Planning Commission Agenda

November 5, 2015—6:30 P.M.

City Council Chambers—Minnetonka Community Center

1. Call to Order

2. Roll Call

3. Approval of Agenda

4. Approval of Minutes: October 15, 2015

5. Report from Staff

6. Report from Planning Commission Members

7. Public Hearings: Consent Agenda
   A. A conditional use permit for an accessory apartment at 3514 Sunrise Drive West.

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

      • Recommendation to City Council (Tentative Date: November 23, 2015)
      • Project Planner: Ashley Cauley

8. Public Hearings: Non-Consent Agenda Items
   A. Items concerning Dunn Brothers Coffee at 14525 State Highway 7.

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

      • Recommendation to City Council (Tentative Date: November 23, 2015)
      • Project Planner: Susan Thomas
B. Conditional use permit and site and building plan review for the expansion of the Pagel Activity Center for a second hockey rink with ancillary training, locker, and storage rooms.

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

- Recommendation to City Council (Tentative Date: November 23, 2015)
- Project Planner: Rita Trapp

9. Other Business:

A. Concept Plan for Highview Villas, a residential development of properties at 4301 Highview Place and an adjacent, unaddressed parcel.

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

- Recommendation to City Council (Tentative Date: November 23, 2015)
- Project Planner: Ashley Cauley

B. Concept Plan for redevelopment of the TCF Bank property at 1801 Plymouth Road.

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

- Recommendation to City Council (Tentative Date: November 23, 2015)
- Project Planner: Ashley Cauley
Notices

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

2. Applications scheduled for the November 19, 2015 Planning Commission meeting:

   Project Description: Buhl Investors Minnetonka I LLC is proposing to develop the existing property at 6030 Clearwater Drive into a five-story, 102-unit hotel on the west side of the site and a two-story daycare building on the east side. The proposal requires: (1) a major amendment to the existing Minnetonka Corporate Center master development plan; (2) preliminary plat; (3) conditional use permit for the proposed hotel; (4) final site and building plans for the hotel; and (5) a sign plan.
   Project No.: 15033.15a        Staff: Susan Thomas
   Ward/Council Member:  1—Bob Ellingson    Section: 35

   Project Description: In 1989, the city approved a conditional use permit for two accessory structures in excess of 1,000 square feet on the property at 3707 Farmington Road. The current property owner is proposing to construct an unenclosed roof structure to connect the two existing accessory structures. The proposal requires a conditional use permit to exceed the previously approved gross floor area for accessory structures.
   Project No.: 89085.15a        Staff: Ashley Cauley
   Ward/Council Member:  1—Bob Ellingson    Section: 15

   Project Description: Immaculate Heart of Mary is requesting a conditional use permit to operate a licensed daycare at 13505 Excelsior Boulevard.
   Project No.: TBD        Staff: Ashley Cauley
   Ward/Council Member:  1—Bob Ellingson    Section: 27
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 Powers, Calvert, Knight, Magney, O'Connell, and Odland were present. Kirk was absent.

Staff members present: Community Development Director Julie Wischnack, Principal Planner Susan Thomas, and Natural Resource Manager Jo Colleran.

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

4. Approval of Minutes: October 1, 2015

Magney moved, second by O'Connell, to approve the October 1, 2015 meeting minutes as submitted.

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

5. Report from Staff

Wischnack briefed the commission on land use applications considered by the city council at its meeting of October 12, 2015:

- Adopted a resolution vacating a drainage and utility easement for Lacy Oaks.
- Adopted a resolution approving a conditional use permit for Lions Gate Academy.
- Adopted a resolution approving a conditional use permit amendment for Redstone Grill to change part of the façade.

Wischnack and Odland welcomed John Powers to the planning commission.

6. Report from Planning Commission Members
Calvert attended a road maintenance and salt training meeting. It was fascinating. Quite a bit of salt is used on the roads and can impact the waterways. She is proud of Minnetonka for limiting the use of salt. NEMO recognized Minnetonka for using best practices. She recommended it for others to attend.

7. Public Hearings: Consent Agenda

No item was removed from the consent agenda for discussion or separate action.

*Magney moved, second by Knight, to approve the item listed on the consent agenda as recommended in the respective staff report as follows:*

A. Conditional use permit with a locational variance for an accessory apartment at 11816 Karen Lane.

Recommend that the city council adopt the resolution approving a conditional use permit with a locational variance for an existing accessory apartment at 11816 Karen Lane (see pages A13-A17 of the staff report).

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

8. Public Hearings

A. Items concerning Cherrywood Pointe of Minnetonka at 2004 Plymouth Road.

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

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

Mark Nelson, of United Properties, applicant, introduced others involved in the project.

Susan Farr, of Ebenezer, stated that:

- Ebenezer is part of Fairview Hospitals and the U of M by providing care for seniors and memory care patients. Ebenezer has been the
top workplace four years in a row and is the top senior housing management company in Minnesota operating 60 properties.

- The site is an A+ location because it would be easy to walk to nearby places, like the library, grocery store, and mall. Seniors need more things to do.
- She is available for questions.

Mr. Nelson stated that:

- The use would create a very low level of traffic and have low impact from an operational-use standpoint.
- United Properties is a local company that has been around for 100 years.
- United Properties developed Centennial Lakes in Edina which helped them be recognized as the National Developer of the Year a few years ago.
- United Properties has focused on senior housing with services for 12 years now. Minnetonka Mills is its 11th cooperative.
- He provided a rendering of the proposed building. It would be a very nice place for visitors. It would have a homey, residential feel. It would not feel institutional at all. There would be a library, parlor, craft area, and family gathering areas.
- The previous proposal was modified to protect the slopes and create a woodland preservation area. It is a complicated puzzle to put together.
- Affordable units were added and some units were eliminated. The number of memory care units decreased to 21.
- The plan is better for the site and the building that the concept plan. The footprint was reduced by 30 percent from 40,000 square feet to 28,000 square feet. The building was shifted to the east.
- Garage access would be located on the main drive on the north side to save trees on the southeast corner.
- The building owner on the north has been accommodating by agreeing to widen the driveway to provide two lanes out and one lane in. It would be regraded to eliminate dips and improve access.
- Rainwater would be captured for a reuse system.
- He pointed out where the trail easement and conservation easement would be located.
- It is a good plan consistent with the land-use designation.
- The traffic study concluded that this use would have the lowest impact of any use.
• There would be a buffer of trees on the west before reaching the wetland that would remain substantial and significant. The view from surrounding properties would not change.
• He pointed out what trees would be preserved. It is an amazing oasis of a site. The common areas would be oriented to the views. There would be numerous decks and patios.
• The site would be very well landscaped.

Evan Jacobson and Matt Arndt, architects for the project, introduced themselves. Mr. Jacobson stated that:

• He worked on the initial concepts for the project. Mr. Arndt has taken over the work on the exterior.
• He was available to answer questions regarding site, layout, or orientation.

Mr. Arndt stated that:

• He focused on creating a welcoming, home-like setting for seniors.
• The roofs would be gabled.
• The site is natural. Natural materials would be used. Stone would be used at the base of the building.
• The radial design would allow the views to be captured.
• The design would benefit seniors and fit into the natural setting.
• He provided 3-D perspectives.

The public hearing was opened.

Annette Bertelsen, 13513 Larkin Drive, stated that:

• She thanked United Properties for wanting to develop senior housing in the area. It would be great to have senior housing in the neighborhood. It is a great use of the property.
• This is the first proposal.
• She wants to do everything to protect the natural features. The comprehensive guide plan contains a natural resources management plan that tells us that a steep slope with trees next to a wetland is more important than a steep slope.
• The numbers for a PUD are the same as an R5 district.
• Thirty-five percent of the woodland preservation area would be eliminated. Some of this would happen no matter what would be
constructed. Fifteen to 20 percent of the woodland preservation area would be saved if the guidelines were followed.

- The property is supposed to be rezone to PID, Planned I-394 District.
- If citizens would challenge the proposal in court, it would be a long process.
- She preferred following the city code and rezoning the site to PID.
- An R-5 concept plan showed what could be constructed following zoning requirements. The same amount of woodland preservation area would be saved.
- She favored removing the south wing and meeting the floor area ratio (FAR) standard.
- The proposal would not be a “PID-compliant building.” The setbacks would need a variance.
- She favored reducing the wetland preservation area impact by 50 percent and having the ability to negotiate on the setback variances.
- Sherwood Point has 70 units.
- She requested the proposal be denied and the site be rezoned to PID. She supports a proposal that would comply with PID zoning and the FAR standard.

Kay Johnson, 2227 Platwood Road, stated that:

- She supported denial of the proposal.
- The concept plan included 99 units. That density would be too high for the environmentally sensitive site with steep slopes and wetlands.
- Her husband was in a nursing home and it was difficult to find parking spots. Visitors and staff drive. When the staff changes overlap, parking can be difficult.

David Height, 2000 Plymouth Road, stated that:

- He supports what the developer has done over the last year. The proposal has reduced the size and footprint of the building.
- His office building is fully occupied. Employees of tenants in the building live in Regency Woods and other areas of Minnetonka nearby. He cares about how the development would look. The tree removal would impact his property more than the other sides. He made a lot of demands on United Properties concerning what
would have to be done in order to share the driveway including improving and creating a U-shaped drive. United Properties agreed with every demand and improvement requested. The driveway would be graded, widened, and dips would be removed.

- He reviewed the traffic study and plan details. The property will be developed at some point. This proposal is a very good use of the property as it relates to his adjacent property. It would create less traffic than any other high-density residential use. The number of drivers who would share his office building’s drive is very important to him. There would be an increase, but, by widening the driveway, it would alleviate most of that. He was thankful for that.

- He cares about the trees. The proposal would be a major physical change to the east part of the property. He was comfortable with the number of trees that would be saved.

- The applicant is also willing to deal with changing the site lines for signage for both buildings.

- He saw what the city is requiring of the applicant in the developer’s proposal. There would be an easement for a trail. That is a real positive for the entire neighborhood. He has employees and tenants who use the trails to reach Plymouth Road and the Regency Woods area. He would be willing to continue the trail through his property to the Ridge Square area.

- He supports the proposal. He has owned the fully-occupied office building for 15 years.

- He supports the developer who he has seen make major strides to deal with the wetlands and wooded areas.

Bob Bertelsen, 13513 Larkin Drive, stated that:

- He wants to know the age of the oldest tree.

- There is no shortage of retirement homes in the area.

- Removing the south wing would help save trees.

- The vegetation is only there in the spring and fall.

Paulette Shrutt, representing the Carlson family, 2004 Plymouth Road South, stated that:

- The buyer was chosen with great care. The site belonged to her grandparents and her dad planted the trees.

- She respects the guidelines to preserve the woodland and wetland. Cherrywood Pointe of Minnetonka is a great choice. The seniors
and their families would be able to enjoy the woods, wetlands, and animals.
- The residents would be able to value their home just as her grandparents did.

No additional testimony was submitted and the hearing was closed.

Magney asked about the difference between PUD and PID zoning. Thomas explained that a PUD has some flexibility. An 82.5-foot setback would be required for R5 zoning, but not for a PUD. The city attorney has reviewed staff’s recommendation. The city council as the authority to rezone properties.

In response to Powers’ question, Colleran explained that the concept plan that followed R-5 regulations would cause removal of 15 percent to 20 percent of the woodland preservation area. Thomas noted that the R-5 diagram was for a 6-story building with a smaller footprint compared to the current plan for a 4-story building with a slightly larger footprint.

Powers asked why the applicant could not go ahead with the R-5 plan. Thomas stated that the applicant could.

Calvert asked what effect removal of part of the steep slope would have on the wetland. Colleran explained that the building would be 100 feet away from the wetland on the northwest side. The southwest wing would be 60 feet away from the wetland. Excavation for the building would be done at the top of the grade. Erosion control would be required to ensure that sediment would not erode down the hill. There would be construction limits. The remaining trees on the slope would remain. There would be no dirt piled in the area. The root systems and integrity would remain. There would be no wetland fill. Based on the plans, there would be no wetland impact. The foundation wall would act as a retaining wall. There would be impact further away from the building to get the grades to work and provide drainage.

Thomas provided that a steep slope is defined as a slope that rises at least 25 feet, has an average grade higher than 20 percent, and a width wider than 100 feet. Construction practices must be followed to build into a steep slope. There is an ordinance that allows the city to prohibit construction on a slope with a grade higher than 30 percent, but this slope ranges from 21 percent to a small section of 27 percent located near the north end of the property.

Calvert noted that there will be construction going on in the Ridgedale area from the Highland Bank project. She asked if construction times would overlap for the
proposed project. Thomas said that would be looked at during the creation of a construction management plan. County engineers would also provide input since the road is a county road.

