applicants have indicated that they intend to remove a majority of the impervious surface to allow for additional green space on the property.

**Staff Analysis**

Staff finds that the applicant’s proposal is reasonable:

- **Home Orientation:** The orientation of the home would allow for views between two existing homes to the north and would reduce direct views into the house to the south. This presents more desirable views from and of the new home. Staff finds that while the variance request would be reduced if the home were located parallel to the east property line, a variance would still be required. As such, staff is comfortable with the proposed orientation and resulting variance request. (See pages A13-A15.)

- **Reasonableness and neighborhood character:** The proposed setbacks are reasonable and would not negatively impact the character of the surrounding neighborhood. The proposal would:
  1. Significantly enhance the aesthetics of the property.
  2. Allow for conversion of the property use from a commercial use to residential.
  3. Center the proposed home on the property. This would increase the setback from the east property line.
  4. Result in front yard setbacks that are similar to those within the existing neighborhood. In fact of the eight homes immediately adjacent to the property, six have setbacks similar to, or less than, the setbacks proposed for the new home.
  5. Visually maintain the required setbacks from the paved intersections and adjacent roadways.
  6. Result in a significant improvement over existing conditions. The proposal would result in a significant reduction of impervious surface on the property.

- **Circumstance Unique to the Property:** Despite the property being located in the middle of an established residential neighborhood, the existing building has been exclusively used for commercial purposes since at least 1958. Under current ordinance, the exclusive commercial use of a residential property would not be allowed. The commercial use of this property is a circumstance not common to similarly zoned properties.
In addition, the variance request is the result of the property’s lot configuration and frontage onto three public streets. It is not common for residential properties to be considered a double-frontage and corner-lot by ordinance.

**Staff Recommendation**

Adopt the resolution on pages A26–A30, which approves front yard setback variances for a new home at 3105 Shores Boulevard.

Originator: Ashley Cauley, Senior Planner
Through: Loren Gordon, AICP, City Planner
Supporting Information

Project No. 16006.16a
Property 3105 Shores Boulevard
Applicant Heather and Joseph Terry
Surrounding Land Uses All properties to the north, east, west and south are zoned R-1, guided for low density residential, and improved with single family homes
Planning Guide Plan designation: low density residential
Zoning: R-1
Small lot By City Code §300.10 Subd. 7, properties that are defined as qualifying small lots are allowed lesser setbacks from property lines than “typical” properties. To be defined as a small lot, a property must be less than 15,000 square feet; have been a lot of record prior to February 12, 1966; and must be located in an area in which the average size of residential lots is less than 15,000 square feet.

Despite the property’s “smaller” lot size, it does not qualify as a small lot. The property exceeds the maximum 15,000 square foot lot size and the average lot size of the surrounding neighborhood is 17,500 square feet.

Site Features The subject property was platted in its current configuration in 1956 and is approximately 16,000 square feet in size. The property has frontage onto three public streets. By ordinance, a 35-foot front yard setback is required from public right-of-ways. However, the ordinance does allow for a 10-foot reduction for both double frontage and corner lots. The subject property is considered both a corner lot and a double frontage lot.

The subject property is improved with the 1,500 square foot building originally constructed in 1925. The current building has a non-conforming side yard setback of 3 feet from the east property line. (See existing survey on page A9.)

Historical photographs indicate that a residential home also existed on the north side of the property dating back to the earliest aerial photographs available at the city. While the city has very little information related to either the commercial or residential
buildings on the property, it appears that the residential home was torn down sometime between 2006 and 2008. (See page A5.)

But for some small greenspace on the north side of the property, the site is almost entirely paved for parking. A majority of the greenspace on the property is located within the city’s right of way. Four large oaks in the northern portion of the property are regulated as high-priority trees by city ordinance. As is required for all new home construction, the property owners must submit a tree preservation plan to evaluate impacts on existing trees. This has been included as a condition of approval.

**Impervious Surface**  
Currently, the city establishes a maximum impervious surface requirement for all properties within the shoreland overlay district. The maximum amount of impervious surface is related to the property’s distance from the public water. By ordinance, the maximum amount of impervious surface for the subject property is 75-percent.

Currently, approximately 70 percent of the property is covered with impervious surface. While this does not exceed what is allowed under the ordinance, the applicant has indicated that they intend to significantly reduce the amount of impervious surface on the property. As proposed, the amount of impervious surface on the property would be reduced to approximately 30 percent.

**Stormwater Management**  
Due to the property’s proximity to a wetland and the amount of proposed disturbance on the site to remove the parking lot, compliance with the city’s stormwater management plan is required. Removal of the parking lot will result in improved filtration conditions on the property. As such, the applicant is able to receive a “credit” towards their stormwater management requirements based on the amount of impervious surface removed. Included as a condition of approval the applicant must, at a minimum, off-set the hardcover associated with the new home and driveway.

**McMansion Policy**  
The McMansion Policy is a tool the city can utilize to ensure new homes or additions requiring variances are consistent with the character of the existing homes within the neighborhood. By policy, the floor area ratio (FAR) of the subject property cannot be greater than the largest FAR of properties within 1,000 feet on the same street, and a distance of 400 feet from the subject property.
As proposed, the property would comply with the McMansion Policy with a FAR of 0.43. The highest FAR in the neighborhood is 0.47. (See page A22.)

**Variance Standard**
A variance may be granted from the requirements of the zoning ordinance when: (1) it is in harmony with the general purposes and intent of the ordinance; (2) it is consistent with the comprehensive plan; and (3) when an applicant establishes that there are practical difficulties in complying with the ordinance. Practical difficulties mean that the applicant proposes to use a property in a reasonable manner not permitted by the ordinance, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and, the variance if granted, would not alter the essential character of the locality. (City Code §300.07)

**Natural Resources**
Best management practices must be followed during the course of site preparation and construction activities. This would include installation and maintenance erosion control fencing.

**Motion Options**
The planning commission has three options:

1. Concur with staff’s recommendation. In this case a motion should be made approving the variance.

2. Disagree with staff’s recommendation. In this case a motion should be made denying the variance. This motion must include a statement as to why denial is recommended.

3. Table the request. In this case a motion should be made to table the item. The motion should be made 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 55 area property owners and received one comment. (See page A24.)

**Deadline for Decision**
September 10, 2016
3. Table the request. In this case a motion should be made to table the item. The motion should be made include a statement as to why the request is being tabled with direction to staff, the applicant or both.

<table>
<thead>
<tr>
<th>Neighborhood Comments</th>
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<tbody>
<tr>
<td>The city sent notices to 55 area property owners and received one comment. (See page A24.)</td>
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</table>

<table>
<thead>
<tr>
<th>Deadline for Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>September 10, 2016</td>
</tr>
</tbody>
</table>
Location Map

Applicant: Heather & Joseph Terry
Address: 3105 Shores Blvd
Project No. 16006.16a

This map is for illustrative purposes only.
Describe why the proposed use is reasonable:

We are proposing that the existing structure at 3105 Shores Boulevard be torn down and a single family home be put up in its place. Currently the existing structure is a commercial building that has been there and been an operating business for decades. It is in the middle of a residential area and is currently not consistent with the neighborhood. We are looking to build a single family home that will improve the look and feel of the neighborhood. We would like the orientation of the single family home to face the corner of Shores and Beverly. The variance request is to reduce the front corner setback (Southwest corner) requirement on the Beverly Place side of the lot to 14.5 feet from the original 25 feet. The reason for the variance request is due to the odd shape of the lot, to utilize the existing driveway entrance, to utilize the natural elevations of the property, and to prevent the home from facing the back corner of 3113 Shores Boulevard.

Describe:

The lot at 3105 Shores Boulevard is unique in that it is bordered by streets on 3 sides, and the city owned right of way is a large portion of the lot. (see Footprint page 2) This makes the buildable area very narrow. The Beverly Place side of the lot has 17 ft. of city owned right of way from street to the property line. This is more city-owned property than the majority of the existing homes in the neighborhood. There are other properties in the neighborhood that have much shorter setbacks than what we are requesting. These properties are all neighboring the 3105 Shores lot and include: 16814 Cottage – Porch is 16’ from the street and 10½’ from the property line, house is 21’ from street and 15½’ from the property line; 3108 Beverly - the photography studio is 22’ from the street and 18’ from the property line; 3120 Shores – is 18’ from the street and less than 12’ from the property line. We are requesting that the house to be built on 3105 Shores is 31½’ from the street and 14½’ from the property line. Secondly, the natural slope of the lot goes from the highest point at Shores Boulevard to the lowest point on the NE corner of the lot on Cottage Grove Avenue. To use this natural slope to build a walk-out without altering the current grading, we are requesting that the house face Shores Boulevard.

This neighborhood is a mix of old and new homes of varying sizes. The footprint of the home we want to build has a modest size width which includes a 3 car garage. Even with this width we need to request a variance on the Beverly Place side of the lot to accommodate the footprint of the home in the orientation that would look the best on the lot and that would allow us to utilize the natural elevations. This orientation will also provide the neighboring property of 3113 Shores additional privacy. We will be able to leave more of the existing wood fence in place if the proposed house is not facing the northwest corner of the 3113 Shores property. (see House Orientation page 1) This request is not due to economic considerations, but primarily due to the unique layout of the lot itself.
Describe why the variance would not alter the essential character of the neighborhood:

The variance request will not alter the essential character of the neighborhood. First and foremost it is an improvement due to the fact that there is currently asphalt covering the majority of the property that was used as a parking lot. Secondly, the home would still be set back from the street 31.5 feet which is more than the three homes that directly neighbor the lot (16814 Cottage, 3108 Beverly, 3120 Shores) and equal to or more than many of the other homes in the neighborhood. The remaining setbacks from Shores Blvd.(25 ft.), Cottage Grove Ave.(35 ft.), and the side setback of 10 feet from the property line will not need variances. The orientation and location of the proposed home on 3105 Shores will utilize the natural elevations, provide additional privacy for the neighboring property at 3113 Shores, and will fit into the essential character of the neighborhood more than the existing building.
PRACTICAL DIFFICULTIES WORKSHEET

By state law, variances may be granted from the standards of the city’s zoning ordinance only if:

1) The proposed variance is in harmony with the general purpose and intent of the zoning ordinance;

2) The proposed variance is consistent with the comprehensive plan; and

3) An applicant establishes that there are practical difficulties in complying with the ordinance standard from which they are requesting a variance. Practical difficulties means:

   - The proposed use is reasonable;
   - The need for a variance is caused by circumstances unique to the property, not created by the property owner, and not solely based on economic considerations; and
   - The proposed use would not alter the essential character of the surrounding area.

<table>
<thead>
<tr>
<th>PRACTICAL DIFFICULTIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Describe why the proposed use is reasonable</td>
</tr>
<tr>
<td>We are proposing that the existing structure at 3105 Shores Boulevard be torn down and a single family home be put up in its place. Currently the existing structure is a commercial building that has been there and been an operating business for decades. It is in the middle of a residential area and is currently not consistent with the neighborhood. (See attached sheet.)</td>
</tr>
</tbody>
</table>

| Describe: |
| circumstances unique to the property; |
| why the need for variance was not caused by the property owner; and |
| and why the need is not solely based on economic considerations. |
| The lot at 3105 Shores Boulevard is unique in that it is bordered by streets on 3 sides, and the city owned right of way is a large portion of the lot. This makes the buildable area very narrow. The Beverly Place side of the lot has 17 ft. of city owned right of way from street to property line, which is a further distance than many of the existing homes in the neighborhood are set back from the street. (See attached sheet.) |

| Describe why the variance would not alter the essential character of the neighborhood |
| The variance request will not alter the essential character of the neighborhood. (See attached sheet.) |

VARIANCE APPLICATIONS WILL NOT BE ACCEPTED IF THIS WORKSHEET IS NOT COMPLETE

Harry and Joseph Terry
3105 Shores Blvd

A8
LEGAL DESCRIPTION:
Tract A, REGISTERED LAND SURVEY NO. 653, according to the plat thereof, on file and of record in the Office of the Hennepin County Recorder.

LOT AREA SQUARE FOOTAGE: 16,049 SQUARE FEET

ZONING: R1A

SETBACKS: (PER JOSEPH TERRY'S MEETING WITH JEREMY AND CELESTE FROM THE CITY OF MINNETONKA)
25' HOUSE TO SHORES BLVD & BEVERLY R.O.W.  
35' HOUSE TO COTTAGE GROVE AVE, R.O.W.  
10' HOUSE TO SOUTH AND EAST LINES

SURVEYOR:
Stonebrookes Engineering, Inc.  
12278 Nicollet Ave. S.  
Burnsville, MN  55337  
Phone: 952-402-9202  
Fax: 952-403-4803  
www.stonebrookesengineering.com

CERTIFICATE OF SURVEY
3105 Shores Boulevard, Minnetonka, MN
LEGAL DESCRIPTION:
Tract A, REGISTERED LAND SURVEY NO. 553, according to the plat thereof, on file and of record in the Office of the Hennepin County Recorder.

LOT AREA: SQUARE FOOTAGE:
16,049 SQUARE FEET

ZONING:
R1A

SURVEYOR:
Stonebrooke Engineering, Inc.
12278 Nicolet Ave. S.
Burnsville, MN 55373
Phone: 952-402-9202
Fax: 952-403-4903
www.stonebrookeengineering.com

EXISTING CONDITIONS

S79°09'12"E 100.68
N00°06'48"E 16.55

Harry and Joseph Terry
3105 Shores Blvd
16006.16a
Proposed Conditions

Finished Square Ft. 5226

Driveway

Arial view of footprint on lot

Harry and Joseph Terry
3105 Shores Blvd
16006.16a
Aerial view of footprint: (city planner recommendation to minimize variance being requested)
Arial view of footprint: (Owner proposed variance being requested)

Harry and Joseph Terry
3105 Shores Blvd
16006.16a
Lower Level floorplan (walkout)

- 1180 sq. ft finished
- 1058 sq. ft sport court
- 440 sq. ft unfinished

Dimensions:
- Bedroom: 12' 4" x 10'
- Under stairs storage: 4' x 8'1"
- Shower: 4' x 8'1"
- Unfinished Storage: 15'7" x 17'6"
- Unfinished: 12' 2" x 14' 5"
- Unfinished Storage: 15'7" x 17'6"

Additional Notes:
- 9 ft. Ceiling
- 18 ft. Ceiling
- 17'-6" Ceiling
- 8 ft. Ceiling
- Double Garage
- 36'-6 5/16" x 28'-0"
- Single Garage stall
- 62'-10 7/8" x 17'-4 3/16"
Neighborhood Comments
I live kitty corner from the old Truffles an Tortes building and I am SO excited for the house to be built. It was always strange to have a commercial building in the middle of a residential area. I have met the couple moving in and they seem very nice. I have no issues with the setback.