Knight asked if a taller building would require more land for the foundation. Thomas estimated that there would be no difference in the grading.

Acting Chair Odland asked what percent of the trees are at the 30-foot line and how many are high-priority trees. Thomas explained that natural resource staff evaluates the trees and makes sure that the tree survey is accurate. The 30-foot line designates the woodland preservation area. The city has specific counts for trees of the 30-foot grading limit, but not specific counts for the woodland preservation area.

Acting Chair Odland asked for the age of the oldest tree. Colleran explained that educated estimates show the oldest tree to be a 44-inch oak on the north side that has a defect. Those oaks are over 200 years old. Oaks trees can live about 300 years. There are many trees that are 24 to 38 inches in diameter. Those are common in remnant oak forests throughout the city. The tree protection ordinance protects remnant ecosystems during subdivision of land. There are many trees across Minnetonka that are just as old. The ash and poplar on the site are 10 to 15 years old. Oaks normally grow slower. A woodland preservation area is looked at as a unit. It is difficult from a forester’s perspective to look at one tree, because it is really about the ecosystem functioning as a whole. Individual, high-priority trees located outside of the woodland preservation area are 15 inches in diameter and 20 feet or taller except for certain species like Norway, maple, and silver maple. Any tree 8 inches in diameter or larger are classified as significant trees. A 10-inch oak would be considered significant if located outside of a woodland preservation area. A 20-inch oak would be considered a high-priority tree if located outside of a woodland preservation area.

Acting Chair Odland asked about the amount of adequate parking. Thomas reviewed the traffic study. Staff is comfortable with the amount of parking and overflow parking.

In response to Acting Chair Odland’s question, Thomas estimated that a 6-story building would be 25 to 30 feet taller than a 4-story building.

Acting Chair Odland asked if the reduction from 129 units to 99 units would be an “overbuild” of the site. Thomas stated that staff recommends approval of the application as presented with the conditions provided.
Powers asked if the height of the building would make a difference for future residents. Ms. Farr stated that there would be elevators. Removal of a wing would impact common areas such as the eating area, craft room, and meeting room. It is nice to provide different views in different areas.

Powers confirmed with Ms. Farr that the setting would be ideal for seniors. Spouses could live in the apartments and walk over to the memory care units. There are a lot of couples whose health do not mirror each other.

Powers asked for the ideal size. Ms. Farr said that the ideal size would be 100 units to 110 units to provide for adequate staffing. There is a labor shortage right now.

Mr. Nelson provided illustrations showing cross sections of the site. During concept review neighbors communicated that four stories would be the desired maximum height to keep the vast majority of the building within the trees. Four stories is the perfect balance between the height and the footprint. He was not in favor of making the building five or six stories. There is an operational reality to the building. One hundred homes is perfect. The market study supports 200 homes at the site. The applicant worked with staff to balance impact to the site with providing affordable units and the design of the building. It would be a nice building. The opportunity to concentrate common areas together diminishes by adding height and reducing the footprint.

Acting Chair Odland confirmed with Mr. Nelson that there would be a tradeoff between the impact to the trees and height of the building.

Mr. Nelson said that the site would have more parking stalls than provided at its other properties that are functioning very well. The office property would not be used on weekends and allow overflow parking if needed. There would be 53 stalls in the underground garage for staff.

O’Connell supports the project. It would be a good use of the site. It fits the comprehensive guide plan by providing density, affordable housing, and a need for an aging population. A benefit is that the developer is local, very well respected, and is partnering with a great manager.

Magney supports staff’s recommendation. Staff did a great job presenting the proposal. That piece of property is ripe for redevelopment. It is sandwiched between commercial and high density residential. It is guided for high-density residential. The developer has done a nice job since the concept plan by reducing the scale of the building.
Calvert was glad the footprint had been reduced significantly. Some of the trees are not terribly healthy. She was bothered by digging into the steep slope that leads into a wetland, but it is a tradeoff between that and reducing the visual impact.

Knight agrees with O’Connell and Magney. The proposed building would be appropriate for the site. The fact that the footprint was reduced is a benefit. It would be a very attractive building. The owner and architect being local is nice. He supports staff’s recommendation.

Calvert appreciated the goal of preserving amenities for the residents. Common areas are very important for making the building like a home for the residents.

Powers supports the proposal. He is distressed by the loss of trees, but he is more concerned with providing opportunities for residents with real needs. He understands that the neighbors do not want the building to be six stories tall. He liked what the developer is thinking and what Ms. Farr said.

Acting Chair Odland noted that the tree loss would be notable to the neighbors. She suggested looking at St. Therese when balancing the visual impact of the building’s height with the removal of a few more trees to expand the footprint. She supports the proposal as currently presented. Staff and the applicant have worked very well together. It is so easy to support staff’s recommendation because it is so well thought out.

Knight stated that he lives two blocks from the St. Therese building. He is not bothered by the size of it. He has friends who live across the street from it and he has never heard them complain about the building. He would prefer the proposed building to be taller. St. Therese is right on the road, but is not that objectionable to him.

*Magney moved, second by O’Connell, to recommend that the city council adopt the ordinance rezoning the property from R-1 to PUD and adopt a master development plan (see pages A88-A91 of the staff report) with modifications provided in the change memo dated October 15, 2015.*

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

*Magney moved, second by O’Connell, to recommend that the city council adopt the resolution approving final site and building plans (see pages*
A92-A101 of the staff report) with a modification provided in the change memo dated October 15, 2015.

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

The city council is tentatively scheduled to review this item at its October 26, 2015 meeting.

9. Adjournment

Knight moved, second by Magney, to adjourn the meeting at 8:36 p.m. Motion carried unanimously.

By: ____________________________

Lois T. Mason
Planning Secretary
Minnetonka Planning Commission Meeting

November 5, 2015

Agenda Item 7

Public Hearing: Consent Agenda
MINNETONKA PLANNING COMMISSION  
November 5, 2015

**Brief Description**  
A conditional use permit for an accessory apartment at 3514 Sunrise Drive West

**Recommendation**  
Recommend the city council adopt the resolution approving the request.

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**Project No.**  
150031.15a

**Property**  
3514 Sunrise Drive West

**Applicants**  
Matt and Jen Danielson

**Proposal**  
The property owners are proposing to construct an addition on the rear of the existing house. The addition would consist of an accessory apartment. (See narrative and plans on pages A2-A11.)

**Proposal Requirements**  
The proposal requires a conditional use permit for an accessory apartment.

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

**Site Features**  
The property is improved with a walk-out rambler constructed in 1966. The existing house is 2,700 square feet in size and has an attached two-car garage. The rear of the property is encumbered by a Manage 1 wetland and associated floodplain. More information on the wetland and floodplain is in the “Supporting Information” section of this report. (See survey on page A7.)

**Proposed Addition**  
The proposed addition would be 560 square feet in size and would be located on the northwest corner of the home. A portion of the addition would be cantilevered to allow for additional covered parking space below. The addition would meet all required setbacks and would be architecturally consistent with the existing house. An unenclosed deck would wrap around the proposed addition.
The addition would include an accessory apartment. The apartment would include one bedroom, bathroom, kitchen and living area. Access to the apartment would be provided by interior connections to the existing house and garage.

**Staff Analysis**

Staff finds that the applicant’s proposal is reasonable.

- Accessory apartments are consistent with the housing goals of the comprehensive plan as they add to the diversity of housing types, sizes, and prices within the community.

- The accessory apartment would not adversely impact surrounding properties. The addition would be located in the rear of the home and would be primarily screened from the adjacent right-of-way by the existing garage. The apartment would be architecturally consistent and would maintain the single family residential character of the existing home.

- Adequate off-street parking is available on existing and proposed parking area. Parking is currently available in the driveway and existing garage. Additional parking is proposed via a driveway extension to the proposed covered parking under the addition.

- The proposed accessory apartment would meet all minimum conditional use permit standards. These specific standards are outlined in the “Supporting Information” section of this report.

**Staff Recommendation**

Recommend that the city council adopt the resolution on pages A12-A16. This resolution approves a conditional use permit for an accessory apartment at 3514 Sunrise Drive West.

Originator: Ashley Cauley, Senior Planner
Through: Susan Thomas, AICP, Principal Planner
Supporting Information

**Surrounding Land Uses**

Properties to the north, south and east are improved with single family residential homes, zoned R-1 and guided for low density residential.

The property to the west is owned by the city for stormwater purposes.

**Planning**

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

**Wetland and Floodplain**

The rear of the property is encumbered by a Manage 1 wetland. Rather than requiring a formal wetland delineation, city staff met with the property owner onsite to determine an approximate and conservative wetland boundary. For purposes of this proposal, wetland setbacks and buffer areas are determined from this boundary. Included as conditions of approval the property owner must: (1) file a conservation easement over the 25-foot wetland buffer area prior to issuance of a building permit; and (2) establish native vegetation within the buffer area prior to final inspection.

Additionally, the property is encumbered by 100-year floodplain. The 100-year elevation of the wetland is 935.2 feet. Any additions to the existing house would need to maintain a 20-foot horizontal setback and 2-foot vertical separation from the established floodplain elevation. Decks and patios have lesser setback requirements and must maintain a minimum 10-foot horizontal setback and a 1.5-foot vertical separation.

Staff finds that the proposed addition and deck comply with the city’s wetland and floodplain setbacks.

**CUP Standards**

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

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

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

3. The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements; and
4. The use does not have an undue adverse impact on the public health, safety or welfare.

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

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

   **Finding:** The property is zoned R-1; just one accessory apartment is proposed for the property.

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

   **Finding:** Per the applicant’s narrative, the property owners would continue to reside in the main home. Nonetheless, this has been added as a condition of approval.

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

   **Finding:** The existing home has an attached two-car garage with additional parking available in the driveway. As proposed, the accessory apartment would be cantilevered to provide additional covered parking below.

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

   **Finding:** The accessory apartment would be an addition to the existing home. As such, the apartment would not be created by the conversion of existing living or garage space.

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

**Finding:** The proposed accessory apartment is 560 square feet. This would be less than what would be allowed by ordinance. By ordinance, the maximum apartment size for the subject property would be 950 square feet.

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

**Finding:** The proposed addition would appear residential in character and would complement the existing architectural features of the existing home. Further, the apartment would be in the rear of the home and but for a small portion of the addition would be screened from the adjacent right-of-way.

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

**Finding:** This has been added as a condition of approval.

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

**Finding:** The proposed addition would not have any adverse impacts on adjacent properties and would not alter the residential character of the neighborhood. The addition meets all applicable setback and zoning requirements. The addition is designed such that it would maintain the single-family character of the existing house and would not have the exterior appearance of a separate dwelling unit. Further, the parking for the accessory apartment would be accommodated within the existing garage and driveway and proposed carport.

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

**Finding:** The property would comply with all other ordinance requirements. Nonetheless, this has been added as a condition of approval.
### 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.

### Neighborhood Comments
The city sent notices to 26 area property owners and received no comments to date

### Deadline for Decision
January 12, 2016
Location Map

Project: D. Matt Danielson
Address: 3514 Sunrise Dr W
(15031.15a)

This map is for illustrative purposes only.
September 12, 2015

Ashley Cauley, Planning Technician
Julie Wischnack, Community Development Director
Planning Department
City of Minnetonka
14600 Minnetonka Blvd,
Minnetonka, MN 55345

O: 952-939-8200
E: acauley@eminnetonka.com
E: jwischnack@eminnetonka.com

Julie Wischnack,
Ashley Cauley,

RE: CONDITIONAL USE PERMIT APPLICATION, WRITTEN STATEMENT;
3514 SUNRISE DRIVE WEST, MINNETONKA, MN 55345
PID: 15-117-22-32-0012

Dear Ms. Wischnack and Ms. Cauley,

We are pleased to bring to your attention a conditional use permit application for an elderly accessory apartment we are planning to build at: 3514 Sunrise Drive West, Minnetonka, MN 55345. We believe that the proposed accessory apartment is consistent with the general and specific standards and intent of the residential zoning district ordinances. We respectfully seek staff support and City Council approval of this conditional use permit application.

We would also like to thank Aaron Schwartz, Natural Resource Specialist Minnetonka, for taking the time to stake out the wetlands behind our house and to ensure that we would be in compliance with both wetland setback and buffer requirements.

The planned addition would be used for the living area for both of our parents (initially by my 86 year old mother). There would be no direct exit to the outside and she would use our home’s main entrance to gain access to her apartment. There would also be common shared usage of space in the existing home (kitchen, bathtub, laundry room, piano room, etc.).
This planned use is consistent with Section 300.16 Conditional Use Permit Standards for Residential District: 3.) Specific Standards d) Accessory Apartments: (1) Accessory apartments shall be allowed for the following purposes:

a) more efficient utilization of the existing single family housing stock in the city

c) provision of housing which allows privacy and independence for older family members.