Thanks!

Kristin Bruhn
3118 Beverly Place
Resolution
Planning Commission Resolution No. 2016-
Resolution approving front yard setback variances for a new home at 3105 Shores Boulevard

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

Section 1. Background.

1.01 The property owners, Heather and Joseph Terry, are proposing to tear down the existing, commercial building in order to construct a new single-family home.

1.02 The property is located at 3105 Shores Boulevard. It is legally described as: Tract A, Registered Lane Survey No. 653, according to the plat thereof, on file and of record in the Office of the Hennepin County Recorder.

1.03 The existing building has been used for non-conforming commercial uses since at least 1958. Further, the existing building has non-conforming side yard setbacks.

1.04 City Code §300.10 requires a minimum front yard setback of 35 feet. However, the ordinance does allow for a 10-foot reduction of one front yard setback for both double-frontage and corner-lots.

1.05 The subject property has frontage onto three public streets. As such, by ordinance, the property is considered both a double-frontage and corner-lot and is thereby allowed to reduce two of the front yard setbacks by 10-feet.

1.06 Front yard setback variances are required from the south and west property lines.
<table>
<thead>
<tr>
<th>Backset Type</th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>North setback (front yard)</td>
<td>35 ft</td>
<td>50 ft</td>
</tr>
<tr>
<td>East setback (side yard)</td>
<td>10 ft</td>
<td>10.5 ft</td>
</tr>
<tr>
<td>South setback (front yard)</td>
<td>25 ft</td>
<td>20 ft</td>
</tr>
<tr>
<td>West setback (front yard)</td>
<td>25 ft</td>
<td>16 ft</td>
</tr>
</tbody>
</table>

1.07 Minnesota Statute §462.357 Subd. 6, and City Code §300.07 authorizes the Planning Commission to grant variances.

Section 2. Standards.

2.01 By City Code §300.07 Subd. 1, a variance may be granted from the requirements of the zoning ordinance when: (1) the variance is in harmony with the general purposes and intent of this ordinance; (2) when the variance is consistent with the comprehensive plan; and (3) when the applicant establishes that there are practical difficulties in complying with the ordinance. Practical difficulties means: (1) The proposed use is reasonable; (2) the need for a variance is caused by circumstances unique to the property, not created by the property owner, and not solely based on economic considerations; and (3) the proposed use would not alter the essential character of the surrounding area.

Section 3. Findings.

3.01 The proposal meets the variance standard outlined in City Code §300.07 Subd. 1(a):

1. PURPOSE AND INTENT OF THE ZONING ORDINANCE: The proposal is in harmony with the purpose and intent of the zoning ordinance. The purpose of the zoning ordinance is to encourage planned and orderly development of land uses, including residential and commercial uses, to provide for the compatible integration of different land uses. Despite the property being located in a residential area, the existing building has been used exclusively for commercial purposes since at least 1958. The proposal would bring the use of the property into compliance with the zoning ordinance.

2. CONSISTENT WITH COMPREHENSIVE PLAN: The proposal is consistent with the comprehensive plan. One of the guiding principles of the guide plan is to preserve existing neighborhoods while encouraging sustainable practices in redevelopment activities. The proposal would preserve the residential integrity of the neighborhood by allowing the conversion of the property from a
commercial use to a residential use. Further, the proposal would result in a significant reduction in impervious surface.

3. PRACTICAL DIFFICULTIES: There are practical difficulties in complying with the ordinance:

a. Reasonableness and neighborhood character: The proposed setbacks are reasonable and would not negatively impact the character of the surrounding neighborhood. The proposal would:

1) Aesthetically enhance the property.

2) Allow for the conversion of the commercial use of the property to residential use.

3) Center the proposed home on the property. This would increase the setback from the east property line.

4) Result in front yard setbacks that are similar to those within the existing neighborhood. In fact of the existing eight homes immediately adjacent to the property, six have setbacks similar to, or less than, the proposed setbacks.

5) Visually maintain the required setbacks from the paved intersections and adjacent roadways.

6) Result in a significant improvement over existing conditions. The proposal would result in a significant reduction of impervious surface on the property.

b. Circumstance Unique to the property: Despite the property being located in the middle of an established residential neighborhood, the existing building has been exclusively used for commercial purposes since at least 1958. Under current ordinance, the exclusive commercial use of a residential property would not be allowed. Further, the variance is the result of the property’s unique lot configuration and frontage on three public streets. It is not common for residential properties to be considered a double-frontage and corner-lot by ordinance.
Section 4. Planning Commission Action.

4.01 The planning commission approves the above-described variance based on the findings outlined in section 3 of this resolution. Approval is subject to the following conditions:

1. Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, excepted as modified by the conditions below:
   - Site plan date-stamped May 13, 2016.
   - Floor plans date-stamped May 13, 2016.

2. Prior to issuance of a building permit:
   a) A copy of this resolution must be recorded with Hennepin County.
   b) Submit a tree preservation plan for staff review and approval.
   c) Submit a stormwater management plan. This plan must illustrate the amount of removed bituminous pavement. The plan must, at a minimum, offset the hardcover associated with the new structure and driveway.
   d) Pay any outstanding property taxes for 2016.
   e) Install erosion control fencing and tree protection fencing as required by staff for inspection and approval. These items must be maintained throughout the course of construction.

3. This variance will end on December 31, 2017, unless the city has issued a building permit for the project covered by this variance or has approved a time extension.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on June 16, 2016.

Brian Kirk, Chairperson
Attest:

Kathy Leervig, Deputy 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 Planning Commission of the City of Minnetonka, Minnesota, at a duly authorized meeting held on June 16, 2016.

Kathy Leervig, Deputy City Clerk
MINNETONKA PLANNING COMMISSION
June 16, 2016

Brief Description
Preliminary plat of FRETHAM 18th ADDITION, a three lot subdivision at 12689 and 12701 Lake Street Extension and an unaddressed parcel

Recommendation
Recommend the city council adopt the resolution approving the preliminary plat

Introduction
The subject properties are located on the south side of Lake Street Extension, just west of the Highway 7 access ramp. The 12689 and 12701 Lake Street Extension properties are both improved with a single-family home; the unaddressed property to the south is vacant. The existing homes are located at the highest point of the combined 2.5 acre site. Grade falls in all directions from the homes, most notably toward a large ditch that runs nearly the entirety of the north-south distance of the 12701 property. This ditch is part of the city’s stormwater conveyance system. While the combined site does not contain a Woodland Preservation Area (WPA), the properties are heavily wooded with primarily cottonwood and box elder trees. (See pages A1–A2.)

Proposal
Lake West Development is proposing to divide the subject properties into three lots. The existing homes would remain and one new home would be constructed. The proposed subdivision, which would be known as FRETHAM 18th ADDITION, requires approval of a preliminary plat. (See pages A3–A4.)

Staff Analysis
A land use proposal is comprised of many details. In evaluating a proposal, staff first reviews these details and then aggregates them into a few primary questions or issues. The following outlines both the primary questions associated with applicant’s request and staff’s findings.

• Would the proposal meet minimum subdivision standards?

  Yes. The subdivision ordinance outlines minimum area and dimensional standards for single-family residential lots. The proposed subdivision would meet all minimum standards.

• Would the proposal meet the tree ordinance?
Yes. Based on the submitted grading plans, three of the site’s nine high-priority trees would be removed or significantly impacted. This 33 percent removal/impact would be allowed under the tree protection ordinance. (See page A5.)

• **Should existing storm sewer and utilities be maintained?**

Yes. There is an existing storm sewer pipe located in the northwest corner of the 12701 Lake Street Extension property. The pipe outlets to a conveyance ditch. The applicant has submitted two different plans for this area; under one plan the pipe would be relocated to the west and under the other plan the pipe would be maintained. (See pages A2–A3.) As the lot on which the pipe is located would meet all minimum standards, including buildable area, staff finds that the pipe should be maintained in its current location. Relocation would result in unnecessary grading and associated tree removal.

**Summary Comments**

Over the last several years, the city has reviewed a variety of subdivision proposals for the subject properties. (See the “Supporting Information” section of this report.) The current proposal represents one of the best, as it meets all minimum standards of both the subdivision and zoning ordinances.

**Staff Recommendation**

Recommend the city council adopt the resolution approving the preliminary plat of FRETHAM 18th ADDITION at 12689 and 12701 Lake Street Extension and an adjacent, unaddressed parcel. (See pages A24–A30.)

Originator: Susan Thomas, AICP, Assistant City Planner
Through: Loren Gordon, AICP, City Planner
Supporting Information

Surrounding Land Uses
North: single-family homes
South: State Highway 7
East: single-family homes
West: single-family homes

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

Proposed Lots
The subject properties have a combined area of 2.5-acres. The proposed lots would meet all minimum subdivision standards:

<table>
<thead>
<tr>
<th></th>
<th>Lot Area</th>
<th>Lot Width at Right-of-Way</th>
<th>Lot Width at Setback</th>
<th>Lot Depth</th>
<th>Buildable Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required</td>
<td>22,000 sq.ft.</td>
<td>80 ft</td>
<td>110 ft</td>
<td>125 ft</td>
<td>3,500 sq.ft.</td>
</tr>
<tr>
<td>Lot 1</td>
<td>46,068 sq.ft.</td>
<td>155 ft</td>
<td>140 ft</td>
<td>345 ft</td>
<td>5,800 sq.ft.</td>
</tr>
<tr>
<td>Lot 2</td>
<td>22,000 sq.ft.</td>
<td>110 ft</td>
<td>110 ft</td>
<td>195 ft</td>
<td>9,840 sq.ft.</td>
</tr>
<tr>
<td>Lot 3</td>
<td>40,392 sq.ft.</td>
<td>110 ft</td>
<td>110 ft</td>
<td>355 ft</td>
<td>20,400 sq.ft.</td>
</tr>
</tbody>
</table>

* all numbers rounded to nearest 5 sq.ft.

Stormwater: Existing
There is an existing storm sewer pipe located in the northwest corner of the 12701 Lake Street Extension property. City records indicate that the pipe was installed in the late 1970s; the pipe outlets to a ditch that is part of the city’s stormwater conveyance system. There is no formalized easement over either the pipe or the ditch. However, the city does have a “prescriptive easement” over the area. A “prescriptive easement” is established when the city has used an area of property for public purposes for at least 15 years.

Stormwater: Management
Under the city’s stormwater rule, stormwater management is required when a property is divided into three or more lots. The management mechanism must control for runoff rate, volume and quality.

Background
In 2012, the city council approved MUCKALA ESTATES, a plat dividing 12701 Lake Street Extension property into two lots. These lots met all minimum standards of the subdivision ordinance. The final plat was not recorded with Hennepin County and has since expired. (See page A7–A8.)
In 2013, the planning commission reviewed what was then referred to as FRETHAM 17th ADDITION, a plat dividing the subject properties into four lots. The plat required lot width at setback variances. Both staff and the planning commission recommended denial of the plat. At the request of the applicant, the proposal was not considered by the city council. (See pages A9–A16.)

In 2014, the planning commission review what was then referred to as FRETHAM 18th ADDITION, a plat dividing the subject properties into four lots. One of the lots required a lot width right-of-way variance. Both staff and the planning commission recommended denial. The council concurred with this recommendation and denied the plat. (See pages A17–A22.)

**Motion Options**

The planning commission has three options:

1) Concur with the staff recommendation. In this case a motion should be made recommending the city council adopt the resolution approving the preliminary plat.

2) Disagree with staff recommendation. In this case, a motion should be made recommending the city council deny the plat. This motion must 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.

**Neighborhood Comments**

The city sent notices to 38 area property owners and received no comments to date.

**Deadline for Decision**

August 22, 2016
Location Map

Project: Fretham 18th Addition
Applicant: Lake West Development
Address: 12689 & 12701 Lake St Ext
Project No.12034.16a
EXISTING HIGH-PRIORITY TREES
PREVIOUSLY REVIEWED PLANS
committee to review. It was decided there was a better way to get the input. Currently input is received from the 160 plus neighborhood watch block captains. The department is connected with the school districts through Tonka Cares and the Hopkins One Voice programs. The department is actively involved with the Glen Lake Optimists. Officers are located at the two high schools. He and the mayor are members of the Rotary. Any of the groups can be contacted to address any issues that need discussion. Current members of the committee also would still be available to meet with. The department's citizens' academy also gives the department a valuable resource. He said the decision to dissolve the committee was not about severing connections with the community but rather finding a more efficient and effective way to get input from residents.

Schneider said it was his understanding the members of the committee understood the decision.

Wiersum said the committee did some ride alongs with police officers and it was an enjoyable and insightful opportunity that any resident could do.

Wiersum moved, Hiller seconded a motion to adopt Resolution No. 2012-120 All voted "yes." Motion carried.

F. Resolution approving an interim use permit and variance for seasonal outdoor sales at 14625 Excelsior Blvd

Allendorf moved, Acomb seconded a motion to adopt Resolution No. 2012-121 approving the request. All voted "yes." Motion carried.

G. Resolution approving a conditional use permit for Millennium Adult Day Care at 10901 Bren Road East

Allendorf moved, Acomb seconded a motion to adopt Resolution No. 2012-122 approving the request. All voted "yes." Motion carried.

H. Resolution approving the preliminary plat of MUCKALA ESTATES at 12701 Lake Street Extension

Allendorf moved, Acomb seconded a motion to adopt Resolution No. 2012-123 with the addendum approving the request. All voted "yes." Motion carried.

I. Extension of previously approved expansion permit and floodplain alteration permit for construction of a new home at 20 Westwood Circle
B. Preliminary plat, with lot width at setback variances, at 12701 and 12689 Lake Street Extension and an unaddressed parcel.

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

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

Kirk was curious if the applicant could have done a flag lot. Thomas stated that a variance would have been required to create a flag lot. A conforming single-family, residential lot has a minimum lot area standard of 22,000 square feet, minimum width of right-of-way standard of 80 feet, and minimum width at setback standard of 110 feet.

Kirk asked where the drainage ditch would be located. Thomas pointed out the existing configuration and the proposed realignment. Historical records show that the pipes have been located there since at least 1973. The city has a prescriptive easement over the area which provides the right to continue the drainage pattern in the area. The lot width is staff’s issue with the proposal, not the drainage.

Kirk commented that State Highway 7 created the long and narrow lots. The lots remind him of lake lots without the view. He noted that variances have been granted for much narrower lots and setbacks to accommodate the long, narrow lots that led to a lake. He asked if the strange-shaped lot could be considered a hardship. Thomas recalled situations when staff recommended approval of variances for construction on narrow lots. In this case, the variance would create even narrower and longer lots. The existing depth, relative to the width of the property, is not a circumstance that recommends itself to creating even narrower and deeper lots.

Chair Lehman clarified that the conditions are being requested to be reset for the lots.

Yetka asked if a landowner could challenge a prescriptive easement. Thomas answered affirmatively. The drainage easement does not impact the lot widths request.

Ben Wikstrom, Lakewest Development, applicant, thanked staff for the report. He was an intern for Minnetonka years ago. He stated that:

- The request is reasonable.
• Early meetings with staff told him that this would be a good path to go down.
• In 2010, the legislature changed variance requirements from undue hardship to practical difficulty. He argued that this proposal is what the legislature had in mind.
• The proposal cannot prove a hardship. There would be a reasonable use of the land with the conforming plat.
• There is a practical difficulty because the lot has two fronts. The conforming plat would remove up to 50 percent of the woods and buffer. Keeping the buffer is of overall importance. The comprehensive guide plan states that one of its goals is to create and maintain buffers from conflicting land uses. State Highway 7 would be a conflicting use adjacent to residential houses.
• His working knowledge tells him that the 4-lot adjacent layout would be better than the cul-de-sac layout.
• He is working on a development called Woods of Fairview. There is a 49-inch silver maple tree he wants to save. By definition, the tree has about a 150-foot critical root zone with a 75-foot radius. He would like to do some grading within 60 feet of the tree, but, by definition, it would not survive and not be saved. Strict interpretation based on benchmarks are sometimes different from what knowledge from being in the field tells him. The proposed layout would only save 1 or, he believes, 2 more high-priority trees, than the cul-de-sac layout. Having the buffer on Lake Street Extension is important and the buffer on State Highway 7 is even more important.
• In this case, State Highway 7 makes the site unique.
• The conforming plat would have a public street with more impervious surface that would require maintenance and extension of public utilities. The proposed plan would not require that.
• The conforming plat would lose 2 existing houses. A goal of the comprehensive guide plan is to preserve housing stock. The proposal would do that.
• Muckala estates could not have been a four lot plat.
• A couple of new houses on 92-foot lots would not look small or narrow even though they would not be like the hundred foot lots next door or across the street or some of the bigger lots in the neighborhood.
• The clearing along Lake Street Extension would not cause one to be “taken aback.” There are about 30 to 32 lots along Baker Road and the frontage road. At least two thirds of those have little to no
trees and mow right up to the road or have landscaping. He disagreed that different types of lots would be created.

- The request is reasonable. The proposal would not increase density.
- The lots would meet the minimum required lot size.
- The uniqueness of the property proves a practical difficulty.
- He is appealing to the commission’s sense of “practicalness.”
- Staff’s recommendation holds the application to the undue hardship standard rather than the practical difficulty requirement.
- The reduced widths would not adversely affect the neighborhood.
- He is not aware of any negative feedback.
- The proposal would be a smarter, greener, and more efficient layout without the increase in maintenance for the city.
- He is trying for the highest and best use of the site.

In response to Lehman’s question, Mr. Wikstrom stated that the conforming plat was considered, but not a flag lot. West of the property there are three lots served by one driveway. The next two lots west of those share one driveway. That is something the applicant considered, but the applicant believes that the buffer to State Highway 7 is critical. It would be easier to market the proposed lots. The reality of locating two houses near State Highway 7 is not something he would like to do, so this option is being pursued. If this proposal is turned down, then reconfiguring to a private drive would be considered. He could not speak on behalf of Mr. Fretham at this time, but Mr. Fretham is usually open to reconfigurations. He requested the current option be approved.

The public hearing was opened.

Gina Genadek, 12731 Lake Street Extension, stated that her concern is the storm sewer pipe. A lot of snow melting or heavy rain travels from her lot onto the middle lot and onto the front house’s property where the water travels into a drain and into the drain ditch. The proposal would eliminate the existing drain. If the drain would be eliminated, that would cause flooding. Her driveway floods now and it is higher than the neighbor’s front yard. If her lot would not drain, it would flood up into the middle house. She did not have a problem with the layout of the houses.

Mr. Wikstrom clarified with Ms. Genadek that the drain is located in the front yard of her neighbor. Ms. Genadek said that a lot of properties’ runoff travel into the front house’s drain. She wanted an assurance that it would not be sealed off and create a flooding issue.
No additional testimony was submitted and the hearing was closed.

Chair Lehman confirmed with Thomas that there would be no elimination of storm water facilities.

Yetka confirmed with Thomas that no application was ever received for a three-lot subdivision of the proposed site.

In response to Yetka’s question, Thomas explained that staff requires a conforming plat be provided by an applicant to identify the number of lots that would be allowed if all requirements were met. The four-lot subdivision “proof of plat” is not being proposed by the applicant. The “proof of plat” shows that the property has the ability to be divided into four lots and meet ordinance requirements. Staff had done a review of the “proof of plat” to make sure that the lots meet minimum dimensions and standards. Natural resources staff reviewed the “proof of plat” and the site to verify its conformance with tree ordinance requirements. Stout added that the applicant has submitted a preliminary storm-water management plan, but no calculations or detailed design. If the proposal would be approved, then a full plan and designs would have to be provided to move forward with issuing building permits.

Yetka asked if the “proof of plat” had been assessed for storm water requirements. Stout answered in the negative.

Kirk asked staff to discuss tree loss and use of a cul-de-sac. Thomas explained that the proposed plan would cause grading and tree removal on the west. The applicant’s proposal would preserve seven of the nine high-priority trees. The conforming plat would preserve six of the high priority trees. Colleran added that the tree ordinance regulates woodland preservation areas. No more than 35 percent of high-priority trees may be removed. There are a lot of significant trees on the site. The difficulty is that the proposed plan would have a lot of grading. The amount of grading could be reduced. The cul-de-sac itself would cause more tree loss, but, comparing that plan to whether or not a variance should be granted to allow four lots is not an accurate comparison.

Yetka asked about the property west of the site. Thomas stated that the lots do not have frontages on a public street, so variances would have been required. Staff will research when that took place.

Magney asked if the house on the west would fit on Lot 3. Thomas answered in the affirmative.
Yetka did not see a compelling reason to recommend approval of a four-lot subdivision as proposed. Long, narrow lots are not good planning and would create lots that would not fit with the neighborhood. There are a lot of homes between Lake Street and Highway 7. She agreed with staff’s recommendation. She preferred a three-lot subdivision. A four-lot subdivision with a cul-de-sac may be a valid configuration, but it would need to be assessed to adhere to all requirements. That would be the time to make a decision on granting that plan.

Kirk and Magney concurred with Yetka.

*Magney moved, second by Yetka, to recommend that the city council adopt the resolution on pages A8–A11 of the staff report which denies a preliminary plat with lot width variances for Fretham 17th Addition.*

Yetka, Kirk, Magney, Thaler, and Lehman voted yes. Knight and Odland were absent. Motion carried.
so what the city wanted to do was to manage the situation to the best
degree as possible by being reasonable but also say that business as
usual was not acceptable. The added green space was a plus but the
challenge was given the nature of the business the parking issue hasn’t
been solved and the issue had been a difficult one for the city. Taking
away the parking spots would demonstrate a punitive action but would not
guarantee there would never be a parking violation at Morries.

Wagner said the building looks like it is abandoned and an argument could
be made that having some cars there makes it look less abandoned. He
leaned toward taking Morries at its word that the issue will be addressed
but making it as painful as possible if they do not.

Barone suggested tabling the item to allow staff time to work with Morries.

Wiersum said he would support tabling the item to allow time for some
creative thinking about the use of the building. There was an opportunity
to create a win/win solution. If the city could get an agreement that the
building would be used in a particular way and was spruced up, that would
benefit the Morries and the city.

Schneider liked the idea of getting the building occupied and utilized. He
recommended that when staff looked at the penalty provision for violations
it would be fairly easy to identify cars that were in violation because cars
that were inventory would not have license plates on them. A first time
violation would be penalized.

Allendorf said there had to be a way to ensure there were not
disagreements about what a violation was and what was not.

Allendorf moved, Wagner seconded a motion to table the item.

Coyle said he had multiple conversations with Morries’ staff over the past
week and had been assured every time that the only cars parked on the
site were employee cars.

All voted “yes.” Motion carried.

C. Preliminary plat, with lot width at setback variances, at 12701 and
12689 Lake Street Extension and an unaddressed parcel

Gordon indicated the applicant asked for the item to be pulled.

Schneider asked for clarification if the applicant wanted the item pulled or
if he wanted it continued.
Curt Fretham, 15400 Highway 7 said he would like the item continued to have further conversations with staff.

Wagner moved, Wiersum seconded a motion to continue the item to a date uncertain.

Schneider said he supported the motion. He indicated the little narrow lots made no sense to him. The private drive serving three lots with one facing Lake Street did make sense.

All voted “yes.” Motion carried.

D. Appeal of the planning commission’s denial of an aggregate side yard setback variance for the construction of a garage addition at 5123 Belwood Lane

Gordon gave the staff report.

Lisa McCormick indicated she was speaking on behalf of the applicants. She said the appeal boiled down to two points. The first was the reasonableness of the application. She said the staff report indicated that looking at the other 18 or 19 homes on Belwood Lane all had two car garages. The applicants’ garage was the only one car garage on the site. While she appreciated the attention to keep the conformity of the existing neighborhood she noted a three car garage exists around the corner six homes away from the applicants’ property as well another home with a three car garage within 400 feet. She said the proposal took many things into consideration and it wasn’t just an issue of aesthetics. The original builder and architect looked at current water problems as well as potential safety issues with the sloping yard as well as storage issues. The planning commission found that the current enclosed carport was a garage. However according to the planning commission’s policies the standards for a single car garage was 13x24 feet. The current structure was substandard as it was 14x20 feet. There was no room for storage. The proposal was not an equivalent of a three car garage but more accurately was the square footage of a two plus car garage. The proposal did not build out to the maximum amount but was only trying to address storage needs. The property was unique with its mature trees.

McCormick said another issue was if there would be a front extension or a side extension. Right now the site was one of two homes that extended out to the front. Most of the homes were in line with a consistent line along the front setback except for the two homes. The fact that the home extended out to the front and had a one car garage made it unique from all
bad but was worth looking at. He said having an appropriately designed project that fit better in the area was a higher priority than saving the barn.

Ellingson asked what percentage of the units would be considered affordable. Jensen said all the units would be in the $800 to $1,000 per month range so all would be technically affordable but not low income. Ellingson asked if there was a limit to the number eligible for Section 8 vouchers. Jensen said the company generally tried to keep the number between 10 percent to 20 percent for any building.

Schneider said one of the comments was about a cozy relationship existing between Shelter Corporation and the city. He said there were Shelter owned projects in the city but there was no special relationship. He noted the company had a good reputation for doing this type of project.

Schneider called a recess at 8:16 p.m.

C. **Ordinance amending the city charter regarding purchasing**

Schneider called the meeting back to order at 8:24 p.m.

City Attorney Corrine Heine gave the staff report.

**Wagner moved, Bergstedt seconded a motion to adopt Ordinance No. 2014 -12. All voted “yes.”** Motion carried.

Allendorf was excused at 8:27 p.m.

B. **Preliminary plat, with lot width at right-of-way variance, at 12701 and 12689 Lake Street Extension and an unaddressed parcel**

Wischnack gave the staff report.

Wagner asked for confirmation that the three lots directly to the west were off of a private drive and not a public street. Wischnack indicated that was correct.

Wiersum said the staff report noted the city had a lot of property that fronts major thoroughfares. He asked if the city had ever enabled frontage along one of the major thoroughfares where there was no access to the roads as was being proposed for this development for the basis for a setback measurement. Wischnack said there were situations where they might be frontage on two different roads and maybe one road was not accessible because it was in a slope area or wetland or something like that. As far as a freeway she was not aware of a similar situation. She pointed to the
Terra Tonka development as an example. That development would have had frontage onto I494 and there could have been lot behind lot subdivisions. She said that area was similar and a new street had to be constructed to allow access back to the new lots. Wiersum said the request was to consider Highway 7 for the basis for the side yard setback and it appeared the city had not allowed that before without an alternative road.

Wagner said he would not ever consider Highway 7 being frontage.

Schneider said he didn’t ever recall the city saying a freeway or a major road that had the dynamics could be counted as frontage in order to make it a legal lot. He agreed with the staff’s assessment. With that off the table the question was if it made sense to have a lot behind a lot with all the normal provisions to grant a variance. He was more open to the setback if a three lot, or two lot subdivision was done with a private drive. If the size property warranted four lots what was the best end result? Saving two homes and doing a variance to accommodate this type of plat or putting in a public street that may result in some variances. He didn’t think it was beneficial to say the city was going to change policies to make it a legal lot but decide if it could be a buildable lot with appropriate variances. This was what he thought should be discussed.

Wiersum said the general direction was pretty clear that the Highway 7 frontage issue probably would not be agreed to by the council. The question then was if the subdivision with four lots make sense and if so how. It may not make sense. Resolving the first issue would open the door for discussion about the best options for the lot. Was it four lots or three? This remained to be determined.

Wagner asked if the driveway for the back would have an easement over both property lines. Wischnack indicated that there would have to an easement over both properties with the way it was shown.

Ben Wikstrom from Lakewest Development said last August Lakewest showed the planning commission a subdivision proposal that required lot width variances at Lake Street Extension. They thought that was a good, smart plan for many of the same reasons they preferred the one private driveway in this proposal. That plat and this one in opposition to the conforming plat with the cul-de-sac required less impervious surface, no extension of public utilities and associated maintenance and plowing. The tree loss would also be less with both of the plans. He said one extra high priority or significant tree would be saved with this plan. More importantly was the issue of the overall woods. The woods on Highway 7 was important to the buffer. Some of the trees may grow into a high priority or
significant tree at some point. All these detrimental factors could be eliminated when considering the cul-de-sac. The staff report mentioned the adjacent property and the character of the neighborhood. Those were the two lots immediately adjacent. He said those were developed in the 1980’s. West of those are two more homes approved in 1999.

Wikstrom showed an exhibit of other properties that could be viewed as examples of lots behind lots along major frontages. Wiersum said his question was for examples where the city allowed ‘backage’ to be treated as frontage similar to this proposal. Wistrom said one of the unique things about this property was it was subdivided during a time when access to Highway 7 was probably more likely. He showed an example of a five lot subdivision. There was the required square footage to do that with the same argument about frontage on to Highway 7. In the interest of meeting the city’s comp plan goal of preserving existing housing and keeping the woods along Highway 7 the proposal was for four lots. The private drive on the proposed plat would essentially just serve one lot in the back. Wikstrom said the Fretham 13th Addition along Orchard Road was similar to this in that there was no access to Orchard Road or to Park Valley. There was a wetland in the entirety of that frontage. There was a 20 foot easement granted to get to the property.