This addition will be attached to the home behind the existing attached garage and care was taken to ensure that the character and style of the existing home was not changed, that the addition would only be partially visible from the street and would be aesthetically pleasing and consistent with the quality of the neighborhood.

The living area of the addition would be at the same level as the main floor of our existing home. We have designed this to minimize the use of stairs. The level below the addition would be used for storage. The plan calls for building an additional parking area and we have designed a car-port that is situated under part of the new accessory apartment. The storage area below the addition will also free up space in our existing garage, allowing us to park 2 vehicles in the existing garage, helping to tidy up the appearance.

Improvements include, but are not limited to, some minimal excavating to allow access to the car-port and positioning the addition foundation and main floor to be at the same level of the existing house foundation and main floor. The exterior façade will be in the same style as the existing home, and the new roof will tie attractively into the existing roof. The interior of the addition will contain attractive cabinets, quality windows, flooring, a bathroom, efficiency kitchen area and a wrap around deck. It is understood that landscaping improvements will be a part of this project and the plan is to remove the sod and establish a 25' wetlands buffer consistent with the requirements as outlined by the City of Minnetonka Environmental Services.

We are pleased to be making a substantial investment in this property and are confident that this project will help to appreciate the value of our neighboring homes and the community.
The following is an assessment of how the proposed addition complies with the Conditional Use Permit Evaluation Criteria:

<table>
<thead>
<tr>
<th>Conditional Use Permit Evaluation Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>No accessory apartment shall be created or used except in conformity with the following:</td>
</tr>
<tr>
<td>a) To be created only on property zoned for single family detached dwellings and no more than one apartment to be created in any dwelling.</td>
</tr>
<tr>
<td>Yes in compliance. The existing home is zoned a single family detached dwelling and there is no other apartment in this house.</td>
</tr>
<tr>
<td>b) Structure in which an accessory apartment is created to be owner-occupied, with the owner residing in either unit on a continuous basis except for temporary absences.</td>
</tr>
<tr>
<td>Yes. The existing home is our principal and only residence. We have deep stakes in the Minnetonka community and have no plans to change.</td>
</tr>
<tr>
<td>c) Adequate off-street parking to be provided for both units of housing with such parking to be in a garage, carport or on a paved area specifically intended for that purpose but not within a required turnaround.</td>
</tr>
<tr>
<td>Yes. The plan involves building a car-port. The addition would also contain a storage area on the ground floor which would free up space in our existing garage allowing vehicles to be parked inside.</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td>d) May be created by the conversion of living space within the house but not by conversion of garage space unless space is available for a two car garage on the lot without the need for a variance.</td>
</tr>
<tr>
<td>e) An accessory apartment must be no more then 35 percent of the gross living are of the house or 950 square feet, whichever is smaller.</td>
</tr>
<tr>
<td>f) Exterior changes to the house must not substantially alter the single family character of the structure.</td>
</tr>
<tr>
<td>g) No apartment to be created except in compliance with all applicable building, housing, electrical, plumbing, heating and related codes of the city</td>
</tr>
</tbody>
</table>
h) To be permitted only where it is demonstrated that the accessory unit will not have an undue impact on adjacent properties and where there will not be a substantial alteration of the character of the neighborhood.

Yes in compliance. Much care is being given to ensure that the look and feel of the addition will enhance the value of the property (and neighboring properties). We have ensured that we are well within side setback requirements and have buffered this with an additional 7’. Care is being given to the quality selection of Minnesota wetland plants and landscaping, that will further enhance the value of the property. The roofline height of the home will not change and the addition is situated primarily behind the home and out of site of the street.

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

Noted and agreed to.

We sincerely appreciate your efforts and feedback on our plans to enhance our property with the proposed Accessory Apartment. We also look forward to enhancing the value of the immediate neighborhood as well as an improvement to the appearance and functionality of our property.

Please feel free to contact me directly if you have any questions or require additional information.

Sincerely,

Matt Danielson, (cell) 612.803.9295: matt@greenhomedr.com
Jen Danielson  (cell) 952.540.7510: jen@greenhomedr.com

Encl: Conditional Use Permit Application & Owners Statement
$400 Application Fee
Legal Description Certificate of Survey, with Wetland Delineation
Building Rendering Floor Plan
Letter from Aaron Schwartz, Natural Resource Specialist
CERTIFICATE OF SURVEY
~ SHOWING PROPOSED ADDITION ~
PROPERTY ADDRESS: #3514 SUNRISE DRIVE WEST, MINNETONKA, MN

LOT 1
S89°02'01"W * TO BE REMOVED *
257.08' W

LEGAL DESCRIPTION
LOT 2, BLOCK 3, SUNRISE RIDGE, HENNEPIN COUNTY, MINNESOTA.

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

REV. 09/12/15, UPDATE NOTES
ERIC R. VOKARYUS
Date: SEP 11TH, 15 Reg. No. 44125
9/12/2015 11:10:06 AM CST

BENCHMARK
BASIS FOR ELEVATION: NAVD 88 (VIA REAL TIME GPS MEASUREMENTS UTILIZING MINNESOTA DEPARTMENT OF TRANSPORTATION VRS NETWORK)

NOTES
- Field survey conducted on 09/01/15.
- This survey was prepared without the benefit of titlework. Easement, appurtenances and encumbrances may exist in addition to those shown hereon. This survey is subject to revision upon receipt of a title insurance commitment or attorneys title opinion.
- PROPOSED GRADES BY HOME OWNER. TO BE VERIFIED AT TIME OF CONSTRUCTION.
- ADDITIONAL FIELD WORK REQUIRED TO VERIFY NORTHWEST AND SOUTHWEST PROPERTY CORNERS.
- NOT ENOUGH PROPERTY CORNERS WERE FOUND ALONG WEST LINE WHILE CONDUCTING SURVEY ON 09/01/15 TO DETERMINE LOCATIONS OF THOSE CORNERS WITH CERTAINTY.

ACRE LAND SURVEYING
Serving Twin Cities Metro area and beyond
763-458-2997 acrelandsurvey@gmail.com

Matt and Jen Danielson
3514 Sunrise Dr West
15031.15a
PRELIMINARY DESIGN
FOR BIDDING AND REVIEW PURPOSE ONLY
DO NOT USE FOR CONSTRUCTION
Be it resolved by the City Council of the City of Minnetonka, Minnesota, as follows:

Section 1. Background.

1.01 Matt and Jennifer Danielson have requested a conditional use permit for an accessory apartment. (Project 15031.15a)

1.02 The property is located at 3514 Sunrise Drive West. It is legally described as:

Lot 2, Block 3, Sunrise Ridge, Hennepin County, Minnesota

1.03 On November 5, 2015, the planning commission held a hearing on the proposal. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments received and the staff report, which are incorporated by reference into this resolution. The commission recommended that the city council approve the permit.

Section 2. Standards.

2.01 City Code §300.16 Subd. 2 outlines the general standards that must be met for granting a conditional use permit. These standards are incorporated into this resolution by reference.

2.02 City Code §300.16 Subd. 3(d) outlines the following specific standards that must be met for granting a conditional use permit for such facilities:

1. Allowed on property zoned for single family detached dwellings and no more than one apartment to be created in any dwelling;
2. Structures in which an accessory apartment is created to be owner-occupied, with the owner residing in either unit on a continuous basis except for temporary absences throughout the period during which the permit is valid;

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

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

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

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

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

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

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

Section 3. Findings.

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

3.02 The proposal meets all of the specific conditional use permit standards outlined in City Code 300.16 Subd.3(d).

1. The subject property is zoned R-1; just one accessory apartment is proposed for the property.
2. Per the applicants’ narrative, the property owners would continue to reside in the main home. Nonetheless, this has been added as a condition of this resolution.

3. The existing home has an attached two-car garage with additional parking in the driveway. As proposed, the accessory apartment would be cantilevered to provide additional covered parking below.

4. The accessory apartment would be an addition to the existing home. As such, the apartment would not be created by the conversion of existing living or garage space.

5. The proposed accessory apartment is 560 square feet. This would be less than what would be allowed by ordinance. By ordinance, the maximum accessory apartment size for the property would be 950 square feet.

6. The proposed addition would appear residential in character and would complement the existing architectural features of the existing home. Further, the apartment would be in the rear of the home and but for a small portion of the addition, would be screened from the adjacent right-of-way.

7. A condition of this resolution ensures compliance with all applicable building, housing, electrical, plumping, heating and related codes of the city.

8. The proposed addition would not have any adverse impact on the adjacent properties and would not alter the residential character of the neighborhood. The addition meets all applicable setback and zoning requirements. The addition is designed such that it would maintain the single-family character of the existing house and would not have the exterior appearance of a separate dwelling unit. Further, the parking for the accessory apartment would be accommodated within the existing garage and driveway and proposed carport.

9. The property would comply with all other ordinance requirements. Nonetheless, this has been added as a condition of this resolution.

Section 4. City Council Action.

4.01 The above-described conditional use permit is approved, subject to the following conditions:
1. Subject to staff approval, the property must be developed and maintained in substantial conformance with the following:

   • Survey dated September 11, 2015
   • Plans dated September 8, 2015

2. Prior to issuance of a building permit:

   1. This resolution must be recorded with Hennepin County.

   2. A conservation easement must be filed over the 25-feet wetland buffer area. Prior to recording, the easement document must be submitted and reviewed for approval by city staff.

3. The 25-foot buffer area must be established with native vegetation or an escrow deposit must be submitted to the city prior to the final inspection of the addition.

4. Proposed construction must meet floodplain setbacks. The 100-year flood elevation of the wetland is 935.2 feet. Additions to the house must maintain a 20-foot horizontal setback and a two-foot vertical separation from the flood elevation. Attached decks and patios must be setback a minimum of 10 feet and be 1.5 feet above the flood elevation.

5. The unenclosed deck surrounding the accessory apartment cannot be enclosed unless it is shown to meet the required wetland and floodplain setbacks.

6. The property owner must reside in either unit on a continuous basis except for temporary absences throughout the period in which the permit is valid.

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

8. All other provisions of the city ordinances related to single family dwellings unit must be met.

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

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

Adopted by the City Council of the City of Minnetonka, Minnesota, on November 23, 2015.

_______________________________________
Terry Schneider, Mayor

Attest:

_________________________________
David E. Maeda, City Clerk

**Action on this resolution:**

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

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on November 23, 2015.

__________________________________
David E. Maeda, City Clerk
Minnetonka Planning Commission Meeting
November 5, 2015

Agenda Item 8

Public Hearing: Non-Consent Agenda
MINNETONKA PLANNING COMMISSION  
November 5, 2015

Brief Description  
Items concerning Dunn Brothers Coffee at 14525 State Highway 7:

1) Conditional Use Permit for a fast food restaurant with drive-up facility; and

2) Site and Building Plan Review

Recommendation  
Recommend the city council adopt the resolution approving the request.

Project No.  
06054.15a

Property  
14525 State Highway 7

Background  
In 2013, the city received a request to convert the existing, three-story Woodhill Plaza office building into a mixed-use building containing retail, service commercial and office uses. The city approved the request, amending the site's comprehensive guide plan designation to commercial and rezoning the property to B-3/General Business. Several new tenants have since occupied the long vacant building, including: Rock & Bella, Sakada Studios, and Snap Fitness.

Proposal  
Dunn Brothers Coffee is proposing to occupy a first floor tenant space in the building. In addition to serving walk-in customers, the coffee shop would include a drive-up window. To accommodate the coffee shop and associated drive-up window, various changes would be made to both the site and building. (See pages A1–A13.)

Proposal Requirements  
The proposal requires:

• Conditional Use Permit: By city code a coffee shop is defined as a “fast food restaurant.” Fast food restaurants with drive-up facilities are conditionally permitted uses in the B-3 zoning district.

• Site and Building Plan Review: By city code, site and building plan review is required for any modification to a building or
Subject: Dunn Brothers Coffee, 14525 State Highway 7

land feature which results in a different intensity of use. The drive-up facility may result in a different intensity of use.

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

**Existing Site and Building**
The 3.5-acre subject property is located within the Highway 7/Williston/Highwood Drive village center, which is defined as “special purpose village center” in the comprehensive plan. The site is accessed via two driveways onto the Highway 7 south frontage road. The existing three-story building was constructed in 1980 and is 59,000 square feet in total size.

**Proposed Building Changes**
As proposed, a roughly 1,950 square foot tenant space in the southwest corner of the building would be significantly remodeled to accommodate Dunn Brothers Coffee. New entries to the space would be constructed on the south and east facades, and a drive-up window would be installed on the west façade. (See page A9.)