Wikstrom said he understood the contention that using Highway 7 as frontage was problematic. The survey may indicate there was legal access. His contention was Highway 7 should be viewed as the access but the code did not say legal access was needed, it only required lot frontage. He said staff’s interpretation of intent wasn’t proper if the defined requirements of the ordinance were met. Lakewest’s attorney agreed with this but they did not want to fight that battle. He said the plat was the smarter plat and the planning commission agreed. If the council approved the variance rather than believe it was not necessary, the practical difficulty was that the lots were old, deep and were approved when access to Highway 7 was probably more likely.

Acomb said recently the city had an appreciation event for the boards and commissions members. There was a sneak peek of the community survey. One of the survey’s questions was what residents appreciated most about the city. The number one answer was the natural character closely followed by neighborhood. As she reviewed the council packet and this agenda item and as she evaluated the appropriate layout for the development it seemed to her what the community was looking for was more neighborhoods like this rather than houses looking at the back of other houses. She understood the desire to maintain some existing housing stock but she thought some uniformity and making it a
neighborhood made sense to her. At this point she was not supportive of the configuration as proposed.

Wiersum said for this site you really might need to start with a blank sheet of paper. He was having a hard time coming up with a reason he would approve anything in front of him. He said the proposal was pretty classic shoehorning. He rejected the Highway 7 argument. If the desire was to preserve the existing homes the best scenario was likely for three lots. The third lot would still be strangely shaped.

Wagner said when he walked the property his first question was trying to figure out what was going on with the property to the west. He felt the property was challenging for four lots. He was not as adverse to a lot behind a lot because of the precedent to the west. He was not a big fan of lots behind lots but the precedent had been set. He said he could have some level of tolerance potentially for a lot behind a lot but his preference was not to further degrade the front lots. For him to support a lot behind a lot he would like to see access out to the private drive to the west. This would make the front two homes less intrusive.

Schneider agreed it was a challenging piece of property not only because of the shape but also because of the topography. The easement creates the complexity. When this is overlaid with the idea of saving two existing homes it makes it even more challenging. There was not an obvious easy solution and the challenge was coming up with the right solution. If asked what should be done that was most beneficial for the long term he would have said the lot lines should be eliminated altogether and to focus in on where the appropriate house pads should be located to fit into the topography with the lowest impact on the grades and the tree cover. He noted lots behind lots had been historically important long term to help shape the character of the city.

Ellingson said he understood the mayor’s point about how lots behind lots had benefitted the community and thought he was right. By not having a big cul-de-sac there was the ability to maintain the wooded feeling. He has also seen examples of lots behind lots where it looked like the house was in someone’s backyard.

Bergstedt said even though the city allowed lots behind lots in the past it had not allowed something similar in the recent history. He thought three lots would probably be most appropriate unless the two existing houses were taken down. Being ultra-creative to try to get a fourth lot did not serve the city well going forward.
Wiersum agreed lots behind lots had contributed a lot to the city and made Minnetonka a distinctive community. Combining the lot behind lot concept and the notion of good design with the level of development made the likelihood of the council approving many lot behind lot proposals in the future pretty low.

Wiersum moved, Acomb seconded a motion to adopt Resolution No. 2014-040 denying FRETHAM 18TH ADDITION, a preliminary plat, with lot width at right-of-way variance, at 12701 and 12689 Lake Street Extension and an unaddressed parcel. Acomb, Wiersum, Bergstedt, Wagner, Ellingson, and Schneider voted “yes.” Allendorf was excused. Motion carried.

D. Organizational performance

Barone presented the report.

Schneider said he occasionally gets asked by a resident why the city spends money on an annual survey. He said without the periodic ability to tweak questions, there would tend to be a blurred vision of what was going on in the city. An annual survey does provide better understanding to make better decisions.

15. Appointments and Reappointments: None

16. Adjournment

Bergstedt moved, Wagner seconded a motion to adjourn the meeting at 9:15 p.m. All voted “yes.” Motion carried.

Respectfully submitted,

David E. Maeda
City Clerk
Resolution No. 2016-

Resolution approving the preliminary plat of FRETHAM 18th ADDITION at 12689 and 12701 Lake Street Extension and an adjacent unaddressed parcel

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

Section 1. Background.

1.01 Lake West Development has requested preliminary plat approval for FRETHAM 18th ADDITION, a three-lot residential subdivision, at 12689 and 12701 Lake Street Extension and an adjacent unaddressed parcel.

1.02 The properties are legally described in Exhibit A of this resolution.

1.03 On June 16, 2016, the planning commission held a hearing on the proposed plat. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments received and the staff report, which are incorporated by reference into this resolution. The commission recommended that the city council grant preliminary plat approval.

Section 2. General Standards.

2.01 City Code §400.030 outlines general design requirements for residential subdivisions. These standards are incorporated by reference into this resolution.

Section 3. Findings.

3.01 The preliminary plat would meet the design standards as outlined in City Code §400.030.

4.01 The above-described preliminary plat is hereby approved, subject to the following conditions:

1. Final plat approval is required. A final plat will not be placed on a city council agenda until a complete final plat application is received.

   a) The following must be submitted for a final plat application to be considered complete:

   1) A utility exhibit illustrating existing and proposed utility connections to each lot.

   2) Documentation indicating the pipe inlet just north of Highway 7 at the 969.19 elevation directs water to the south, under the highway.

   3) A final plat drawing that clearly illustrates the following:

      1. All existing easements, including those described by Document No. 4404108 and 44041505.

      2. A minimum 10-foot wide drainage and utility easement adjacent to the public right-of-way and minimum 7-foot wide drainage and utility easements along all other lot lines.

      3. Drainage and utility easement on proposed Lot 1 extending from the west property line of Lot 1 to 10 feet east of the existing storm sewer pipe and centerline of the existing ditch.

   4) Documents for the city attorney’s review and approval. These documents must be prepared by an attorney knowledgeable in the area of real estate.

      1. Private utility easements over any existing or proposed service lines that cross shared property lines.

      2. Title evidence that is current within thirty days before release of the final plat.
2. Prior to final plat approval:
   a) This resolution must be recorded with Hennepin County.
   b) The documents outlined in section 4.01(1)(a)(3) above must be approved by the city attorney.

3. Prior to release of the final plat for recording, submit the following:
   a) Two sets of mylars for city signatures.
   b) An electronic CAD file of the plat in microstation or DXF.
   c) Park dedication fee of $5000.

4. Prior to issuance of a building permit:
   a) Submit a letter from the surveyor stating that boundary and lot stakes have been installed as required by ordinance.
   b) Submit the following items for staff review and approval:
      1) A final drainage plan and stormwater management plan. The plan must outline an acceptable method to address all of the following:
         a. Volume: One inch of abstraction over impervious surface is required.
         b. Rate. The speed of runoff leaving the site cannot exceed existing conditions. and
         c. Water Quality: 60 percent phosphorus and 90 percent total suspended solids must be removed.
      2) A final grading and tree preservation plan. The plan must:
         a. Be in substantial conformance with Grading Plan dated April 23, 2016;
         b. Illustrate the existing storm sewer pipe along the west side of proposed Lot 1 remaining in place.
Relocation of the pipe is not allowed. Any grading within this area must be approved by the city engineer.

c. Show sewer and water services to minimize impact to any significant or high-priority trees. No trees may be removed for installation of services.

3) A tree mitigation plan. The plan must meet minimum mitigation requirements as outlined in ordinance. However, at the sole discretion of staff, mitigation may be decreased.

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

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

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

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

3) All required hook-up fees.

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

5. No tree removal or grading may begin until a building permit is issued.
6. A full width patch of Lake Street Extension will be required if excavation for utility installation impacts greater than one half the width of the street.

7. All lots and structures within the plat are subject to all the R-1 zoning standards.

8. This preliminary plat approval will be void if: (1) a final plat application is not received and approved by July 11, 2017; and (2) the city council has not received and approved a written application for a time extension by July 11, 2017.

Adopted by the City Council of the City of Minnetonka, Minnesota, on July 11, 2016.

__________________________
Terry Schneider, Mayor

Attest:

__________________________
David E. Maeda, City Clerk

Action on this resolution:

Motion for adoption:
Seconded by:
Voted in favor of:
Voted against:
Abstained:
Absent:
Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a duly authorized meeting held on July 11, 2015.
David E. Maeda, City Clerk
EXHIBIT A

That part of Lot 10, BRENLYN PARK SECOND DIVISION, lying West of the East 300 feet thereof.

AND

That part of the abandoned right-of-way of the Chicago Milwaukee and St. Paul Railway Company in the Northwest Quarter of the Southwest Quarter lying North of the State Highway No. 7, except road, Section 23 Township 117, Range 22. The Westerly line of said right-of-way being a line drawn parallel with and 100 feet Westerly from the Westerly line of BRENLYN PARK SECOND DIVISION.

AND

The West 100 feet of the East 300 feet of Lot 10, BRENLYN PARK SECOND DIVISION.

AND

That part of Lot 9, BRENLYN PARK SECOND DIVISION, lying West of the East 130 feet thereof, excluding State Highway 7.
**Brief Description**  
Ordinance rezoning a portion of the property at 4301 Highview Place and an adjacent unaddressed parcel from R-1 to R-1A

**Recommendation**  
Recommend the city council approve the ordinance

**Background**

In 2014 the city council adopted the R-1A ordinance. Under the new ordinance, requests for rezoning and subdivision cannot be considered simultaneously. Rather, the rezoning review is informed by the submission of a conceptual plat. Only after the approval of a rezoning will a formal plat application be considered. (See pages A1-A11.)

**Request**

AKARE Companies, represented by Rob Eldridge, is requesting that a portion of the property located at 4301 Highview Place and an adjacent unaddressed parcel be rezoned from R-1 to R-1A. The submitted conceptual plan illustrates eight new R-1A lots accessed via a public cul-de-sac. These lots would range in size from 16,000 square feet to 22,000 square feet. The conceptual plat illustrates that the existing home at 4301 Highview Place would remain. While the existing property at 4301 Highview Place would be reconfigured to accommodate the new lots, it would not require rezoning to R-1A, as it would meet all minimum R-1 standards.

**Evaluation**

In accordance with the R-1A ordinance, the planning decision to be made at this time is whether or not a rezoning from R-1 to R-1A is appropriate for this site. Unlike other planning decisions – which must be made based on whether or not a submitted proposal meets a list of code-defined standards – a rezoning decision must simply have a reasonable and rational basis. In evaluating a rezoning request, the ordinance suggests that R-1A zoning be considered when:

1) The R-1A area would be appropriately integrated into the existing surrounding development; AND

2) EITHER more than a majority of the existing lots within the neighborhood do not meet R-1 standards OR the proposed R-1A areas would be served by a new street.

In staff’s opinion, the R-1A zoning would be appropriate for the site. Reasonable and rational arguments rezoning the area from R-1 to R-1A include:
1) The R-1A would not detract from the existing surrounding neighborhood. The site is located on the edge of an existing neighborhood and at the intersection of Highway 7 and I-494.

2) As presented on the conceptual plat, the R-1A area would be served by a new public street. This would result in the creation of a new neighborhood.

**Staff Comment**

While the decision to rezone a property to R-1A is discretionary, the decision to approve a plat within the R-1A district is not. If the requested rezoning is approved, the applicant could submit a formal plat application. If the formal plat is substantially consistent with the conceptual plat and meets the lot standards of the R-1A district, the city would be obligated to approve the plat.

Similarly, decisions regarding the home design and construction within the R-1A district are not discretionary. Within the R-1A zoning district the city can regulate home construction only by the standards included in the ordinance. These standards include setbacks, maximum height, floor area ratio and impervious surface. If a formal plat is approved, the applicant could submit applications for building permits. If the permit applications meet all construction standards of the R-1A district – and the Minnesota State Building Code – the city would be obligated to approve the permits.

In the R-1A district, the city cannot regulate home design or pricing. Such regulations are allowed only within a flexible zoning district, such as the PUD zoning district.

**Staff Recommendation**

Recommend that the city council adopt an ordinance rezoning a portion of the property at 4301 Highview Place and an adjacent unaddressed property from R-1 to R-1A. (See pages A12 - A15.)
Supporting Information

Concept Plan Review

During the past two years, three concept plan proposals have been reviewed for the two subject properties:

- In 2014, Whitten Associates submitted a concept plan contemplating the redevelopment of the two properties. The concept plan included six lots of single-family detached homes around a newly constructed cul-de-sac. The plan met all R-1 district standards but the applicant had not yet partnered with a builder.

- In late 2015, Whitten Associates and Ridge Creek Custom Homes submitted a revised concept contemplating the redevelopment of the properties with 10 villa style homes around a newly constructed cul-de-sac. The council was generally supportive of the smaller lots with price points in the range of $450,000 to $650,000 in the area. However, the council expressed concern regarding the concept’s proposed density.

- In early 2016, Whitten Associates and Ridge Creek Custom Homes submitted another revised concept. This concept included 9 villa-style homes around a newly constructed cul-de-sac. The council again expressed concern regarding the concept’s proposed density.

Neighborhood Meetings

The applicant has held two neighborhood meetings during the concept plan process. The following is intended to summarize those neighborhood meetings:

- On October 20, 2016, the developer held a neighborhood meeting to discuss the 10-lot concept plan. Approximately 10 people attended the meeting and raised a variety of questions related to traffic issues, density, setbacks, price points and construction noise.

- On January 13, 2016, the developer held a neighborhood meeting to discuss the 9-lot concept plan. Three people attended the meeting and raised concerns similar to those of the previous concept related to traffic and construction noise. In addition, the neighbors raised additional questions regarding the rationale for rezoning to the property to PUD and density of the homes.

Lot Standards

The following chart is intended to summarize the required lot and setback standards:
<table>
<thead>
<tr>
<th>Standard</th>
<th>R-1 zoning</th>
<th>R-1A zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>22,000 sf</td>
<td>15,000 sf</td>
</tr>
<tr>
<td>Buildable Area</td>
<td>3,500 sf</td>
<td>2,400 sf</td>
</tr>
<tr>
<td>Lot width at Setback</td>
<td>110 ft</td>
<td>75 ft</td>
</tr>
<tr>
<td>Lot width at ROW</td>
<td>80 ft; but 65 ft at cul-de-sac bulb</td>
<td>55 ft; but 45 ft at cul-de-sac bulb</td>
</tr>
<tr>
<td>Lot Depth</td>
<td>125 ft</td>
<td>125 ft</td>
</tr>
<tr>
<td>Max. Impervious Surface</td>
<td>Regulated only within the shoreland overlay district</td>
<td>50%</td>
</tr>
<tr>
<td>Max. Floor Area Ratio (FAR)</td>
<td>N/A</td>
<td>Lots less than 17,500 sf. = 0.24 Lots 17,500 sf or greater = 0.22</td>
</tr>
<tr>
<td>Front Yard Setback</td>
<td>35 ft; but 50 ft from the ROW of major collector or arterial roadways</td>
<td>35 ft from streets exterior to the R-1A district 25 ft from streets interior to the R-1A district</td>
</tr>
<tr>
<td>Side Yard Setback</td>
<td>10 ft; aggregate total of 30 ft</td>
<td>10 ft</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>40 ft or 20% of the lot depth whichever is less</td>
<td>30 ft or 20% of the lot depth, whichever is less</td>
</tr>
</tbody>
</table>

Based on the lot sizes illustrated on the conceptual plat, the following maximum impervious surface and floor area ratios would apply:

<table>
<thead>
<tr>
<th>Lot</th>
<th>Lot Area</th>
<th>Max Impervious *</th>
<th>Max FAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 2</td>
<td>16,868 sf</td>
<td>8,435 sf</td>
<td>4,048 sf</td>
</tr>
<tr>
<td>Lot 3</td>
<td>22,195 sf</td>
<td>11,100 sf</td>
<td>4,885 sf</td>
</tr>
<tr>
<td>Lot 4</td>
<td>19,895 sf</td>
<td>9,950 sf</td>
<td>4,380 sf</td>
</tr>
<tr>
<td>Lot 5</td>
<td>17,490 sf</td>
<td>8,745 sf</td>
<td>4,180 sf</td>
</tr>
<tr>
<td>Lot 6</td>
<td>18,184 sf</td>
<td>9,245 sf</td>
<td>4,000 sf</td>
</tr>
<tr>
<td>Lot 7</td>
<td>19,024 sf</td>
<td>9,512 sf</td>
<td>4,185 sf</td>
</tr>
<tr>
<td>Lot 8</td>
<td>16,039 sf</td>
<td>8,020 sf</td>
<td>3,850 sf</td>
</tr>
<tr>
<td>Lot 9</td>
<td>16,690 sf</td>
<td>8,345 sf</td>
<td>4,005 sf</td>
</tr>
</tbody>
</table>

* Rounded to the nearest 5 sf

While review of the lot standards on the proposed plat are not part of the current review, staff would like to note that the lots around the cul-de-sac bulb would not meet the minimum lot-width-at-setback requirements. The applicant is working to resolve this issue prior to subdivision review.
Floor area and Floor Area (FAR)

Based on code-definition and the city’s McMansion policy, floor area is the sum of above ground horizontal area of a home, as measured from exterior walls and including attached garage space and enclosed porch areas, and one-half of the horizontal area of any partially exposed level such as a walkout or lookout level. Floor area ratio is the floor area divided by the lot area.

**Neighborhood Comments**

The city sent notices to 39 area property owners and received no comments to date.

**Deadline for Decision**

August 18, 2016
Location Map

Project: Highview Place
Applicant: Rob Eldridge
Address: 4301 Highview Pl
Project No. 88082.16b

This map is for illustrative purposes only.
City of Minnetonka

Regarding: Highview Place Plat

To Whom It May Concern:

Ridge Creek Custom Homes has submitted a concept plan for the redevelopment of 4301 Highview Place. The total area of the property is approximately 4.5 acres and is currently zoned R-1. Ridge Creek’s plan is to create a new cul-de-sac with 8 single family home lots. The pre-existing home in the North West corner of the development would blend into the new development. The new single family homes would have a home owners association to maintain the landscaping and turf areas and be zoned R-1A.

Parcel 2211722310031 is currently zoned Residential, Homestead.

Parcel 2211722310032 is currently zoned Vacant Land-Residential, Homestead.

Sincerely,

Ridge Creek Custom Homes
LEGAL DESCRIPTION:

Parcel 1: That part of Lot 5, Block 1, Pierce's Addition, lying Southwesterly of a line drawn from a point on the Southerly line of said Lot 5 distant 70.0 feet East of the most Westerly corner thereof to a point on the Northwesterly line of said Lot 5 distant 56.15 feet Northeasterly of the most Westerly corner thereof.

Parcel 2: Tracts B, C and D, Registered Land Survey No. 557, Hennepin County, Minnesota, except that part of said Tract C, lying Southwesterly of the following described line: Commencing at the northwest corner of said Tract C; thence on an assumed azimuth of 182 degrees 25 minutes 01 seconds along the west line of said Tract C for 56.98 feet to the point of beginning of the line to be described; thence southeasterly for 123.37 feet on a non-tangential curve, concave to the southwest, having a radius of 66.00 feet, a delta angle of 86 degrees 48 minutes 42 seconds and a chord azimuth of 135 degrees 52 minutes 42 seconds to the northerly right of way line of Trunk Highway No. 494 as now located and established and said line there terminating.

NOTE: EXISTING CONDITIONS SURVEY PERFORMED BY ADVANCE SURVEYING & ENGINEERING.
LEGAL DESCRIPTION:

Parcel 1: That part of Lot 5, Block 1, Pierce's Addition, lying Southwesterly of a line drawn from a point on the Southerly line of said Lot 5 distant 70.0 feet East of the most Westerly corner thereof to a point on the Northwesterly line of said Lot 5 distant 56.15 feet Northeasterly of the most Westerly corner thereof and measured along said Northwesterly line.

Parcel 2: Tracts B, C and D, Registered Land Survey No. 557, Hennepin County, Minnesota, except that part of said Tract C lying northwesterly of the following described line: Commencing at the northerly corner of said Tract C; thence on an assumed azimuth of 182 degrees 25 minutes 01 seconds along the west line of said Tract C for 56.98 feet to the point of beginning of the line to be described; thence southeasterly for 123.37 feet on a non-tangential curve, concave to the southwest, having a radius of 66.00 feet, chord angle of 86 degrees 48 minutes 42 seconds and a chord azimuth of 135 degrees 52 minutes 42 seconds to the northerly right of way line of Trunk Highway No. 494 as now located and established and said line there terminating.

GED:

- R-1 Zoning
- R-1A Zoning

LOT DATA

- TOWN LOT ACRE: 0.80 ACRE
- HOMAN LOT ACRE: 0.30 ACRE
- HOMAN LOT WIDTH: 50.0 FT
- HOMAN LOT DEPTH: 123.37 FT
- EXCEPT
- FIREWAY: 10.0 FT
- SETBACK: 10.0 FT

DRAINAGE AND UTILITY EASEMENTS:

GOVERNING SPECIFICATIONS:

1. THE MINNESOTA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, EARTHWORK & URM
2. CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEA) STANDARD SPECIFICATIONS, EARTHWORK & URM
3. ALL APPLICABLE FEDERAL, STATE AND LOCAL LAWS AND ORDINANCES WILL BE CONSIDERED IN THE CONSTRUCTION OF THIS PROJECT
4. CITY OF MINNETONKA STANDARDS SPECIFICATIONS & DETAIL

HIGHVIEW PLACE
RIDGE CREEK CUSTOM HOMES
MINNETONKA, MN

PRELIMINARY PLAT

SHEET NO. 3 OF 10 SHEETS

04/01/2016

CAMPION ENGINEERING SERVICES, INC.
HIGHVIEW PLACE
RIDGE CREEK CUSTOM HOMES
MINNETONKA, MN

TREE PRESERVATION PLAN

N 9           11
TREE PRESERVATION PLAN

N 9           11

N 9           11

N 9           11
Ordinance No. 2016-

An ordinance rezoning portions of the existing properties at 4301 Highview Place and an adjacent unaddressed parcel

The City Of Minnetonka Ordains:

Section 1.

1.01 Portions of the property located at 4301 Highview Place and an adjacent unaddressed parcel are requested to be rezoned from R-1 to R-1A.

Section 2.

2.01 The area to be rezoned from R-1 to R-1A is legally described on Exhibit A of this ordinance.

2.02 The described area is depicted on Exhibit B of this ordinance.

Section 3.

3.01 Rezoning of these properties is appropriate. This action is based on the following findings:

1. The R-1A area will be appropriately integrated into the existing development.

2. The R-1A area will not detract from the existing surrounding development, as it would be located at the edge of an existing neighborhood and at the intersection of Highway 7 and Interstate 494.

3. All lots within the R-1A area will be served by a new street.

4. The rezoning is consistent with the comprehensive plan.
Section 4.

4.01 This ordinance is effective upon approval of the final development plan and final plat.

Adopted by the city council of the City of Minnetonka, Minnesota, on July 11, 2016.

____________________
Terry Schneider, Mayor

Attest:

____________________
David E. Maeda, City Clerk

**Action on this ordinance:**

Date of introduction: June 6, 2016
Date of adoption:
Motion for adoption:
Seconded by:
Voted in favor of:
Voted against:
Abstained:
Absent:
Ordinance adopted.

Date of publication:

I certify that the foregoing is a true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota at a regular meeting held on July 11, 2016.

____________________
David E. Maeda, City Clerk
EXHIBIT A

Legal Description to be Inserted Prior to Planning Commission Public Hearing
Minnetonka Planning Commission Meeting
June 16, 2016

Agenda Item 9

Other Business
**Brief Description**  
Glen Lake Neighborhood Study

**Recommendation**  
Review the study and provide feedback

**Background**

The study of the city’s village centers was identified as an implementation component in the city’s 2030 comprehensive plan. Since adoption of the comprehensive plan in 2008, planning studies and/or significant reinvestment/redevelopment have taken place at 11 of the city’s 13 village centers. In Glen Lake, both significant redevelopment and a number of planning studies have materialized during the past decade.

The most recent Glen Lake Neighborhood Study builds upon past work and redevelopment that has occurred. A key piece of the study was the involvement of a neighborhood work group that was the result of a prior scoping process in late-2014. The study focuses on redevelopment options for a series of sites scattered throughout the area that have the potential for change. In addition, the idea that Glen Lake’s namesake lake can become a more integral community amenity is explored.

The consultant team from Hoisington Koegler Group will provide an overview of the study and be available for questions from the commission.

As public involvement was an important aspect of the planning process, the commission should allow time for public comment. Postcards were sent to residents in the notification area that public comment would be taken. Staff will also provide any written comments received prior to the meeting.

**Staff Recommendation**

Staff recommends the planning commission review the study and provide feedback.

**Originator:**  
Loren Gordon, AICP, City Planner
ACKNOWLEDGEMENTS:
City of Minnetonka:
  City Council Members:
  Terry Schneider, Mayor
  Dick Allendorf, At Large
  Patty Acomb, At Large
  Bob Ellingson, Ward 1
  Tony Wagner, Ward 2
  Brad Wiersum, Ward 3
  Tim Bergstedt, Ward 4

  Planning Commission:
  Deborah Calvert
  Kevan Hanson
  Brian Kirk, Chair
  David Knight
  Sean O’Connell
  Heather Odland
  John Powers

  Community Planning Staff:
  Julie Wischnack, AICP
  Community Development Director
  Loren Gordon, AICP
  City Planner
  Susan Thomas, AICP
  Assistant City Planner

Prepared by:
Hoisington Koegler Group, Inc.

Special Thanks To:
The Glenn by St. Therese Southwest, for hosting some of the project’s community engagement meetings
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Project Overview

Over the past decade, a significant amount of change has taken place in the Glen Lake Neighborhood. A number of studies took place from 2003 to 2008. A 2005 market study investigated a number of topics, including can the community support and attract a full-service grocery store and can mixed-use development formats featuring housing situated over ground-floor retail contribute to the area? The answer to both of these questions is a resounding – yes. Lunds & Byerlys now occupies the former Driscoll’s grocery space providing the neighborhood with a broad range of food products from this premium Twin City grocer. The Oaks Glen Lake Apartments, which features ground floor retail space, expanded the housing opportunities in the area.

In 2014 Kraemer’s Hardware store relocated from the north side of Excelsior Boulevard to the Glen Lake Center. Subsequent interest in the reuse of the property, as well as interest in the adjacent businesses, prompted the City to initiate the Northwestern Glen Lake Study. The study, completed in September of 2015, focused primarily on properties along Excelsior Boulevard between Williston Road and Beacon Hill. The study included four distinct community workshops involving almost 150 people. The outcome of the effort was a set of development guidelines that reflect the consensus of residents and property owners who participated in the sessions.

This study, Glen Lake Village Neighborhood Study, builds off of the work that was completed in 2015. It focuses on the examination of a series of parcels that are scattered throughout the general area to explore:

» The establishment of a common vision for future change in the area
» Exploration of park, open space and trail opportunities
» The identification of aesthetic and public realm improvements
» Providing overall future land use guidelines

Ideas pertaining to the future use of these parcels that were developed during the planning process were reviewed by a Neighborhood Work Group for feedback before being critiqued by the larger neighborhood.

Integrating Prior Plans:

Glen Lake Neighborhood Concept Plan - 2003

The plan integrated elements of the land use and public realm improvements identified in the plan including:

» Locations for commercial and retail development
» Intersection improvements

Glen Lake Streetscaping Project - 2008

The project integrated elements of the land use and public realm improvements identified in the plan including:

» Locations for gateway elements, public art, and water features
» Pedestrian and bicycle improvements and connections

Northwest Glen Lake Study - 2015

The study established a list of development guidelines to be used by the City and developers to address shared parking, coordinated and complementary land uses, attraction and retention of existing retail and services, and safe and effective traffic movement.
The Planning Process

The planning process has three primary components.

**ORGANIZE THE EFFORT**

» Establish base information

**EXPLORATION**

» Explore elements of a common vision
» Explore development and redevelopment alternatives, connection and recreational open space opportunities

**CREATE A STRATEGIC FRAMEWORK FOR THE FUTURE**

» Assemble framework elements
» Compile framework document
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Community Engagement Process

The neighborhood planning process included a series of neighborhood meetings with hands-on workshop opportunities for involvement by area residents and businesspersons. The meetings began in the summer of 2015 and concluded in early 2016 with a community meeting to review proposed redevelopment scenarios and public realm enhancement recommendations. Meetings included broader neighborhood group members and neighborhood liaisons to form a workgroup to help guide the planning process and meeting topics.