**Proposed Site Changes**
To maintain orderly vehicular circulation while providing access to the new drive-up window, the site’s westerly driveway would be converted to a one-way, “entry only.” The drive lane closest to the building would be designated for the coffee shop drive-up and the other would be used for general traffic. The site change would require minimal grading and bituminous resurfacing. (See page A9.)

**Staff Analysis**
Staff finds that the proposal is reasonable.

- The comprehensive guide plan notes that “special purpose village centers” are intended to offer limited commercial uses to neighborhoods and drive-by traffic, rather than attracting customers from a larger area. The proposed Dunn Brothers Coffee is consistent with the purpose of this type of village center. It would serve the local neighborhood – including the building’s tenants and visitors – as well as the commuting public.
- The proposed Dunn Brothers Coffee would meet all conditional use permit standards. These standards are outlined in the “Supporting Information” section of this report.
The proposed Dunn Brothers Coffee would meet all site and building plan standards. These standards are outlined in the “Supporting Information” section of this report.

**Staff Recommendation**

Recommend that the city council adopt the resolution approving the conditional use permit, and final site and building plans, for a fast food restaurant with drive-up facility at 14525 State Highway 7. (See pages A14–A19.)

Originator: Susan Thomas, AICP, Principal Planner
Supporting Information

**Surrounding Land Uses**
Northerly: State Highway 7
Easterly: Famous Dave’s, guided commercial
Southerly: city-owned property, guided parks
Westerly: Edina Realty building, guided commercial

**Planning**
Guide Plan designation: commercial
Zoning: B-3/General Business

**Parking**
By City Code §300.28 Subd. 12(c)(1)(d): “For mixed-use buildings, parking requirements shall be determined by the city based on the existing and potential uses of the building.” By City Code §300.28 Subd. 12(c)(4): “The parking requirement for uses not listed in [the ordinance] may be established by the city based on the characteristics of the use and available information on parking demand for such use.”

Given city code allowances and the mixed-use nature of the building, staff evaluated the required parking using the Institute of Transportation Engineers Trip Generation Manual, 8th Addition. Based on this analysis, 184 parking stalls would be required to accommodate the uses of the building. This is met by the site’s existing 227 stalls.

<table>
<thead>
<tr>
<th>Floor</th>
<th>Use</th>
<th>Area*</th>
<th>Rate</th>
<th>Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st</td>
<td>General Office</td>
<td>7,108 SF</td>
<td>2.84/1000 SF</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>General Service</td>
<td>3,901 SF</td>
<td>1/250 SF**</td>
<td>16</td>
</tr>
<tr>
<td></td>
<td>Fitness</td>
<td>5,163 SF</td>
<td>5.19/1000 SF</td>
<td>27</td>
</tr>
<tr>
<td></td>
<td>Coffee Shop</td>
<td>1,956 SF</td>
<td>9.9/1000 SF</td>
<td>19</td>
</tr>
<tr>
<td>2nd</td>
<td>General Office</td>
<td>18,128 SF</td>
<td>2.84/1000 SF</td>
<td>51</td>
</tr>
<tr>
<td>3rd</td>
<td>General Office</td>
<td>18,128 SF</td>
<td>2.84/1000 SF</td>
<td>51</td>
</tr>
<tr>
<td></td>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td><strong>184</strong></td>
</tr>
</tbody>
</table>

* excludes common stairwell/restroom space
**city code rate as no ITE comparable

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

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

3. The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements; and

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

The proposal would meet the general conditional use permit standards as outlined in City Code §300.21 Subd.4(f):

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

   **Finding:** The only access to the property is directly from the Highway 7 service/frontage road.

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

   **Finding:** The closest single-family residential property is located over 500 feet to the south and is further separated from the site by significant topography. Nevertheless, this has been included as a condition of approval.

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

   **Finding:** As proposed, six vehicles could be stacked in the proposed drive-up aisle. To prevent stacking onto the frontage road, a condition has been included moving the menu/order board further to the south.

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

   **Finding:** The building is currently occupied by a variety of uses. The proposed coffee shop would present yet another type of use. As a general land use and traffic principle, mixed and varying uses on a site disperse traffic throughout the day rather than concentrating it during peak periods. No adverse traffic or access issues are anticipated as a result of the proposed fast food restaurant.
5. Building shall be set back at least 100 feet and screened from any adjacent property designated in the comprehensive plan for residential use.

**Finding:** The closest single-family residential property is located over 500 feet to the south and further separated from the site by significant topography.

**SBP Standards**

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

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

**Finding:** The proposed coffee shop has been reviewed by the city’s building, engineering, planning, natural resources, and fire staff. Staff finds the proposal to be generally consistent with the city’s development guides.

2. Consistency with this ordinance;

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

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

**Finding:** The proposed coffee shop would occupy space in an existing building on a fully developed site. Just a small area of green space would be disturbed to accommodate reconfiguration of the drive-up facility.

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 coffee shop would occupy space in an existing building on a fully developed site. Just a small area of green space would be disturbed to accommodate reconfiguration of the drive-up facility.

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: To provide access to the new drive-up window, the site’s westerly driveway would be converted to a one-way, “entry only.” The drive lane closest to the building would be designated for the coffee shop drive-up and the other would be used for general traffic. This would allow for continued, orderly circulation through the site.

6. Promotion of energy conservation through design, location, orientation and elevation of structures, the use and location of glass in structures and the use of landscape materials and site grading; and

Finding: Interior renovations would meet current building code requirements, including those pertaining to energy efficiency.

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

Finding: The proposed coffee shop, occupying space in an existing building, is not anticipated to negatively impact adjacent and neighboring properties.
### Neighborhood Comments
The city sent notices to 10 area property owners and received no comments to date.

### Deadline for Decision
January 28, 2016
Location Map

Project: Dunn Brother’s Coffee
Applicant: Lake West Development
Address: 14252 State Hwy 7
(06054.15a)

This map is for illustrative purposes only.
Wednesday, September 30, 2015

Susan Thomas
Principal Planner
City of Minnetonka
14600 Minnetonka Boulevard
Minnetonka, MN 55345
O: 952-939-8292
E: sthomas@eminntonka.com

RE: CONDITIONAL USE PERMIT APPLICATION, WRITTEN STATEMENT;
LAKE WEST DEVELOPMENT
14525 State Highway No. 7, Minnetonka, MN 55345
PID: 2111722440032

Dear Ms. Thomas,

Lake West Development is pleased to bring to your attention a conditional use permit application for a Dunn Brother’s Coffee, located in the Lake West Building at 14525 State Highway No. 7, Minnetonka, MN 55345. We believe that the proposed use for the Lake West Building will add to the Highway 7 and Highwood/Williston “Special Purpose” Village Center by adding a desirable amenity for the residents of Minnetonka. We respectfully seek staff support and City Council approval of this conditional use permit application for a Fast Food Restaurant with a Drive-Thru Lane in the B-3 General Business District zoning area.

Lake West Development and the proposed tenant are in final discussions to bring a first-class coffee shop to the Southwest corner of the Lake West Building. Dunn Brothers Coffee started their specialty coffee operation in Saint Paul, Minnesota, 28 years ago. With nearly 85 shops in 9 states, Dunn Brothers Coffee has a strong brand that coffee lovers go out of their way to find. The Dunn Brothers Coffee hours of operations are seven days a week, from 6:00am-10:00pm.

(CONTINUED ON NEXT PAGE)
The following is an assessment of the application to permit evaluation criteria:

### Conditional Use Permit Evaluation Criteria

<table>
<thead>
<tr>
<th>Section 300.21.2. General Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>a) Is the use consistent with the intent of this ordinance?</strong></td>
</tr>
<tr>
<td>Yes. The purpose of the B-3 district is to provide a district for general commercial development in areas so designated in the comprehensive plan and which are removed from residential areas. The intensity of development permitted in this district shall be determined by the city's assessment of the quality of the site and building plan and upon the ability to mitigate off-site impacts. A coffee shop, classified as a fast food restaurant per city code, which is conditionally permitted in the B-3 district, meets the intent by providing a low intensity service amenity necessary for a “Special Purpose” Village (Highway 7 and Highwood/Williston) that is seeking to add stability and increase vitality.</td>
</tr>
</tbody>
</table>

| **b) Is the use consistent with the goals, policies and objectives of the comprehensive plan?** |
| Yes. The Minnetonka 2030 Comprehensive Plan provides an overall growth strategy that advocates for opportunities that increase the vitality of existing and new office, retail and commercial development in an increasingly competitive regional market. The proposed use will assist in enhancing vitality within the commercial node by allowing well-planned and desirable mixed uses. In addition, the use will help to build upon the existing village concept already in place, which includes several office uses, The General Store, Snap Fitness, Famous Dave’s, and Mid-Country Bank. The use will also enhance the livability and walkability of a frontage road that is already actively traveled by walkers, runners, and bikers. |

| **c) Does the use have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements?** |
| No. The proposed use does not incorporate a special use or other circumstance that would otherwise add unnecessary requirements or have an adverse impact on governmental facilities, utilities, services, or existing or proposed improvements. |

| **d) Is the use is consistent with the city's water resources management plan?** |
| Yes. As described in Section C & D within Chapter VI (Resources Management Plan) of the 2030 Comprehensive Plan, the project contributes to meeting the resource management goals and plans of the City. |

| **e) Is the use is in compliance with the performance standards specified in section 300.28 of this ordinance?** |
Yes. The proposed use is in compliance with the applicable general performance standards and will work with city staff to ensure specific performance standards are adhered to.

f) Does the use have an undue adverse impact on the public health, safety or welfare?

No. The use is intended to provide a location where persons and families can gather and meet for a quick option for food and sustainably grown coffee. The tenant is required to follow the food safety regulations that have been outlined by the Minnesota Department of Health and other governmental bodies.

Section 300.21.4.f. Fast Food Restaurants Specific Standards

1) The use shall be located only on sites having direct access to minor arterial streets or service roads.

As currently designed, the site is located with direct access off of the Highway 7 Service Road.

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

As currently designed, the building is located at least 300 meters or more from any residential parcel making the site inaudible for any residential parcels.

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

As currently designed, the site allows for up to seven cars to be in queue in the aisle.

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

As currently designed, the site layout includes excess stacking capacity as required by city code. In addition, there is ample parking and queuing area on site, further minimizing or eliminating any potential impact on adjacent streets or intersections.

5) The building shall be set back at least 100 feet and screened from any adjacent property designated in the comprehensive plan for residential use.

The building is not adjacent to any current residential use or any proposed residential use within the comprehensive plan.

(CONTINUED ON NEXT PAGE)
We sincerely appreciate your efforts in reviewing and providing feedback on the consideration of the Conditional Use Permit to add a Coffee Use with a Drive Lane to the vitality of the “Special Purpose” Village giving the City of Minnetonka residents a new and desirable amenity to enjoy.

Enclosed is our completed Conditional Use Permit application, per previous staff discussions with Civil Site Group, a landscaping plan is not necessary and a storm water management plan is not required due to site grading improvements being less than the required 5,000 square feet of improvement and less than the 50 cubic yards of grading or removal activity. As no addition to the building is being proposed, a building rendering is not included.

Please feel free to contact me directly if you have any questions or require additional information.

Sincerely,

Jon Fletcher
President, Lake West Development
14525 Highway 7, Suite 265
Minnetonka, MN 55345
O: 952-653-1355
E: jon@lwestdev.com

Cc: Curt Fretham, Lake West Development
    Kayla Mack, Lake West Development

Encl: Conditional Use Permit Application
      $800 Application Fee
      Legal Description
      Certificate of Survey
      Grading and Drainage Plan
      Floor Plan
Resolution No. 2015-

Resolution approving a conditional use permit, and final site and building plans, for a fast food restaurant with drive-up facility at 14525 State Highway 7

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

Section 1. Background.

1.01 Lake West Development is proposing to lease tenant space within an existing mixed-use building to a coffee shop. In addition to serving walk-in customers, the coffee shop would include a drive-up window. As proposed, minor changes would be made to both the site and building to accommodate the coffee shop and associated drive-up window.

1.02 The property is located at 14525 State Highway 7. It is zoned B-3/General Business and is legally described as:

The East 397.00 feet of the West 442.00 feet of Lot 3, Block 1, TOWER HILL, according to the plat thereof on file or of record in the office of Registrar of Titles in and for Hennepin County, Minnesota

1.03 By City Code §300.02, a fast food restaurant is defined as a restaurant whose business is the sale of rapidly prepared, pre-prepared or take-out food directly to customers without table service and which may include drive-up order and delivery systems. The proposed coffee shop is considered a fast food restaurant.

1.04 By City Code §300.19 Subd. 4(f), fast food restaurants with drive-up facilities are conditionally permitted within the B-3 zoning district.