In addition, a new communication tool was used to actively engage all stakeholders before, during and after meetings throughout the process. Minnetonka Matters was an interactive tool to continue conversations on planning topics, issues & opportunities, and to comment on proposed concepts throughout the process. This on-line forum allowed for live participation during meetings and provided post-meeting follow-up dialogue for those interested in the process.
WHAT WE’VE HEARD:

“We need to improve Glen Lake. It’s a critical community resource and we need to improve access to the water and protecting the lake’s water quality”

Public Meetings

JULY 23, 2015
Meeting Topic: The discussion included a summary of activities to date, the purpose of the current study, goals and a specific schedule of activities. Participants were asked to identify areas of concern, opportunities, and areas of inspiration. Below are links to the discussion topics.
http://minnetonkamatters.com/forums/glen-lake/ideas/opportunities-and-areas-of-inspiration
http://minnetonkamatters.com/forums/glen-lake/ideas/what-are-your-issues-or-concerns

AUGUST 13, 2015
Meeting Topic: The discussion included more in-depth discussion on the following topics: Hennepin County Home School (Commissioner Jan Callison speaking), natural resources including Glen Lake water quality and area parks and trails.

AUGUST 18, 2015
Meeting Topic: Interactive workshops to explored big picture options for future development in the neighborhood, focusing conversations around potential redevelopment opportunities, recreation and open space opportunities.

JANUARY 20, 2016
Meeting Topic: The meeting reviewed the redevelopment scenarios and outlined principles which will then be reviewed by the city’s planning commission and council.

A summary of each of these meetings can be found in the appendix.

The City of Minnetonka hosted several public meetings engaging residents throughout the process.
Analysis Overview

GLEN LAKE / WATER QUALITY
As part of the planning process Minnetonka Staff presented information to address questions from residents about the health of Glen Lake which included:

» Fishery conditions: Dominated by small pan-fish, fish population heavily influenced by occasional winter-kill events

» Vegetation conditions: Diverse NATIVE aquatic plant community

» Water quality: Fluctuates, but is generally in line with other area lakes

» Impact of development: Recent area stormwater improvements are helping mitigate the impact of runoff from roadways and new development, but the lake still receives a large amount of contaminants from surface water runoff originating from older, established area land uses

» What residents can do to help improve the quality of Glen Lake

TRANSPORTATION AND ACCESS
Development areas have direct access to a robust transportation network, with east-west connections via Excelsior Boulevard and County Road 62, and Eden Prairie Road connecting north-south. Transit service occurs along Excelsior Boulevard with express service to Minneapolis, and a planned LRT station at nearby Shady Oak Road.

HENNEPIN COUNTY SITE
Very preliminary conversations are occurring about the long-term future of the Hennepin County Home School property. Should the property ever become available for some other use, the site has many features that could make it attractive for redevelopment.

The Home School campus sits on the west side of the property. The majority of the property currently consists of open space. Large stands of mature pine and oak forests bound the site to the east and portions of the south, while Glen Lake and Glen Lake Golf Course border it on the north and west. The site boasts a rolling scenic natural landscape similar in character to an oak savannah with beautiful views throughout the site and good access to natural resource and recreational amenities. Access to the site is via an existing entrance at the southwest corner of Country Road 62, or in the northwest corner off a small dead-end residential road (Boy School Road).
FIGURE 3.2 AREA ANALYSIS MAP
Opportunities and Areas of Inspiration

As part of the community engagement process, public meetings were held to allow residents to identify existing natural resources and community assets that are important to the success and vitality of the community. These were broken down into the following two categories:

DEVELOPMENT/LAND USE

Land use and development patterns are a sign of the community character and vitality and often signal level of investment by local residents. The Glen Lake community identified these land use and development opportunities:

» New development has been successful and relatively well received
» Desire for a wider range of housing options that make the area attractive to a broader spectrum of people
» Interest in a wider range of retail options, either into existing buildings or as redevelopment of under-utilized sites
» Desire for more park and recreation options, including both active and passive recreation
» Take advantage of existing park and open space resources, and improve what is already in place
» Glen Lake is a substantial and under-utilized natural resource
» Potential for connections to regional trails and transit
» Area has a lot of housing options for seniors
» Good variety of local businesses (grocery, hardware, post office, etc)
» Local business owners are active in the community
» Area housing is affordable

AMENITIES/PUBLIC REALM IMPROVEMENTS

The public realm is an important component of a healthy neighborhood; it provides a sense of place and important public spaces for gathering and recreation. Glen Lake residents identified the following elements:

» Existing sidewalks and trails are frequently used
» Abundant area wildlife, particularly around Glen Lake
» Recent roadway improvements have added to the sidewalk and trail network and improved crossings of major roadways
» Golf course is an important community destination and resource
» Hennepin County site could be a substantial community resource, particularly for making a ‘lake loop trail’ and providing access to open water
» Proximity to LRT and Regional trails is something that should be more fully explored
» Area has good connections to major transportation infrastructure
» Glen Lake Station Park was renovated in 2009 and is frequently used by residents
Community Issues and Concerns

Local residents were also asked to voice their concerns about existing local development patterns, land use, amenities, and natural resources to provide a clear picture of what isn’t working in the area.

DEVELOPMENT/LAND USE

Development that doesn’t fit the scale, character or use of a neighborhood or land uses that have not aged gracefully or no longer provide the highest and best use of land can detract from a neighborhood’s character and economic health. Area residents identified the following concerns regarding land use and development:

» Substantial amount of density already in the area, concern that development isn’t matching the existing scale and character of the neighborhood
» Traffic congestion during peak periods can be problematic for residents
» Development and redevelopment need to address the lack of architectural character and attractiveness of some of the existing buildings
» Adequate parking and access for local businesses is lacking
» The area lacks a destination to draw in outside visitors
» Support and retain existing local businesses and employers
» Minimize the impact of development and redevelopment on Glen Lake
» Streetscape improvements are needed to make the sidewalks feel more pleasant

AMENITIES AND NATURAL RESOURCES

Just as high quality public spaces and natural resources can add interest and energy to a community, so too can they harm that community when those spaces and resources become uncomfortable, degraded, and unattractive. Community members identified the following areas of concern:

» Need to provide more transportation/transit options for local residents
» Pedestrian crossings on busy streets feel unsafe
» Sidewalk network is sporadic and disconnected in areas
» Certain areas are poorly lit and lack good visibility and safety
» Need to address the water quality and access concerns of the neighborhood’s most prominent and valuable resource, Glen Lake
» The neighborhood has no sense of entrance, nothing marks your arrival into the neighborhood
» Local parks are under programmed and under-utilized, lack appropriate programming for residents, don’t fully utilize natural resources
» General lack of plaza/public space on Excelsior Boulevard
» The neighborhood needs a coherent senses of identity/place
» Strengthening existing sidewalk and trail network connections to surrounding destinations and natural resources
» Create a loop trail system around Glen Lake
» Protect existing wildlife and natural resources

WHAT WE’VE HEARD:

“(The Glen Lake neighborhood) needs development that fits the existing character and feeling of the neighborhood”
Land Use

In the early stages of the planning process, a high-level review of all of the parcels in the study area was conducted. The vast majority of the Glen Lake neighborhood area includes various types of housing and commercial development that is firmly established and has been in place for many years. Other parcels are likely to change or may change over time.

Parcels that are the subject of pending development that have received prior approval from the City were considered as being subject to eminent change. Other parcels that owners and/or developers have expressed ideas and concepts about future development were categorized as having near term development potential. And finally, a third category of parcels was identified for areas where potential change might occur over a longer period of time. Properties in this category are those that have larger land areas or are in locations that could encourage future change. It is important to note that owners of properties in this third category have not expressed interest in development and that the City is not encouraging any specific change to any of these properties.

The purpose of looking at all of these land areas is to address the “what if” situation. Should changes occur in the future, the Glen Lake Neighborhood Study will serve as guidance for discussions between the property owners and the City.

Figure 4.3 identifies the properties that were categorized as either pending development, near term development potential or areas that may see change. The following is an overview of each:
PENDING/RECENT DEVELOPMENT
Williston Woods West
» Develop two north lots into 5 detached single family homes

Old Kraemer’s Hardware Site
» Demolish the existing building, new day care to be constructed

NEAR TERM DEVELOPMENT POTENTIAL
East (south parcel) Site (Approximately 2.5 Acres)
» Townhomes potential similar to the ‘Water’s Edge’ development
» Single family, either on the entire site or as an interior development type paired with townhomes adjacent to Stewart Lane

Central Site (Approximately 11 Acres)
» Townhomes oriented to Eden Prairie Road
» Single family, either on the entire site or as an interior development type paired with townhomes along Eden Prairie Road

AREAS THAT MAY SEE CHANGE
Hennepin County Site (Approximately 146 Acres)
» Townhomes near southern end of site against Highway 62
» Large passive recreation park at the Home School site (lake access, wetlands, trails, interpretative activities)
» Site as regional park and open space, provide active and passive uses
» A mixed development of single family residential in the core and along Eden Prairie Road and apartments along Highway 62 with integrated park space along Glen Lake shoreline, potential PUD style development
» Single family homes at north end and in core of site, leaving space for park/natural area on east and north end along Glen Lake
» Trails on Home School site, especially along lake, as part of large housing development
» Create trails within a large park, particularly to provide access to the south shoreline of Glen Lake

West Site (Approximately 5.5 Acres)
» Single family residential on the west/south side of the site
» Better connect property to Excelsior Blvd. through commercial site to north
» Preserve existing farm

East (north parcel) Site (Approximately 1 Acresa)
» Ideal location for retail development
» Potential location for restaurant
» Potential park use
» Mixed use building on site as extension of mixed use to the west
» Potential for commercial office

NORTHWEST GLEN LAKE PROPERTIES
These properties were previously studied by the community for redevelopment. Residents expressed interest in the following use(s):
» Retail in the middle and east end of the properties

Central Site
» Bank could be an optional retail use at the eastern corner of the site
» Restaurants could be an optional use
» Develop properties with shared underground parking
FIGURE 4.3 DEVELOPMENT SITES MAP
Public Realm Improvements

Input on public realm improvements came from the community, city staff and a review of previous public realm planning done for the area. Those recommendations are as follows:

KINSEL PARK
» Safety/lighting issues where trails exit park on east side onto Mayview Road
» Trails through park are difficult to use due to poor surface conditions
» Benches and tables are needed in conjunction with a small/simple shelter
» Planting to create more interest (gardens, rain gardens, orchard, etc.)

GLEN LAKE PARK
» Improve crossing from Glen Lake Park to Kinsel Park across Excelsior Boulevard
» Gateway opportunity near Glen Lake Park along Woodhill Road

STEWART LANE
» Traffic volume issues with development, need for traffic calming and management of cut-through movements

EXCELSIOR BOULEVARD
» Entry feature opportunity at NE corner of Williston Road and Excelsior Boulevard
» Improve the crossing at Excelsior Boulevard and Woodhill Road, unsafe despite recent improvements
» Improve biking conditions between Glen Oak Street and Glenview Drive
» Lighting improvements east of Kinsel Park
» Improve lighting between Williston Road and Beacon Hill Road
» More seating, benches and tables in conjunction with restaurants/retail
» Potential public art/place making/neighborhood identity opportunity on the NE corner of Beacon Hill Road and Excelsior Boulevard
» Gateway or place making element to announce arrival into Glen Lake area
» Post office difficult to access
» Vegetation/planting to screen power station

WOODHILL ROAD
» Needs improved lighting, too dark

HENNEPIN COUNTY HOME SCHOOL SITE
» Site could have enhanced wetland areas, with potential for interpretive/interactive plant centric programming

GLEN LAKE
» Create a loop trail that goes around Glen Lake, if possible
» Provide a connecting trail along the eastern and southern edges to connect north trails (Kinsel Park) to eastern and southern trail system

OTHER
» Parking along Tree Street is a concern

WHAT WE’VE HEARD:
"Kinsel Park could be a lot more than it is, there’s just not much to do there now. It needs more lighting, better trail surfaces, seating, a place to gather like a picnic shelter, and most importantly better access to Glen Lake"
FIGURE 4.4 PUBLIC REALM IMPROVEMENTS
The following redevelopment concepts represent possible redevelopment ideas and will be used as tools for discussion with developers or property owners who bring forward ideas and proposals. **No development plans are currently proposed for these sites.**

### Central Site

#### OVERVIEW

The Central site is located east of Eden Prairie Road south of the commercial node in the Glen Lake Neighborhood. This study site extends from the Glen Lake Family Dentistry south to Ferris Lane. The eastern boundary is created by Glen Lake and a wetlands complex to the northeast. The study area consists of 7-9 single family lots of varied size, age and condition. This site has seen development pressure in the past and because of it’s proximity to the neighborhood commercial center, it’s a large land area and it’s adjacent to Glen Lake.

The two concepts show different approaches to housing product types, but generally maintain the same development pattern with a singular, realigned access to align with Glendale Street and two cul-de-sac feeding development sites. The areas running north/south along Eden Prairie Road are envisioned to have villas or attached townhomes in order maintain a narrow development depth and preserve as much of the woodland hillside as possible. The southern street leg would be comprised of single family home sites and would provide access to the existing homes to the southeast of the study site. Lots would remain compact and home sites would be positioned outside of the bluff line to preserve the existing hillside forest. Concept B shows the potential to expand single family housing to the south off of the southern cul-de-sac should there be developer interest.
GUIDING PRINCIPLES

» Focus on residential land use on the site ranging from low density detached to high density attached

» Provide a mix of housing types on the site, including single family home sites, villas and townhomes

» Transition from medium density along Eden Prairie Road to lower density in the southern and eastern portions of the site

» Preserve the existing woodland on the eastern portion of the site.

» Preserve the large forested area on the hillside down to the wetland and lake by holding back development and home sites on top of the hill and utilizing conservation easements to preserve the land area as perpetual open space

» Target approximately 50% of the land area to be open space, preserve or park

» Align a singular access point with Glendale Street

» Control and route stormwater away from the lake, back toward the west

» Provide enhanced pedestrian connections along the east side of Eden Prairie Road, connecting back to the commercial core

» Explore the opportunity for additional trail connections through the woodland to connect back with Dickson Road, or to the south ultimately connecting to the Home School site

» Maintain access to existing homes to the south through shared access easements

» Explore the potential for additional single family housing lots south of new roadway (Concept B)

SUGGESTED LAND USES

As with the West Site, attached townhomes and stand alone villas were explored for this site to transition from the existing single family housing to the south, north to the commercial land uses. These uses provide smaller lot sizes and the ability to preserve more land as open space possibly through conservation easements.
**FIGURE 5.5 CENTRAL SITE - CONCEPT A**

### DEVELOPMENT TOTALS

|---------|-----------------|-------|------------------------|-------------|---------------|-------------|
| OPTION A
| 10     | 11              | 8     | 5.5 Acre               | 21 SFR      | 2.3 Unit/Acre | 4.1 Unit/Acre |

**NOTE:** Concepts do not represent actual development proposals and are for discussion purposes only. They do not imply that development is or will be supported by property owners.

This trail segment will require property owner cooperation.