1.05 By City Code §300.27 Subd. 2(c), site and building plan review is required for any modification to a building or land feature which results in a different intensity of use. The drive-up facility may result in a different intensity of use.

1.06 On November 5, 2015, the planning commission held a hearing on the
proposal. The applicant was provided the opportunity to present information to the planning commission. The planning commission considered all of the comments received and the staff report, which are incorporated by reference into this resolution. The commission recommended that the city council approve the permit and final site and building plans.

Section 2. Standards.

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

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

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

3. The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements;

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

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

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

2.02 City Code §300.21 Subd.4(f) lists the following specific standards that must be met for granting a conditional use permit for a fast food restaurant with drive-up facility.

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

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

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

4. Shall not be permitted when traffic studies indicate significant impacts on the levels of service as defined by the institute of traffic engineers of adjacent streets and intersections; and
5. Building shall be set back at least 100 feet and screened from any adjacent property designated in the comprehensive plan for residential use.

2.03 City Code §300.27 Subd.5 lists the following standards that must be considered in review of final site and building plans:

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

2. Consistency with this ordinance;

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

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

5. Creation of a functional and harmonious design for structures and site features, with special attention to the following:
   a) an internal sense of order for the buildings and uses on the site and provision of a desirable environment for occupants, visitors and the general community;
   b) the amount and location of open space and landscaping;
   c) materials, textures, colors and details of construction as an expression of the design concept and the compatibility of the same with the adjacent and neighboring structures and uses; and
   d) vehicular and pedestrian circulation, including walkways, interior drives and parking in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangement and amount of parking.
6. Promotion of energy conservation through design, location, orientation and elevation of structures, the use and location of glass in structures and the use of landscape materials and site grading; and

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

Section 3. Findings.

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

3.02 The proposal would meet the specific conditional use permit standards as outlined in City Code §300.21 Subd.4(f):

1. The only access to the property is directly from the Highway 7 service/frontage road.

2. The closest single-family residential property is located over 500 feet to the south and further separated from the site by significant topography.

3. As proposed, six vehicles could be stacked in the proposed drive-up aisle.

4. The building is currently occupied by a variety of uses. The proposed coffee shop would present yet another type of use. As a general land use and traffic principle, mixed and varying uses on a site disperse traffic throughout the day rather than concentrating it during peak periods. No adverse traffic or access issues are anticipated as a result of the proposed fast food restaurant.

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

1. The proposed fast food restaurant has been reviewed by the city’s building, engineering, planning, natural resources, and fire staff. Staff finds the proposal to be generally consistent with the city’s development guides.

2. The proposal would meet all minimum ordinance standards.
3. The fast food restaurant would occupy space in an existing building on a fully developed site. Just a small area of green space would be disturbed to accommodate the drive-up facility.

4. To provide access to the new drive-up window, the site’s westerly driveway would be converted to a one-way, “entry only.” The drive lane closest to the building would be designated for the drive-up facility and the other would be used for general traffic. This would allow for continued, orderly circulation through the site.

5. Interior renovations would meet current building code requirements, including those pertaining to energy efficiency.

6. The proposed fast food restaurant, occupying space in an existing building, is not anticipated to negatively impact adjacent and neighboring properties.

Section 4. City Council Action

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

1. Subject to staff approval, the property must be developed and maintained in substantial conformance with the following plans:
   - Site plan dated 09/15/15
   - Floor plan dated 09/15/15

2. Prior to commencing any site work, install erosion control and tree protection fencing as required by staff for inspection and approval. These items must be maintained throughout the course of construction.

3. Prior to issuance of a building permit:
   a) This resolution must be recorded with Hennepin County; and
   b) Submit a revised site plan, relocating the menu/order board at least one vehicle length to the south.

4. Public address systems must not be audible at any time from any residential parcel.

5. “Do Not Enter” directional signs must be installed at the south end of the westerly driveway.
6. The city council may reasonably add or revise conditions to address any future unforeseen problems.

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

8. This resolution does not approve any signs.

Adopted by the City Council of the City of Minnetonka, Minnesota, on November 23, 2015.

Terry Schneider, Mayor

Attest:

David E. Maeda, City Clerk

Action on this resolution:

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

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on November 23, 2015.

David E. Maeda, City Clerk
Brief Description
Conditional use permit and site and building plan review for the expansion of the Pagel Activity Center for a second hockey rink with ancillary training, locker, and storage rooms.

Recommendation
Recommend the city council adopt the resolutions approving the conditional use permit and site and building plans.

Project No.
97001.15b

Property
Minnetonka High School, 18313 State Highway 7

Applicant
Minnetonka Youth Hockey Association

Property Owner
Minnetonka School District #276

Proposal
The Minnetonka Youth Hockey Association is proposing to expand the Pagel Activity Center on the Minnetonka High School Campus to include a second hockey rink, training facilities, locker rooms, and storage areas. The proposed addition would be 35,408 square feet in size and located to the south of the existing structure. (See pages A1–A12.)

Proposal Requirements
The proposal requires:

- **Conditional use permit**: Educational institutions and facilities are conditional uses in the R-1 zoning district. Therefore, a conditional use permit is required.

- **Site and Building Plan Review**: Site and Building Plan review is required for any project which requires a conditional use permit.

Approving Body
The planning commission makes a recommendation to the city council, which has final authority to approve or deny the request. (City Code §300.06 Subd. 4 & §300.27 Subd. 6)

Site Features
The Minnetonka High School Campus is a multi-functional educational and recreational campus. The enrollment in the fall of 2015 is 3,100 students. The maximum capacity for the site is
3,400 students. In addition to the high school building, the site includes the Pagel Activity Center, Arts Center on 7, baseball fields, softball fields, tennis courts, soccer field, and associated parking areas. A maintenance and storage facility for the district is also located on the site attached to the Pagel Activity Center. A dome is constructed over the football field to provide indoor field space for activities such as soccer, lacrosse, and baseball batting practice in the winter months.

**Building Use**

The applicant, Minnetonka Youth Hockey Association (MYHA), is proposing an addition to the Pagel Activity Center which was first developed in 2001. The existing facility is 47,855 square feet in size and includes a 1,150 person ice arena, upper-level walking track, a weight-training facility, and a ticket selling and concession area for hockey and football. The building also has the maintenance garage for the district. As in 2001, the proposed addition to the Pagel Activity Center is a partnership with MYHA constructing and operating the building and the school district owning the land. MYHA is seeking to add a 35,408 square foot addition to the south. The main floor would include a NHL-size arena, locker rooms, dryland training area, restrooms, and mechanical/operations areas. The 7,625 square foot mezzanine level includes additional dryland training areas and a conference room. The arena is intended for practice so it does not include any seating like bleachers. The two arenas will be connected for efficiency purposes with shared equipment and maintenance facilities, including an ice melt pit.

**Natural Resources**

Most of the area where the proposed grading and construction will occur is steep slope and ranges from 24% to 26%. Final slopes for the site will be limited to 3:1 for maintenance purposes. There is a remnant patch of oak forest starting just south of the proposed building that is regulated as Woodland Preservation Area by the city’s tree ordinance. The project will remove a few smaller trees and understory vegetation along the northern edge, but will be leaving the bulk of the area intact. At the southwest corner of the building there are two large red oaks shown as remaining. There is the potential for impact to the critical root zones of these trees so the applicant is required to have a tree mitigation plan. In addition, a conservation easement is recommended on the remaining Woodland Preservation Area to provide clear, long-term protection of this area. All the trees shown to be removed are within the Basic Tree Removal Area and do not require mitigation. This includes 9 high-priority trees and 11 significant trees.
Stormwater

The proposed expansion will result in an increase in impervious surface, triggering the city’s runoff rate control, runoff volume control, and water quality treatment requirements. The project includes the removal of an existing underground stormwater storage/treatment facility located within the proposed ice arena footprint. The submittal indicates that stormwater will be managed through the installation of a subsurface stormwater management system on the east side of the proposed ice arena addition. This system will need to provide sufficient capacity to meet the needs of the proposed expansion, as well as the rate control and water quality treatment for the area served by the current underground system. Preliminary review indicates that the proposed system will be adequate. However, additional detailed information and computations will be necessary to show the proposed system meets the city’s stormwater management requirements. Future submittals will also need to show that there will be no impacts to the Tamarack bog located south of the project area.

Building Elevations

The addition is proposed to tie into the existing facility with similar colors and building materials. An exterior elevation and rendering show that the west elevation will include additional treatment to break up the large wall expanse. This treatment will be continued on the south elevation as well. (See pages A11-A12). While detailed plans have not yet been submitted, lighting on the building will be required to be designed to limit glare, spill light, and direct, off-site views.

Traffic

The city’s traffic consultant, SRF Consulting Group, conducted a traffic study for the proposed expansion. The traffic study included both the Pagel Activity Center expansion and the potential increase in student enrollment to the site’s maximum capacity. (See pages A13-A33). The traffic study concluded that:

- All except two intersections currently operate at acceptable levels. The two intersections of concern are the Delton Avenue/West School Access and Delton Avenue/Vile Hill Road (east) intersections. These intersections operate at unacceptable levels during the am peak 15-minute period with delays of 30 to 70 seconds.

- The proposed increase in enrollment will create operational issues for all of the school access locations along Delton Avenue. The increased trip generation will
add between 154 and 301 more a.m. peak hour trips and 88 to 170 p.m. peak hour trips.

- Traffic circulation within the school campus is of concern, particularly with movement of students through the parking lots as there is queuing of traffic. It is particularly problematic near the visitor parking lot for student drop-off and pick-up, as well as in the student parking lots where weaving through parking spaces occurs to “jump” the queues.

- The expansion of the Pagel Activity Center is not expected to impact traffic circulation and parking demand during the school day peak hours as during that time the facility is only expected to serve the high school students already on-site. MYHA has stated that there will be no use of the facility before 5:30 p.m. for hockey players other than the high school teams. The expansion is expected to increase the number of drop-offs and pick-ups so improvements around the entrance are recommended.

- The city and school district met to discuss the potential traffic/circulation mitigation strategies recommended in the traffic study. In the discussion it was noted that the school district is already implementing some of the recommendations from the traffic study. This includes the use of staff to help direct traffic flow in the parking lots; the closing of the west access for right turns during departure; and the restriping of the signalized exit so there is a lane for left turns and a lane for right turns. The school has been and will continue to close off the east parking lots from the west parking lots through the use of a gate once school has started each day.

The following is what the school district will be implementing:

- Adding signs in the visitor parking lot to encourage drivers to move up so the entire drop-off area can be utilized.

- The permitting process will be revised in the fall of 2016-2017 to include the assignment of specific lots to help drivers find and more easily navigate to available parking spaces.
− The school district will explore having students go in the Arts Center door to help encourage drop-offs to move further up and better utilize the entire roundabout area.

− During the summer of 2016 a barrier along a row of parking in the northwest parking lot will be installed to prevent drivers weaving through the parking lot to jump the queue at the west access on Delton Avenue.

− During the summer of 2016 a right-in only access that aligns with the visitor parking lot access will be constructed and the southern access along the main drive aisle to the parking lot will be closed.

− The school district will also continue to discuss with the city the potential for roundabouts as part of future projects or other road improvements.

It was determined in the discussion that some of the recommendations were not appropriate or feasible at this time. They were:

− Encouraging students to be dropped off in the bus parking areas was recommended not to be pursued due to potential conflicts between students, cars, and buses.

− The need for a raised median on the west side of the northwest lot was determined not to be needed due to the addition of the barrier between the parking rows that prevents vehicles from jumping the queue.

− It was determined that the constructing of a new westbound one-way drive aisle between the northwest and southwest lots would be reevaluated in the future if needed. The area is currently one of the only pervious areas in that portion of the site and it serves as a snow storage area in the winter.

− It was determined that the barricades in the southwest lot should remain as they do provide additional safety for students as they leave the school and cross the driveway to reach the parking lot. The barricades allow the driveway to be one-way so students do not have
to worry about traffic from two directions when crossing.

Parking

Last year there were 667 annual or part time student parking permits issued. There was also an average of 17 daily parking permits issued. Approximately 57% of students were registered for busing and 74 buses are used to transport students to MHS.

The traffic study also included an examination of parking for the site. The traffic study concluded:

- While the entire campus has sufficient parking, the southwest lot is effectively full shortly after school starts.

- Students who do not have parking permits are observed to park along Delton Avenue east of Porter Avenue. Given that there are no pedestrian accommodations in this location and to the school this is a safety concern.

- The expansion of the Pagel Activity Center is not expected to significantly expand parking needs during the peak school day time period.

- The city and school district met to discuss the potential parking mitigation strategies recommended in the traffic study. The following is what the school district will be implementing:
  
  - The school district will revise the permitting process in the fall of 2016-2017 to include the assignment of specific lots to help drivers find and more easily navigate to available parking spaces.
  
  - As enrollment increases, the school district will continue to limit the number of permits for annual and daily parking permits to available spaces. This will include reducing the number of student permits as needed to compensate for increases in staffing. The proposed increase to 3,400 students is anticipated to add about 12 staff members.
  
  - During the summer of 2016 the school district will relocate the main drive aisle through the southwest parking lot to align with the western aisle and restripe the drive aisle with additional parking.
During the summer of 2016 the school district will add additional parking spaces where possible. Preliminary locations being examined include the northwest parking lot, southwest parking lot, and northeast parking lot. The number and location will be determined based on a site and building plan review process that will take into consideration traffic movement and site conditions including tree loss/mitigation, slope, and impervious surface coverage.

As restriping and construction projects occur, the school district will consider the use of angled parking. In general, angled parking will be used when it can improve the traffic flow while still retaining the same number of spaces.

During the summer of 2016 the school district will improve the design of the drop-off and pick-up area in front of the Pagel Activity Center through the use of additional concrete to improve operations and safety. The current fence/gate system will remain, however, as it helps to distinguish between the parking area and the maintenance facility. In addition, a clear area must be maintained in front of the Pagel Activity Center so that a crane with a boom can get down to the football field twice a year to put up and take down the dome.

The school district will continue to explore the development of a shuttle system to an off-site parking area. The school district does have a concern that the current shortage of bus drivers may make a shuttle system challenging. If pursued this would likely involve the signing of nearby streets for no parking.

It was determined in the discussion that some of the recommendations were not appropriate or feasible at this time. They were:

- Increasing the permit cost to encourage more bus utilization. While the school district is open to this, there is a concern that the permit fees may already be higher than many surrounding districts.

- Adjusting the carpool requirement to require three or more students per vehicle was not deemed to be
favorable given the potential for more distractions for drivers.

**Staff Analysis**

Staff finds that the proposed addition to the Pagel Activity Center to be a reasonable use of the property and the impacts from the addition can be addressed through site improvements and mitigation strategies. The school district has agreed to a number of traffic and parking improvements that will be beneficial to the overall site operations.

**Staff Recommendation**

Recommend that the city council adopt the resolutions approving a conditional use permit and the site and building plans for the expansion of the Pagel Activity Center at 18313 State Highway 7. (See pages A34–A52.)

Originator: Rita Trapp, AICP, Consulting Planner
Through: Susan Thomas, AICP, Principal Planner
Supporting Information

Surrounding Land Uses

<table>
<thead>
<tr>
<th>Direction</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northerly</td>
<td>Delton Avenue &amp; State Highway 7</td>
</tr>
<tr>
<td>Easterly</td>
<td>Single-family homes and Stoney Bridge Court townhomes; guided low density residential and zoned R-1 and PUD</td>
</tr>
<tr>
<td>Southerly</td>
<td>Single-family homes; guided for low density residential uses and zoned R-1</td>
</tr>
<tr>
<td>Westerly</td>
<td>Single-family homes and multiple family residential; guided high density residential and zoned R-1 and R-4</td>
</tr>
</tbody>
</table>

Planning

Guide Plan designation: Institutional
Zoning: R-1, Low Density Residential

CUP Standards

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

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

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

1. Direct access limited to a collector or arterial roadway as identified in the comprehensive plan or otherwise located so that access can be provided without conducting significant traffic on local residential streets; the use is not permitted on property that has access only by way of a private road or driveway that is used by more than one lot;

Finding: The Minnetonka High School site has three access points to Delton Avenue. The Pagel Activity Center Addition is located on the rear of the site and will use the internal school circulation system for access.
2. Buildings set back 50 feet from all property lines and parking setbacks subject to section 300.26 of this ordinance;

**Finding:** The buildings and parking areas meet the setback requirements of the code.

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

**Finding:** The school bus pick-up and drop-off areas are located to the east of the building, outside of the public right-of-way.

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

**Finding:** The Pagel Activity Center addition will be an indoor facility.

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

**Finding:** The Minnetonka High School Campus is 37% impervious with the remainder suitably landscaped.

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

**Finding:** The site and building plan have been reviewed as required by section 300.27.

7. No connect to, or part of, any residential dwelling.

**Finding:** The proposed addition will not be connected to or part of any residential dwelling.
<table>
<thead>
<tr>
<th>Neighborhood Comments</th>
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</thead>
<tbody>
<tr>
<td>The city sent notices to 530 area property owners. The city has received one email from a resident who cannot attend the meeting but is supportive of the project.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Motion Options</th>
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</thead>
<tbody>
<tr>
<td>The planning commission has three options:</td>
</tr>
</tbody>
</table>

1. Concur with the staff recommendation. In this case a motion should be made recommending the city council adopt the resolution approving the conditional use permit and the site and building plans.

2. Disagree with staff’s recommendation. In this case, a motion should be made recommending the city council deny the conditional use permit and site and building plans. 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 include a statement as to why the request is being tabled with direction to staff, the applicant, or both.

<table>
<thead>
<tr>
<th>Deadline for Decision</th>
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<tr>
<td>January 4, 2016</td>
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</table>
Written Statement
Pagel Two Ice Arena
Minnetonka, Minnesota

Background:

In the 1990's the Minnetonka Youth Hockey Association partnered with the Minnetonka School District and the Minnetonka High School to identify a site and build the new home for Minnetonka Hockey on the High School Campus. The Pagel 1 arena has been very successful and has served both the Hockey Association and the High School since it was completed. Participation in hockey has continued to grow in both boys and girls hockey programs for MYHA. For years the MYHA has rented ice time at the Victoria Recreation Center. With the growth in the hockey programs at Chaska/Chanhassen and Holy Family availability for MYHA at Victoria has been limited. So, with growing numbers and reduced access to other ice facilities, now is the right time to build the Pagel 2 arena.

Project Description and Purpose:

The 35,408 sf building addition is design primarily as a practice/training facility. The building includes a new NHL size (85’x200”) ice arena, locker rooms, dry land training area, stick handling area, puck shooting area, equipment storage area, conference room and restrooms.

This project is challenged by the only available site adjacent to the existing rink. The sloped area on the south side of the existing rink is the best location because it allows teams to take full advantage of both the new and existing facilities. It allows the facility to share refrigeration systems, ice resurfacers, and staff.

The addition is designed to take advantage of the hill side location by creating a retaining wall on the East side of the building. The floor level of the new building will match the existing building. The new building will be designed to match the existing building and will incorporate changes in color and height to help reduce the mass of the building.

Because this building is a practice facility it will require little parking and because the building will be used primarily outside of school hours users of the building will find plenty of available parking spaces on campus. Typically the players will be dropped off at the front entry of the existing rink and make their way through Pagel 1 to Pagel 2.
1. Contact architect immediately if conflicts arise w/ installation of accessories & equipment. No changes acceptable unless shown on plan or approved by architect.
2. Mount fire extinguisher cabinets @ 5'-0" A.F.F. to top of cabinet. Final locations to be verified by local fire chief.
3. Framing contractor to provide all necessary blocking in walls for wall-hung items (cabinets, shelving, countertops, etc.).
4. See X/XX or X/XX for typical wall types.
5. All exposed interior columns to be painted, typ.
6. All stoop slabs and aprons to be poured with sidewalk to match finish, tooling & joints.
7. See X/XX or X/XX for wall dimensions.
8. See X/XX for ice rink plans.
9. See X/XX for typical precast corner, unless noted otherwise.
10. See X/XX for typical RWL detail.

Keyed Plan Notes:
- 1. Typical interior walls to be 8" CMU
- 2. Interior toilet room walls to be 4" CMU

Main Level General Notes:
1. CONTACT ARCHITECT IMMEDIATELY IF CONFLICTS ARISE W/ INSTALLATION OF ACCESSORIES & EQUIPMENT. NO CHANGES ACCEPTABLE UNLESS SHOWN ON PLAN OR APPROVED BY ARCHITECT.

2. MOUNT FIRE EXTINGUISHER CABINETS @ 5'-0" A.F.F. TO TOP OF CABINET. FINAL LOCATIONS TO BE VERIFIED BY LOCAL FIRE CHIEF.

3. FRAMING CONTRACTOR TO PROVIDE ALL NECESSARY BLOCKING IN WALLS FOR WALL-HUNG ITEMS (CABINETS, SHELVING, COUNTERTOPS,...ETC.)

4. SEE X/XX OR X/XX FOR TYPICAL WALL TYPES.

5. ALL EXPOSED INTERIOR COLUMNS TO BE PAINTED, TYP.

6. ALL STOOP SLABS AND APRONS TO BE POURED WITH SIDEWALK TO MATCH FINISH TOOLING & JOINTS.

7. SEE X/XX FOR WALL DIMENSIONS.

8. SEE X/XX FOR ICE RINK PLANS.

9. SEE X/XX FOR TYPICAL PRECAST CORNER, UNLESS NOTED OTHERWISE.

10. SEE X/XX FOR TYPICAL RWL DETAIL.
To: Jeff Thomson, Associate Planner  
   City of Minnetonka  
From: Matthew Pacyna, PE, Senior Associate  
   Emily Gross, EIT, Engineer  
Date: August 14, 2015  
Subject: Minnetonka High School Expansion Traffic Study

Introduction

As requested, SRF has completed a traffic study for the proposed Minnetonka High School expansion. The high school is generally located south of Trunk Highway (TH) 7 and west of TH 101. There are two key components to the proposed expansion. The first component is the Pagel Arena expansion while the second component would be an increase in student enrollment. The main objectives of the study are to review existing operations within the study area, evaluate traffic impacts to the adjacent roadway network, including the proposed access/circulation/parking, and recommend any necessary improvements to accommodate the proposed expansion. The following information provides the assumptions, analysis, and study recommendations offered for consideration.

Existing Conditions

SRF conducted various data collection efforts and field observations in April 2015 to identify current parking and traffic conditions at Minnetonka High School. These efforts are summarized in the following sections.

Data Collection

Intersection turning movement counts were collected by SRF during the school arrival and departure peak periods at the following locations:

- Delton Avenue/Vine Hill Road (West Leg)
- Delton Avenue/Vine Hill Road (East Leg)
- Delton Avenue/West School Access
- Delton Avenue/Central School Access
- Delton Avenue/ Old Excelsior Boulevard
- Old Excelsior Boulevard/Porter Avenue
- TH 101/Excelsior Boulevard

Multiple site visits were conducted during the school arrival and departure peak periods to observe traffic operations and identify operational issues. These site visits were also used to identify roadway characteristics (i.e. roadway geometry, traffic controls, and posted speed limits) within the study area. Existing geometrics, traffic control, and peak hour traffic volumes are shown in Figure 1.
### Existing Conditions

**Minnetonka High School Expansion Traffic Study**

**Minnetonka Public Schools**

#### Figure 1

*H:\Projects\8826\TS\Figures\FIG01_Existing Conditions*

**Legend**

- XX - AM Peak Hour Volume
- (XX - Afternoon Peak Hour Volume
- • - Side-Street Stop Control
- ○ - Signalized Control
- □ - All Way Stop Control

### Traffic Analysis

#### AM Peak Hour

<table>
<thead>
<tr>
<th>Time</th>
<th>Enter</th>
<th>Exit</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:00 AM</td>
<td>259</td>
<td>119</td>
<td>378</td>
</tr>
<tr>
<td>7:15 AM</td>
<td>280</td>
<td>172</td>
<td>452</td>
</tr>
<tr>
<td>7:30 AM</td>
<td>411</td>
<td>214</td>
<td>625</td>
</tr>
<tr>
<td>7:45 AM</td>
<td>468</td>
<td>266</td>
<td>734</td>
</tr>
</tbody>
</table>

**Percent Utilizing Each Access**

<table>
<thead>
<tr>
<th>Access</th>
<th>West (A)</th>
<th>Main (B)</th>
<th>East (C)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enter</td>
<td>43%</td>
<td>42%</td>
<td>15%</td>
</tr>
<tr>
<td>Exit</td>
<td>5%</td>
<td>79%</td>
<td>17%</td>
</tr>
<tr>
<td>Total</td>
<td>29%</td>
<td>55%</td>
<td>15%</td>
</tr>
</tbody>
</table>

#### Afternoon Peak Hour

<table>
<thead>
<tr>
<th>Time</th>
<th>Enter</th>
<th>Exit</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2:15 PM</td>
<td>77</td>
<td>48</td>
<td>125</td>
</tr>
<tr>
<td>2:30 PM</td>
<td>135</td>
<td>164</td>
<td>299</td>
</tr>
<tr>
<td>2:45 PM</td>
<td>136</td>
<td>399</td>
<td>535</td>
</tr>
<tr>
<td>3:00 PM</td>
<td>76</td>
<td>202</td>
<td>278</td>
</tr>
</tbody>
</table>

**Percent Utilizing Each Access**

<table>
<thead>
<tr>
<th>Access</th>
<th>West (A)</th>
<th>Main (B)</th>
<th>East (C)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enter</td>
<td>23%</td>
<td>53%</td>
<td>25%</td>
</tr>
<tr>
<td>Exit</td>
<td>32%</td>
<td>50%</td>
<td>18%</td>
</tr>
<tr>
<td>Total</td>
<td>29%</td>
<td>51%</td>
<td>20%</td>
</tr>
</tbody>
</table>
Trip Generation

Using the a.m. and afternoon peak hour counts at the three school access points along Delton Avenue, the existing trips generated by the high school were determined. Trips entering and exiting the school during the a.m. and afternoon peak hours were combined and summarized in Table 1. The school is currently generating 2,189 a.m. peak hour trips and 1,237 afternoon peak hour trips. The trips were evaluated in 15-minute intervals to understand the peaking characteristics of the school. Existing trips entering/exiting the high school at each access are shown in Figure 1.