Possible trail connections.
This trail segment will require property owner cooperation.

NOTE: Concepts do not represent actual development proposals and are for discussion purposes only. They do not imply that development is or will be supported by property owners.
West Site

OVERVIEW
The West site is located southwest of Excelsior Boulevard and Eden Prairie Road behind the commercial development including the new location for Kraemer’s Hardware Store. The site is accessed off of Glendale Street from the south and is a large, contiguous piece of land with an old farmstead situated in the center of the site. The site sits lower than Eden Prairie Road to the east and the commercial development to the north, is heavily wooded with small wetland pockets on the east and far west of the property.

Three concept alternatives were explored for this property. The first concept shows attached townhomes clustered together on the west central portion of the property preserving the woodland edge to the east. The second and third concepts highlight a villa housing type that could entirely redevelop on the site, or work in conjunction with the preservation of the existing farmstead.
GUIDING PRINCIPLES
- Preserve the existing woodland and small wetlands on the eastern portion of the site
- Preserve existing farm house
- Target approximately 40% of the land area to be preserved as open space
- Focus on residential land use on the site ranging from low density detached to medium density attached
- Explore a mix of housing types on the site ranging from preservation of the existing single family home in combination with villas or attached townhomes
- Provide pedestrian connections along Glendale Street to connect with newly installed trail on Eden Prairie Road
- Provide an internal pedestrian circulation network
- Explore the potential for a pedestrian connection to the commercial development near Williston Road
- Maintain a singular, vehicular access point to Glendale Street

SUGGESTED LAND USES
Attached townhomes and stand alone villas were explored for this site to transition from the existing single family housing neighborhood to the south, north to the commercial land uses.
DEVELOPMENT TOTALS

<table>
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<th>OPTION A</th>
<th>MDR</th>
<th>Wetland / Floodplain</th>
<th>Open Space</th>
<th>UNIT TOTALS</th>
<th>Gross Density</th>
<th>Net Density</th>
</tr>
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<tr>
<td></td>
<td>12</td>
<td>1.5 Acres</td>
<td>1 Acre</td>
<td>12 MDR</td>
<td>2.2 Unit/Acre</td>
<td>4 Unit/Acre</td>
</tr>
</tbody>
</table>

NOTE: Concepts do not represent actual development proposals and are for discussion purposes only. They do not imply that development is or will be supported by property owners.
NOTE: Concepts do not represent actual development proposals and are for discussion purposes only. They do not imply that development is or will be supported by property owners.
<table>
<thead>
<tr>
<th>OPTION</th>
<th>Compact SF Res</th>
<th>MDR</th>
<th>Wetland / Floodplain</th>
<th>Open Space</th>
<th>UNIT TOTALS</th>
<th>Gross Density</th>
<th>Net Density</th>
</tr>
</thead>
<tbody>
<tr>
<td>C</td>
<td>8</td>
<td>-</td>
<td>1.75 Acres</td>
<td>2 Acre</td>
<td>8 SFR</td>
<td>1.5 Unit/ Acre</td>
<td>4.5 Unit/ Acre</td>
</tr>
</tbody>
</table>

**NOTE:** Concepts do not represent actual development proposals and are for discussion purposes only. They do not imply that development is or will be supported by property owners.
East Site

OVERVIEW

The East Site is comprised of two distinct areas, the first (South) is a narrow sliver of land extending from Stewart Lane southeast to Glen Lake. The second (North), is a smaller site nestled between Excelsior Boulevard and Stewart Lane just east of the Gold Nugget restaurant.

The Commercial / Mixed Use Site (North) along Excelsior Boulevard provides a great opportunity as a gateway to the commercial district in the Glen Lake Neighborhood. Two concepts explore the possibility of a stand-alone commercial/ office development and the other a vertical mixed use project with ground level retail and housing above. Access to this site must be considered in conjunction with the recently completed development to the east to potentially share a joint access to minimize the number access points to Excelsior Boulevard and keep traffic off of the much narrower Stewart Lane.

The Residential Site (South) is challenging for development due to the narrow width of the parcel, but it does have access to Stewart Lane and offers views of Glen Lake on the southern portion of the property. The concept alternatives explored the development of single family home sites or villa-type townhomes off of a singular, shared access drive. The five single family home sites would allow for more tree preservation on the larger lots and is suggested based on discussions with the neighborhood working group. Additional trail connections could connect back to Kinsel Park.
GUIDING PRINCIPLES

Commercial / Mixed Use Site - North

» Focus on commercial office or vertical mixed use with retail on the ground level and residential above
» Locate the building toward Excelsior Boulevard with parking to the south or under the building
» Investigate a shared, singular access to Excelsior Boulevard between the proposed development and the property to the east
» Design the access as a driveway, not as an extension of Woodhill Road
» Provide pedestrian connections along Excelsior Boulevard and Stewart Lane
» Explore a pedestrian link between the Gold Nugget and the proposed development
» Treat the northeast portion of the property with high quality architectural features and landscaping to create a sense of entry to the commercial district

Residential Site - South

» Create a narrow lane along the western boundary of the site for development access and pedestrian connectivity
» Explore single family housing sites or villas on the property
» Preserve trees to the extent possible, particularly at the entry to the property along Stewart Lane and along the shoreline of Glen Lake
» Reduce grading on site by matching street and housing finished floor elevations to existing contours and collecting stormwater in locations shown on plan
» Explore a trail connection to Kinsel Park along the shoreline of Glen Lake in conjunction with easements with adjacent development
» Utilize dark sky compliant lighting to minimize light pollution

SUGGESTED LAND USES

Traditional single-family housing or villas are suggested as options for the residential site north of Stewart Lane. Commercial office (1-2 stories) or a mixed-use development (3-4 stories) including housing and a commercial business are suggested as options for the site south of Stewart Lane. Given the prominence of this location along Excelsior Boulevard, the buildings should have high quality materials and interesting architectural features.
**NOTE:** Concepts do not represent actual development proposals and are for discussion purposes only. They do not imply that development is or will be supported by property owners.

This trail segment will require property owner cooperation.

Possible trail connections.

This trail segment will require property owner cooperation.

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**DEVELOPMENT TOTALS**

<table>
<thead>
<tr>
<th>SF Res.</th>
<th>Compact SF Res.</th>
<th>HDR</th>
<th>Restaurant</th>
<th>Office</th>
<th>Open Space</th>
<th>UNIT TOTALS</th>
<th>Gross Density</th>
<th>Net Density</th>
</tr>
</thead>
<tbody>
<tr>
<td>OPTION A</td>
<td>5 Units</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>6,500 SF</td>
<td>0.5 Acre</td>
<td>5 SFR Res 6,500 SF Office</td>
<td>2 Unit/Acre</td>
</tr>
</tbody>
</table>

FIGURE 5.10 EAST SITE - CONCEPT A
This trail segment will require property owner cooperation.

NOTE: Concepts do not represent actual development proposals and are for discussion purposes only. They do not imply that development is or will be supported by property owners.
Hennepin County Site

OVERVIEW

Situated on the southern boundary of Glen Lake and north of Country Road 62 is the current Hennepin County Home School. Comprising nearly 146 acres of contiguous land, the site features a mix wetlands, woodlands, open grassland with the primary campus on the western portion of the site adjacent to Glen Lake Golf and Practice Center.

On August 13, 2015 County Commissioner Jan Callison provided an update to the community on the Hennepin County site including reviewing the history of the Home School, the current services at the facility, and then discussed the possibility of partnering with Ramsey County to consolidate the two entities and locations closer to where services are more needed, rendering this site obsolete. The County may be looking to sell the property in the future, thus the reason for the City of Minnetonka to explore potential development scenarios on the property, however no formal time table or commitments by Hennepin County have been established.

The eastern portion of the site has a large wetland, woodland area and pine stand as significant natural features. A central wetland bisects the site with the main campus on the western side and open grassland on the remaining eastern portion. There are two access points to the facility on the western edge near the golf course. During the review process with the community, comments on this site included:

» Try to find a balance between development, and preserving park, open space and wildlife habitat
» Ensure that development is designed sustainably to protect Glen Lake, too much density is a concern
» Create trail connections to and from the site
» Explore a broader park or small commercial use as well
FIGURE 5.12 HENNEPIN COUNTY SITE - SITE ANALYSIS
BUILDABLE AREAS ANALYSIS

After removing larger wetlands, steep slopes as well as desired landscape features to preserve such as the pine woodland on the eastern edge of the property and the lakeside areas, two distinct development areas exist. The West and East sides are separated by a large wetland complex. The West side is home to the existing Home School facility and comprises approximately 41 acres of buildable land. The East side is currently undeveloped and is similar in size at 38 buildable acres, for a total of 79 +/- buildable acres.

Access to the site is an important future consideration for development. Existing access points should remain. A third access point should be explored with the Hennepin County Transportation Department to provide direct access to the eastern half of the property. At the narrowest point between the east and west sides, a roadway connection could be established to link the two areas and provide better internal site circulation and emergency service access. The location is a great opportunity for a signature bridge feature for the development.

The roadway connection between the east and west sides of the property creates a unique opportunity for a signature development feature.
NOTE: Realign existing access to improve traffic flow and entry sequence into existing golf course and potential redevelopment area.
GUIDING PRINCIPLES - PARKS, TRAILS & OPEN SPACE

» Allow the existing natural features (wetlands, woodlands, pine groves, topography) to dictate development areas

» Preserve a continuous open space network along the southern shore of Glen Lake, extending to the east and capturing the wetland network and woodland hillside

» Preserve the existing woodland and dense pine stand on the east side of the site as a buffer and wildlife corridor

» Preserve and enhance the surrounding wetlands

» Preserve and enhance the central wetland as an amenity and wildlife corridor

» Target approximately 40% of the land area to be open space, preserve or park

» Create a common, shared dock and beach near existing Home School water access location

» Provide a network of trails linking a singular lake access point, smaller internal, neighborhood scale parks and connecting more broadly to the surrounding neighborhoods and the Minnesota River Bluffs LRT Regional Trail to the east

» Create wetland overlook and habitat viewing areas

» Provide an expanded trail network linking new park features, preserved open spaces, and existing trails and neighborhoods surrounding Glen Lake

» Develop a central open space amenity with wetland restoration, stormwater treatment, and central bridge feature

Develop a singular shared or common dock and beach area for the entire development, preserving the natural shoreline of Glen Lake

Develop an integrated trail network, linking internal amenities with surrounding trails and adjacent neighborhoods

An enhanced centralized wetland can be an attractive amenity for future development
FIGURE 5.14  HENNEPIN COUNTY SITE - PARKS, TRAILS & OPEN SPACE CONCEPT
GUIDING PRINCIPLES - LAND USE & DEVELOPMENT

» Focus on residential land use on the site ranging from low density detached to high density attached
» Provide a mix of housing types on the site, including single family home sites, villas, townhomes, apartments and condominiums
» Transition from higher density in the southwest portion of the site to lower density in the northern and eastern portions of the site
» Explore options for preserving and reusing portions of the existing campus buildings
» Explore the opportunity for a new southerly access point to Highway 62
» Provide an identifiable loop street network throughout the development

SUGGESTED LAND USES

The size of the overall site, and the configuration (East and West sides) allows for a range of residential development on the site. The reuse of portions of the Home School Facility is a possibility as well.
NOTE: Concepts do not represent actual development proposals and are for discussion purposes only. They do not imply that development is or will be supported by property owners.
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The following summary is a list of comments submitted by neighborhood residents during a community open house for the Glen Lake Village Center Study.

**Opportunities and Areas of Inspiration:**

- Creation of large high quality park preferred over development
- Progressive recycling program
- Bicycle connection from trail to Kinsel Park
- Large lot sizes with lots of trees
- Existing hockey rink and track/athletic field(soccer) at Home School
- Retain golf course and ski trails
- Can we repurpose the old hardware store into a new post office to improve access?
- Allow for use of dog grooming building in Glen Lake Park
- Comcast office provides easy access
- Add sidewalks around the Glen Lake Park, bank, and St. Therese
- Alano is a community asset – do they share their parking lot?
- Lots of activity at Optimist Field – skating park
- Love the golf course, retain
- Provide overlook and/or picnic park space at Kinsel Park
- Provide picnic tables for DQ customers and baseball players around NW area
- Love Optimist Park/Kinsel Park
- Retaining grocery store and promoting walkability to other businesses is important
- Need to have a ‘shop local’ campaign to encourage people shopping in the neighborhood
- Make sure to protect loons and other birds, opportunity to highlight them as a feature
- I like the existing sidewalks and the Gold Nugget
- Keep bank, post office, Gold Nugget, Dragon Jade
- Love/support small businesses in area, would like to see more of them developed in the area
  Work to attract/establish a program to attract more small businesses
- Need a doctor’s office and drug store in the area
- Great play areas for kids. Sidewalks are a great start for improvements
- Fence playground on street side
- Pedestrian crossings and lights would be a step in the right direction
- Retain small town feel
- Proposal to develop Kraemer’s, currently not in keeping with neighborhood character, develop at a lower density
- Developed areas are centralized not sprawled out
- Appreciate the lack of fast food and chain style development, still room for café
- Senior housing availability
- Schools – Glenwood, Gatewood, golf course
• Retain cross country skiing in golf course and on Glen Lake
• Support/retain small businesses (DQ, market, liquor, hardware, post office, pet, service)
• Like having sidewalks and park trails and access to bridge over I494
• Lake and Hennepin County land great for outdoor experience
• Improve access to regional trail near LRT, for pedestrians and cyclists
• Preserve trees and open space
• Redevelop the north side
• Eco-friendly green development
• Mixed use with recreational opportunities, single family and multi-family housing connected to lake and golf

**Issues and Concerns**

• Develop as a park
• With LRT coming close, can there be a loop connection into Glen Lake area?
• If this is developed, keep it as lower density residential (R1) and do not allow more ‘high density’ like Zvago development
• Is there interest in saving this dying lake?  Money needed for project to dredge lake, or at least for weed control
• Shrinking lake, water quality is great but for lower water levels and increase in aquatic weeds
• Water quality has already been tested and studied by watershed and deemed one of cleanest lakes in state
• Miss the old fountain which created more of a gathering place than current water feature
• Traffic congestion is a problem (especially around rush hour) on Excelsior Boulevard at light waiting to make left turn on County Road 5
• Retail and small businesses to create community and foot traffic. Develop the old Kramer’s building as soon as possible. Currently being used for bus parking
• There is enough high density housing in the Glen Lake Area?
• Sidewalk to connect Baker Road to Glen Lake. The sidewalks ends at Woodridge, this is very unsafe for pedestrians
• A lot of existing pedestrian and bike traffic without trails
• Difficult to find parking at post office
• Scary walking at night on streets, need more lights
• What exactly brings people to shop in Glen Lake neighborhood?
• Find a solution for green-topped ponds, small lakes, etc
• Need a pharmacy in the area with large numbers of senior residents
• Kraemer building needs aesthetic improvements
• Ball fields are in rough shape. Can we improve these?
• Expanded golf course could ruin water quality
• Don’t want to see significant development on the Home School site
• Improve connection to existing bike trails
• Can we improve fishing in the lake?
• Can anything be done to reclaim the lake from weeds?
• Bigger community center with better parking
• Keep post office or relocate to community center site
• Sidewalks on both sides within a ¼ mile of intersection Williston and Eden Prairie Road and Woodhill and Beacon Hill
• Concerned about multi-family homes
• Glen Lake, retain public access
• There is no active public space
• Water level going down in lake
• No community gathering attractions (concerts, etc.) Use of ball field?
• Dock access to water?
• Confusing Excelsior Boulevard crossing
• Parking at post office an issue
• Retain hardware store
• Parking, trees, street congestion and safety
• Glen Lake activity center, what can be done?
• Concerned about health of lake due to development of Zvago
• Safety of auto traffic on Stewart Lane very poor site distance
• More child and family friendly park near ball park, neighborhood gathering place
• Avoid high density shift in housing
• Keep the Glen Lake neighborhood a ‘neighborhood’ meaning mix of residential, retail, educational, recreation with a small town like feel
• Traffic concern with development behind Kraemer’s on Williston
• Schools need connectivity to businesses and lake
• Lack of parking at post office, Gold Nugget, Optimist Park, Glen Lake Activity Center
• Glen Lake and businesses, improve access and connectivity to it
• Reconnect to the lake, can’t see or access the lake because of vegetation growth
• Would like easier canoe access to the lake
• What is the Home School site development impact potential on the area?
• Need transportation between Glen Lake and nearby LRT station
• Optimist field to DQ connection improvement
• Woodhill and Beacon Hill intersections with Excelsior are dangerous for pedestrians
Neighborhood Meeting Summary - August 18, 2015

The following summary is a list of comments offered by neighborhood residents during two community open houses held on August 18, 2015.