Table 1. Existing Trip Generation

<table>
<thead>
<tr>
<th>Time</th>
<th>Enter</th>
<th>Exit</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:00 AM</td>
<td>259</td>
<td>119</td>
<td>378</td>
</tr>
<tr>
<td>7:15 AM</td>
<td>280</td>
<td>172</td>
<td>452</td>
</tr>
<tr>
<td>7:30 AM</td>
<td>411</td>
<td>214</td>
<td>625</td>
</tr>
<tr>
<td>7:45 AM</td>
<td>468</td>
<td>266</td>
<td>734</td>
</tr>
<tr>
<td>AM Peak Hour</td>
<td>1418</td>
<td>771</td>
<td>2189</td>
</tr>
<tr>
<td>2:15 PM</td>
<td>77</td>
<td>48</td>
<td>125</td>
</tr>
<tr>
<td>2:30 PM</td>
<td>135</td>
<td>164</td>
<td>299</td>
</tr>
<tr>
<td>2:45 PM</td>
<td>136</td>
<td>399</td>
<td>535</td>
</tr>
<tr>
<td>3:00 PM</td>
<td>76</td>
<td>202</td>
<td>278</td>
</tr>
<tr>
<td>Afternoon Peak Hour</td>
<td>424</td>
<td>813</td>
<td>1237</td>
</tr>
</tbody>
</table>

Note: School hours are from 8:00 a.m. to 2:40 p.m.

Parking Demand

SRF conducted parking utilization surveys at the high school on Thursday, April 9, 2015 during four time periods throughout the day (7:00 a.m., 9:00 a.m., 2:00 p.m. and 3:30 p.m.). The parking data collected shown in Table 2 indicates that while the entire campus has sufficient parking, the southwest lot is effectively “full” shortly after school starts (9:00 a.m.). An illustration of the current parking demand at 9:00 a.m. and 2:00 p.m. are shown in Figures 2 and 3, respectively. These time periods were selected as they represent the peak periods reviewed.

Students who do not have parking permits were observed to park along Delton Avenue east of Porter Avenue. Approximately 45 vehicles were observed parked along Delton Avenue in this location. The majority of these spaces were occupied prior to 7:30 a.m. Students parking along Delton Avenue walk to the school and cross at the Delton Avenue/East School Access/Old Excelsior Boulevard intersection. No pedestrian accommodations, such as sidewalks, marked crosswalks, signage, etc., are currently provided for students walking along Delton Avenue and crossing at this intersection. The lack of pedestrian facilities is a potential safety issue.
Parking Utilization (Thursday, April 9, 2015) - 9:00 A.M.

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LEGEND
- Number of Parking Spaces in Lot (XX%) - Percent of Parking Spaces Utilized

Percent Utilized - Thursday 9:00 a.m.
0% - 25% - 50% - 100%

(25 spaces unoccupied, of which 11 spaces are ADA accessible)
Parking Utilization (Thursday, April 9, 2015) - 2:00 P.M.

Minnetonka High School Expansion Traffic Study
Minnetonka Public Schools

Figure 3
Table 2. Parking Utilization

<table>
<thead>
<tr>
<th>Lot ID</th>
<th>Parking Supply</th>
<th>Parking Demand (Thursday, April 9, 2015)</th>
<th>7:00AM</th>
<th>9:00AM</th>
<th>2:00PM</th>
<th>3:30PM</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Occupied Spaces</td>
<td>Percent Utilized</td>
<td>Occupied Spaces</td>
<td>Percent Utilized</td>
<td>Occupied Spaces</td>
</tr>
<tr>
<td>Visitor</td>
<td>82</td>
<td>35</td>
<td>43%</td>
<td>55</td>
<td>67%</td>
<td>59</td>
</tr>
<tr>
<td>Northwest</td>
<td>235</td>
<td>50</td>
<td>21%</td>
<td>200</td>
<td>85%</td>
<td>194</td>
</tr>
<tr>
<td>Southwest</td>
<td>482</td>
<td>67</td>
<td>14%</td>
<td>457</td>
<td>95%</td>
<td>334</td>
</tr>
<tr>
<td>South (Sports)</td>
<td>66</td>
<td>2</td>
<td>3%</td>
<td>14</td>
<td>21%</td>
<td>15</td>
</tr>
<tr>
<td>Northeast (Staff)</td>
<td>32</td>
<td>4</td>
<td>13%</td>
<td>4</td>
<td>13%</td>
<td>14</td>
</tr>
<tr>
<td>Bus Parking</td>
<td>29</td>
<td>0</td>
<td>0%</td>
<td>0</td>
<td>0%</td>
<td>0</td>
</tr>
<tr>
<td>Southeast</td>
<td>147</td>
<td>88</td>
<td>60%</td>
<td>131</td>
<td>89%</td>
<td>124</td>
</tr>
<tr>
<td>Total</td>
<td>1,073</td>
<td>246</td>
<td>23%</td>
<td>861</td>
<td>80%</td>
<td>740</td>
</tr>
</tbody>
</table>

Traffic Operations

An existing intersection capacity analysis was completed to establish a baseline condition to which future traffic operations could be compared. The study intersections were analyzed using a combination of Synchro/SimTraffic software (V8.0) and the Highway Capacity Manual (HCM). The capacity analysis focused on the peak 15-minute period.

Capacity analysis results identify a Level of Service (LOS) which indicates how well an intersection is operating. Intersections are ranked from LOS A through LOS F. The LOS results are based on average delay per vehicle, which correspond to the delay threshold values shown in Table 3. LOS A indicates the best traffic operation, while LOS F indicates an intersection where demand exceeds capacity. Overall intersection LOS A through LOS D is generally considered acceptable in the Twin Cities Metropolitan Area.

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

Second, it is important to consider the delay on the minor approach. Since the mainline does not have to stop, the majority of delay is attributed to the side-street approaches. It is typical of intersections with higher mainline traffic volumes to experience high levels of delay (i.e. poor levels of service) on the side-street approaches, but an acceptable overall intersection level of service during peak hour conditions.
Results of the existing capacity analysis shown in Table 4 indicate that all study intersections, except the Delton Avenue/West School Access and Delton Avenue/Vile Hill Road (East) intersection, currently operate at an acceptable overall LOS D or better during the a.m. and afternoon peak 15-minute periods, with the existing traffic control, geometric layout, and signal timing. The Delton Avenue/West School Access operates at overall LOS E during the a.m. peak 15-minute period, while the Delton Avenue/Vine Hill Road (east) intersection operates at overall LOS F during the a.m. peak 15-minute period. Additional capacity analysis results are summarized later in this document. It should be noted that due to the peaking characteristics of the school, LOS results for the worst 15-minute period were reported rather than the average delay for the peak hour. Evaluating the worst 15-minute period helps to identify where traffic operational issues occur since the traffic operational issues observed were focused on the 15 to 20 minutes prior to school start and 15 to 20 minutes after school end.

Table 4. Existing Peak Hour Capacity Analysis – Worst 15-Minute Period

<table>
<thead>
<tr>
<th>Intersection</th>
<th>A.M. Peak</th>
<th>Afternoon Peak</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delton Avenue/Vine Hill Road (West) (1)</td>
<td>D/F 75 sec.</td>
<td>A/A 10 sec.</td>
</tr>
<tr>
<td>Delton Avenue/Vine Hill Road (East) (2)</td>
<td>F 65 sec.</td>
<td>A 10 sec.</td>
</tr>
<tr>
<td>Delton Avenue/West School Access (1)</td>
<td>E/F &gt; 3 min.</td>
<td>B/D ** 30 sec.</td>
</tr>
<tr>
<td>Delton Avenue/Central School Access</td>
<td>D 45 sec.</td>
<td>B 20 sec.</td>
</tr>
<tr>
<td>Delton Avenue/Old Excelsior Boulevard (3)</td>
<td>A/D 25 sec.</td>
<td>C/F 70 sec.</td>
</tr>
<tr>
<td>Old Excelsior Boulevard/Porter Avenue (1)</td>
<td>B/B 15 sec.</td>
<td>A/A 5 sec.</td>
</tr>
</tbody>
</table>

(1) Indicates an unsignalized intersection with side-street stop control, where the overall LOS is shown followed by the worst approach LOS.

(2) Indicates an unsignalized intersection with all-way stop control.

** Represents the delay once a vehicles reaches the west school access. It was observed that including internal delay, typical travel time from the south end of the southwest parking lot to the west school access was 10 to 15 minutes during the afternoon peak.
Based on the traffic operations analysis and field observations the following traffic operational issues were identified at the study intersections:

**Delton Avenue/Vine Hill Road (West)**

- During the a.m. peak hour, southbound queues extend to the TH 7/Vine Hill Road intersection. The southbound movement is free at this intersection. Southbound queues are a result of eastbound queues at the Delton Avenue/Vine Hill Road (East Leg) intersection.

**Delton Avenue/Vine Hill Road (East)**

- During the a.m. peak hour, eastbound queues extend to the Delton Avenue/Vine Hill Road (West) and TH 7/Vine Hill Road intersections. Traffic volumes at this intersection are over capacity for an all-way stop control. However, due to sight distance limitation, side-street stop control would not be recommended. The City should continue to monitor this intersection and consider installing a traffic signal or mini-roundabout to increase traffic flow.

**Delton Avenue/West School Access**

- During the a.m. peak hour, eastbound queues from the Delton Avenue/Central School Access intersection extend into the Delton Avenue/West School Access intersection. Eastbound queues blocked access for vehicles to make westbound left-turn movements, resulting in westbound queues extending to the Delton Avenue/Central School Access intersection.
- During the afternoon peak hour, the average delay for a vehicle to make a northbound left- or right-turn maneuver at the intersection is approximately 30 seconds. However this does not include the internal delay a vehicle experiences while exiting the school. The observed typical travel time from the south end of the southwest parking lot to the west school access was 10 to 15 minutes.

**Delton Avenue/Central School Access**

- During the a.m. peak hour, an eastbound “rolling” queue was observed to extend along Delton Avenue (beyond the West School Access) and westbound queues extended past the Delton Avenue/East School Access/Old Excelsior Road intersection. Queues along Delton Avenue were a result of internal queues from the visitor parking lot and vehicles waiting to access the school campus.

**Delton Avenue/Old Excelsior Boulevard/East School Access**

- During the a.m. peak hour, westbound queues from the Delton Avenue/Center School Access extend through the intersection blocking access for northbound and southbound vehicles.

**Old Excelsior Boulevard/Porter Avenue**

- During the a.m. and afternoon peak hours, eastbound left-turning vehicles waiting for a gap in westbound traffic cause eastbound through vehicles to queue back to the Delton Avenue/East School Access/Old Excelsior Road intersection.
TH 101/Excelsior Boulevard

- During the a.m. peak hour, eastbound queues extend more than 500 feet and cycle failures occur along the eastbound approach. It should be noted that this intersection is currently under construction. Improvements include construction of a northbound and southbound right-turn lane along CSAH 101, dedicated left- and right-turn lanes on Excelsior Boulevard, additional of left-turn signal phases, removal of the westbound to northbound free right-turn condition, and extending both the southbound lanes beyond Tracy Lynn Terrace.

Key Issues

Based on data collected, observations completed by SRF and discussions with City/School staff, the following internal traffic and parking issues were identified during the school arrival and departure peak periods for a typical day (illustrated in Figure 4).

Pagel Center

- During the school departure peak period, vehicles exiting to Delton Avenue queue back to the Pagel Center and travel through the Pagel parking lot area. Students were observed walking through the parking lot to access the building.
- Lack of sufficient parking for Pagel Center staff. Staff members observed to park in areas not striped for parking.
- Drop-off/pick-up area not defined.