LAND USE

Pending Development:

Kraemer Site
- Quality restaurants are needed in the area, they would be a good fit on the Kraemer Site
- 4-5 story mixed use on Kraemer’s site, transitioning to lower scale retail moving east along Excelsior Boulevard would be good

Williston West Site
- Quality restaurants are needed in the area, they would be a good fit on the Williston West Site

Zvago
- None

Near-term Development Potential:

East(South)
- Potential for townhomes similar to the Water’s Edge development on the property
- A mix of single family residential homes and townhomes on the site, with townhomes closer to Stewart Lane
- Potential small park location near Stewart Lane
- A mix of single family residential homes and townhomes on the site, with townhomes closer to Stewart Lane
- Apartments on un-named parcel if they fit

Central Site
- Property has potential for a new retail restaurant
- Townhomes on entire site
- Townhomes on northwest area of the site, transitioning to single family residential (2)
- Single family residential on south and east area of the site, transitioning to townhomes to west and north (2)

Areas That May See Change:

Hennepin County Home School Site
- Large park at the site, potential for consolidated sports fields (baseball, softball, soccer) and passive recreation (lake access, wetlands, trails, interpretative activities)
- 9 hole golf expansion into site (likely not financially viable)
- Site as regional park and open space, provide active and passive uses, Arboretum like setting/program a possibility, could also play host to large outdoor events
• A mixed development with single family residential in the core of the site and along Eden Prairie Road and apartments along Highway 62 with integrated park space along Glen Lake shoreline, potential PUD style development
• Single family homes at north end and in core of site, leaving space for park/natural area on east and north end along Glen Lake
• Trails on site, especially along lake, as part of large housing development
• Create trails within a large park located in the site, particularly to provide access to the south shoreline of Glen Lake (2)
• Townhomes near southern end of the site against Highway 62

West Site
• Property has potential for new retail, including pet hospital and bike related shop if commercial area to the north is expanded down into the site
• Townhomes on the eastern half of the west site
• Small park space in northeast corner of west site
• Single family residential on the west/south side of the west site
• Could west site incorporate commercial project to north for larger redevelopment opportunity with commercial/residential density towards Excelsior Boulevard
• Better connect west property to Excelsior Boulevard through commercial site to north if it redevelops.

East (South) Site
• Retail on the site
• Site as potential location for restaurant
• Potential park use on the property
• Mixed use building on site as extension of mixed use to the west

Northwestern Glen Lake Properties
• Retail in the middle and east end of the properties
• Bank could be an optional retail use at the eastern corner of the properties
• Restaurants could be an optional use on the properties (2)
• Quality restaurants are needed in the area, they would be a good fit on the properties

Other Sites
• Existing Dairy Queen corner site(s) would be a great location for a restaurant
• Quality restaurants are needed in the area, they would be a good fit on the commercial properties across Excelsior Boulevard from the Kraemer Site
• Improve existing parks along Excelsior Boulevard, better use of space, safer playground, improved programming
• Repurpose existing private business/property within the park to a public park use
• Provide more public access points to Glen Lake
• Provide a fence around Glen Lake Park playground along Excelsior Boulevard
- Kinsel Park would be an ideal spot for a lake overlook or boardwalk
- Potential consolidation of parcels between East(south) site and Central site(excluding existing townhomes) into a more viable single family residential site, with townhomes near Stewart Lane
- Develop the commercial/retail site southwest of Excelsior Boulevard and Eden Prairie Road into mixed use with parking on lower level to bring retail to eye/road level of Excelsior Boulevard, potential to expand southward into West Sites.
- Incorporate existing local businesses (incl. post office) into new mixed use structures

**SAFETY & AESTHETIC IMPROVEMENTS**

**Kinsel Park**
- Safety/lighting issues especially in winter where Kinsel Park trails exit park on east side onto Mayview Road
- The trails through Kinsel Park are difficult to use for older adults because of poor surface conditions
- Benches and tables are needed in Kinsel Park, perhaps in conjunction with a small/simple shelter (2)
- Kinsel park needs better planting to create more interest, perhaps gardens, rain gardens, orchard, or other unique plantings/trees

**Glen Lake Park**
- Unsafe to cross from Glen Lake Park to Kinsel Park across Excelsior Boulevard at Kinsel Road, could a better crossing or bridge be provided? (2)
- Gateway opportunity near Glen Lake Park along Woodhill Road

**Stewart Lane**
- Stewart Lane has traffic volume issues, small road with increasing levels of traffic coming from recent (and pending) development
- Can access to Stewart Lane onto Excelsior Boulevard be shifted west to align with Woodhill Road intersection?
- Traffic safety issues (access and turning) at intersection of Stewart Lane and Excelsior Boulevard

**Excelsior Boulevard**
- Water feature at northeast corner of Williston Road and Excelsior Boulevard
- Improve the crossing at Excelsior Boulevard and Woodhill Road, intersection still feels less than safe despite recent improvements (3)
- Traffic along Excelsior Boulevard (Beacon Hill Road to Glenview Drive) is fast/unsafe, would like to see traffic calming in this area
- Improve the biking conditions along Excelsior Boulevard through the Glen Lake commercial area, west of Glen Oak Road and east of Glenview Drive are ok, but in between feels unsafe for bikes...share the road signs, narrower lanes, stripping, or other options?
- Better lighting east of Kinsel Park is needed along Excelsior Boulevard
- Lighting needs to be improved along Excelsior Boulevard between Williston Road and Beacon Hill Road
• More seating along Excelsior Boulevard, benches and tables in conjunction with restaurants
• Potential public art opportunity on the NE corner of Beacon Hill Road and Excelsior Boulevard
• Potential place making/neighborhood identity opportunity on the NE corner of Beacon Hill Road and Excelsior Boulevard
• Both ends of Excelsior Boulevard need some kind of gateway or place making element to announce arrival into Glen Lake area
• Gateway opportunity at intersection of Williston Ave and Excelsior Boulevard
• Gateway opportunity at intersection of Eden Prairie Road and Glendale Street

**Woodhill Road**
• Woodhill Road needs improved lighting, too dark

**Hennepin County Home School Site**
• Passive water feature in Home School site, perhaps as part of wetland or lake areas
• Home School site could have enhanced wetland areas, with potential for interpretive/interactive plant centric programming
• Outdoor seating (benches and picnic tables) needs to be provided in the Home School site, if it becomes park space

**Kraemer Site**
• Enhanced plantings/garden feature at northeast corner of Williston Road and Excelsior Boulevard (Kraemer site)
• Could Kraemer, Williston West, and NW Glen Lake properties be developed together with underground parking?

**Glen Lake**
• Parking (related to The Glen bldg.) along Tree Street causes issues with access and the passing of two way traffic (too narrow)
• Post office is impossible to use/get into and out of, improve traffic access/follow or relocate to better/bigger location
• Create a loop trail that goes around Glen Lake (2)
• Provide a connecting trail along the eastern and southern edges of Glen Lake to connect north trails (Kinsel Park) to eastern and southern trail system

**East(South) Site**
• Enhanced planting of the East(South) property along Excelsior Boulevard

**Other Sites**
• Screening vegetation/planting on vacant land west of power station, and for the station on Excelsior Boulevard boundary
• Art as a temporary installation on vacant land near power station site (2)
• Art could be part of the neighborhood identity making

**General Notes**
• Improved bus service and facilities to and from the area, provide a senior, dial a ride service that is more reliable the Metro Mobility
Neighborhood Meeting Summary - January 20, 2016

PUBLIC REALM IMPROVEMENTS
- More public art locations to provide neighborhood identity
- Pedestrian and bike improvements needed on Woodhill Road
- Punching Woodhill Road across Excelsior Boulevard is a bad idea
- Pedestrian and bike improvements needed on Eden Prairie Road
- Need a new restaurant in the south strip mall (containing Kraemer’s)
- Placing public art on the old Kraemer’s Hardware site not needed
- Impossible to make left hand turns onto Eden Prairie Road during rush hour, need better traffic signal coordination
- Currently an overabundance of large senior only buildings (7 listed)
- Need bike lanes up both sides of Excelsior Boulevard as well as up Williston Road
- Like sidewalks on the south side of Excelsior Boulevard, need more like it on neighborhood streets
- There is a need for more upscale retail and appropriate retail adjacent to daycare
- Need restaurants in current retail buildings
- Would like to see clean, passive water features, potentially those that support wildlife
- Hard to access Kraemer shopping area by foot/bike
- Improve the neighborhood aesthetic to create a destination
- Improve access to shopping
- More parking needed everywhere
- Consider the impact to wildlife that adding lighting to Kinsel Park would have
- Parking on curve of Beacon Hill Road, can that be shared with The Glen
- Is there going to be too much light pollution from new lighting if added to Kinsel Park?
- Would Stewart Lane be a one-way street?

WEST SITE

Concept A
- Worried townhomes are going to add more senior only housing
- Are the wetland setbacks enough in the scenarios?
- Prefer the townhome option (2)
- Need townhomes in the $250,000-450,000 range for balance
- Where does guest parking occur in both scenarios?
- Would like to see a high density of housing in this option
- More walking paths around wetland area
- Prefer the access intersection in this option
- Prefer the option that preserves the most green space
- Trail access and density are ok

Concept B
- Scenarios may require additional traffic control for Glendale Street
- Planning needs to be compatible on both sides of the street
- Add community gardens to this concept
- Are urban size lots appropriate for Minnetonka?
CENTRAL SITE

Concept A
- Need a larger buffer on Eden Prairie Road
- 50-60’ Lots small/close for the neighborhood, market needs larger lots
- Development intensity may create too much lighting, worried about wildlife impacts
- Access to the private drives is problematic on both concepts

Concept B
- Trail or sidewalk connection to Eden Prairie Road from the end of the cul-de-sac
- Worried about the displacement of neighborhood wildlife (turkey, deer, woodpecker, eagles, waterfowl etc.) Where will they go when their habitat is removed?
- Density is too high in either concept, the lots in both are too small for the area
- Density of the ‘Compact Residential’ is too high
- All of these pieces don’t fit together, don’t see an overall grand vision

EAST SITE

Concept A
- Eliminate 5 SF Lots and replace with a small park to provide access and views of Glen Lake
- Concern about buffering the wetland, examine ‘buildable’ lots as appropriate (3)
- Flip building footprint to the east away from townhomes
- Stop light would be needed at new intersection
- Improve walkability and add landscaping along Excelsior Boulevard. More greening needed along Kraemer strip mall
- Would like to see a small boardwalk into the lake off the trail connection in between lots 4 and 5
- Lot 5 is too close to lake
- Worried about water quality impacts development will have on lake
- Concerned about the increased traffic development would create
- Concerned about traffic at the new proposed intersection of Stewart Lane and Excelsior Boulevard
- Too much hard surface, but do like the opportunity to share parking with the Gold Nugget
- Would like to see a comprehensive picture of all the potential trail connections with private property barriers indicated
- Trails in this option runs through private property

Concept B
- Some of these units would be a tough sell with no views of the lake
- Units 1-4 might make a good location for townhomes
- Restaurant visible from Excelsior is needed, prefer the more attractive parking configuration compared to the Gold Nugget
- Potential for housing and restaurant/retail underneath?
- Crossing safety concern at new intersection
- Too much grading needed to make this work
- Gold Nugget has loud fan noise on east side of building
- Lots 9-10 are too wet to develop, would prefer a park or trail connection
- Would like to see a small boardwalk into the lake off the trail connection in between lots 4 and 5
- To many units in this option
- Restaurant will need to have adequate parking
- Is the wetland disruption caused by the boardwalk worth the public benefit?
HENNEPIN COUNTY SITE

- Try to find a balance between development and park and open space, need to preserve the existing habitat, as its already limited
- Remember what happened to Wing Lake
- Must have a walking trail around the lake
- The economy, market, and environmental impacts of the proposed development will determine the final development scenario
- More trails connect with limited development
- City needs to develop a plan to purchase the land
- Relocate Optimist Field / Gilliam Ball Field here, redevelop Optimist Fields to commercial
- Is there an option to put retail on this site?
- Trail system needs to be connected to parks
- Add a small zoo to one of the parks
- Like Centennial Lakes, develop recreational options
- 800 units seems very high, but the proximity to Gatewood Elementary School and access to transportation are good elements
- This much development will kill the lake
- Avoid doing another grass lawn choked development and make it a focus on intentional green living and planting
- Remember what happened to Birch Lake
- Way too many units, with all the other proposed housing we should keep this area wild, save the trees
- Maybe too much density
- Could this be a site for a college or university expansion
- How much of this land could the city buy from the compiled park dedication fees from recent development?