Visitor Lot

- During the school arrival peak period, queues from vehicles waiting to make drop-offs at the main entrance in the visitor lot extended into the Delton Avenue signalized intersection. This results in poor operations for vehicles entering from the west and east on Delton Avenue.
  - Vehicles were observed not utilizing the entire length of the drop-off area. This causes inefficient operations (i.e. longer delay/queues) since fewer vehicles are served at the same time.
- During the school departure peak period there is a lack of temporary parking supply to meet the demand in the visitor lot. Vehicles were observed parking in the drive aisles, waiting for students to exit the building.

Southwest Student Parking Lot

- The parking lot was observed to be 95 percent occupied at 9:00 a.m.
- The parking spaces that were available were either handicap (11 spaces) or located in areas difficult to access if a vehicle already passed the drive aisle (14 spaces).
- One-way southbound internal circulation for the main drive aisle and barricades located on the east side of the parking lot make it difficult for vehicles to navigate to available parking spaces.
• Vehicles exiting during the school departure peak period experience significant delays, which are frequently 10 minutes or more.
  ○ Internal queues are cleared approximately 20 minutes after the end of school.
• Vehicles exiting at the West Access along Delton Avenue were observed to weave around parked vehicles in the northwest lot to “jump” the queue.
  ○ This causes safety issues with student/staff walking in the parking lot (i.e. sight lines in parking lots make it difficult to see pedestrians).
  ○ No enforcement was observed during days of observation to discourage this behavior.

Southeast Parking Lot
• The southeast parking lot is underutilized during the school start peak period as a drop-off location.
• The parking lot was observed to be 89 percent occupied at 9:00 a.m., indicating that there is limited availability for additional vehicles to park in this lot.

Delton Avenue On-Street Parking
• Current parking supply is approximately 45 spaces. Delton Avenue is a City street and the City may choose to restrict on-street parking in this area at any time. If parking is restricted an additional 45 parking spaces would likely need to be accommodated elsewhere (i.e. on campus).
• No pedestrian accommodations are provided between the on-street parking area along Delton Avenue and the school. Since Delton Avenue has no sidewalk, students walk in the street to the Delton Avenue/East School Access/Old Excelsior Boulevard intersection. The Delton Avenue/East School Access/Old Excelsior Boulevard intersection is offset, which makes for poor sight lines for vehicles to observe pedestrian crossings.

Project Goals

Based on the identified issues the following goals were prioritized for this project:
1. Improve safety for pedestrians and motorists
2. Develop parking strategies to better manage or increase the current parking supply
3. Improve internal circulation
4. Reduce queues/congestion along Delton Avenue
5. Reduce internal delay for vehicles exiting the school
Proposed Pagel Center Expansion

The proposed Pagel Center expansion would add an additional hockey rink to the south side of the existing facility. Since students practicing at the facility during the school departure peak period will only be high school students, these students are already on-site and not contributing to traffic congestion nor requiring additional parking spaces. Therefore this project is not expected to impact the internal traffic circulation or parking demand during school day peak hours. Furthermore, students who are currently traveling off-site for practice will now be able to utilize the proposed facility, which result in fewer trips exiting the school during the afternoon departure period. Although the proposed expansion is not expected to impact the parking demand or trip generation, the expansion will increase the demand for drop-off and pick-up at the existing main entrance of the Pagel Center. Therefore, the following should be taken into consideration to improve pedestrian connectivity and the drop-off/pick-up area.

- Construct a drop-off/pick-up area near the main entrance of the existing building to improve operations and safety.
- Add additional parking to the south of the fence area for Pagel staff only.

Recommended modifications are also illustrated in Figure 5. It should be noted that this study focused on school day operations. It is understood that there are additional traffic and parking constraints during special events and activities. The school district should review and update the campus management plan to address special events and activities that would be impacted by the Pagel Center expansion.

Planned Enrollment Increases

Based on discussions with the Minnetonka School District, student enrollment at Minnetonka High School for the 2014-2015 calendar year was 2,987 students. The capacity of the building is approximately 3,200 students. However, there is potential for enrollment to increase up to 3,400 students. An increase in enrollment would impact the parking demand and trips generated by the school.

To determine the parking demand and trip generation for the school under the projected future enrollment scenarios (i.e. 3,200 and 3,400 students) the existing trips generated and maximum observed parking demand were proportionally grown based on the future enrollment numbers. It is understood that the parking demand numbers correlate with the number of parking permits. However, for purposes of this analysis it was assumed that the number of parking permits distributed would increase proportionally to current conditions.

It should be noted that since parking data was collected in April 2015, the visitor and north parking lots have been restriped. The visitor parking lot has two (2) less spaces and the north parking lot has 11 fewer spaces. For analysis purposes, bus parking spaces were not included since the spaces cannot be used by student, staff, or visitors for parking needs. The parking supply was updated accordingly.
Drop-Off/Pick-Up Area
While not required, it is good practice to provide enough parking to serve the demand plus an additional five (5) to 15 percent. This extra supply reduces unnecessary circulation of vehicles looking for parking and the perception of inadequate parking. Five (5) percent is typically recommended for lower turnover parking spaces, while 15 percent is recommended for higher turnover parking spaces. A school generally falls within the low turnover category. For purposes of this analysis, all parking recommendations were provided as a range indicating the recommended parking supply with five (5) to 15 percent excess supply.

Future parking demand estimates were evaluated for the entire campus (excluding the bus parking spaces) and for the parking lots that students primarily park in (i.e. northwest, southwest, and southeast lots). Results of the parking demand analysis shown in Table 5 indicates that there will be a parking shortage with the projected increase in enrollment for both the entire campus and student parking lots. Parking management strategies and options to increase the parking supply are discussed in the next section.

**Trip Generation**

Results of the trip generation analysis shown in Table 6 indicate that with the increase in enrollment the school will generate an additional 154 to 301 a.m. peak hour trips and an additional 88 to 170 afternoon peak hour trips (depending on the low or high enrollment numbers). Strategies to manage traffic internally and externally to the site are discussed in the next section.

**Traffic Operations**

To determine if the three school accesses along Delton Avenue can accommodate the increase in student enrollment, a detailed traffic capacity analysis was completed for the expected enrollment increase to 3,200 students. Current travel patterns for vehicles using the West Access, Center Access, and East Access to enter/exit the school were grown proportionally based on the future enrollment increases.

Results of the traffic operations analysis for a future enrollment of 3,200 students shown in Table 7 indicate that the school access locations along Delton Avenue are expected to have operational issues. The traffic issues (i.e. delay and queues) identified under existing issues are expected to increase. Various options to improve traffic operations are presented in the next section.
### Table 5. Parking Demand with Increased Enrollment

<table>
<thead>
<tr>
<th>Lot ID</th>
<th>Supply</th>
<th>Parking Demand</th>
<th>Excess Capacity</th>
<th>Surplus / (Deficit)</th>
<th>Parking Demand</th>
<th>Excess Capacity</th>
<th>Surplus / (Deficit)</th>
<th>Parking Demand</th>
<th>Excess Capacity</th>
<th>Surplus / (Deficit)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Visitor</td>
<td>80</td>
<td>59</td>
<td>3 9</td>
<td>18 12</td>
<td>63</td>
<td>3 9</td>
<td>14 8</td>
<td>67</td>
<td>3 10</td>
<td>10 3</td>
</tr>
<tr>
<td>Northwest</td>
<td>224</td>
<td>200</td>
<td>10 30</td>
<td>14 (6)</td>
<td>214</td>
<td>11 32</td>
<td>(1) (22)</td>
<td>228</td>
<td>11 34</td>
<td>(15) (38)</td>
</tr>
<tr>
<td>Southwest</td>
<td>482</td>
<td>457</td>
<td>23 69</td>
<td>2 (44)</td>
<td>490</td>
<td>25 74</td>
<td>(33) (82)</td>
<td>520</td>
<td>26 78</td>
<td>(64) (116)</td>
</tr>
<tr>
<td>South (Sports)</td>
<td>66</td>
<td>15</td>
<td>1 2</td>
<td>50 49</td>
<td>16</td>
<td>1 2</td>
<td>49 48</td>
<td>17</td>
<td>1 3</td>
<td>48 46</td>
</tr>
<tr>
<td>Northeast (Staff)</td>
<td>32</td>
<td>14</td>
<td>1 2</td>
<td>17 16</td>
<td>15</td>
<td>1 2</td>
<td>16 15</td>
<td>16</td>
<td>1 2</td>
<td>15 14</td>
</tr>
<tr>
<td>Southeast Lot</td>
<td>147</td>
<td>131</td>
<td>7 20</td>
<td>9 (4)</td>
<td>140</td>
<td>7 21</td>
<td>0 (14)</td>
<td>149</td>
<td>7 22</td>
<td>(9) (24)</td>
</tr>
<tr>
<td>Entire Campus (Non-Bus Parking)</td>
<td>1,031</td>
<td>876</td>
<td>44 131</td>
<td>111 24</td>
<td>938</td>
<td>47 141</td>
<td>46 (48)</td>
<td>997</td>
<td>50 150</td>
<td>(16) (116)</td>
</tr>
<tr>
<td>Student Parking Lots</td>
<td>853</td>
<td>788</td>
<td>39 118</td>
<td>26 (53)</td>
<td>844</td>
<td>42 127</td>
<td>(33) (118)</td>
<td>897</td>
<td>45 135</td>
<td>(89) (179)</td>
</tr>
</tbody>
</table>

### Table 6. Trip Generation with Increased Enrollment

<table>
<thead>
<tr>
<th>Time</th>
<th>Existing (3,000 students)</th>
<th>Future (3,200 students)</th>
<th>Future (3,400 students)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Enter</td>
<td>Exit</td>
<td>Total</td>
</tr>
<tr>
<td>7:00 AM</td>
<td>259</td>
<td>119</td>
<td>378</td>
</tr>
<tr>
<td>7:15 AM</td>
<td>280</td>
<td>172</td>
<td>452</td>
</tr>
<tr>
<td>7:30 AM</td>
<td>411</td>
<td>214</td>
<td>625</td>
</tr>
<tr>
<td>7:45 AM</td>
<td>468</td>
<td>266</td>
<td>734</td>
</tr>
<tr>
<td>AM Peak Hour</td>
<td>1418</td>
<td>771</td>
<td>2189</td>
</tr>
<tr>
<td>TRIP INCREASE (DECREASE)</td>
<td>100</td>
<td>54</td>
<td>154</td>
</tr>
<tr>
<td>2:15 PM</td>
<td>77</td>
<td>48</td>
<td>125</td>
</tr>
<tr>
<td>2:30 PM</td>
<td>135</td>
<td>164</td>
<td>299</td>
</tr>
<tr>
<td>2:45 PM</td>
<td>136</td>
<td>399</td>
<td>535</td>
</tr>
<tr>
<td>3:00 PM</td>
<td>76</td>
<td>202</td>
<td>278</td>
</tr>
<tr>
<td>Afternoon Peak Hour</td>
<td>424</td>
<td>813</td>
<td>1237</td>
</tr>
<tr>
<td>TRIP INCREASE (DECREASE)</td>
<td>30</td>
<td>57</td>
<td>88</td>
</tr>
</tbody>
</table>
Table 7. Future Enrollment (3,200 Students) Peak Hour Capacity Analysis – Worst 15-Minute Period

<table>
<thead>
<tr>
<th>Intersection</th>
<th>A.M. Peak</th>
<th>Afternoon Peak</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>LOS</td>
<td>Delay</td>
</tr>
<tr>
<td><strong>3,200 Students</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delton Avenue/West School Access (1)</td>
<td>F/F</td>
<td>&gt; 3 min.</td>
</tr>
<tr>
<td>Delton Avenue/Old Excelsior Boulevard (1)</td>
<td>D/F</td>
<td>90 sec.</td>
</tr>
<tr>
<td><strong>3,400 Students</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delton Avenue/West School Access (1)</td>
<td>F/F</td>
<td>&gt; 3 min.</td>
</tr>
<tr>
<td>Delton Avenue/Old Excelsior Boulevard (1)</td>
<td>F/F</td>
<td>&gt; 3 min.</td>
</tr>
</tbody>
</table>

(1) Indicates an unsignalized intersection with side-street stop control, where the overall LOS is shown followed by the worst approach LOS.

**Travel Demand Management Strategies**

The following strategies are offered to improve parking and traffic conditions under current and future conditions. Improvement options for Delton Avenue, the southwest parking lot, and the northwest parking lot are also illustrated in Figures 6, 7, and 8, respectively. A range of alternatives were identified for discussion purposes. Specific recommendations were not included as there are multiple options to address the various issues, which warrant further discussion with key stakeholders.

**Parking Mitigation**

**Low Cost**

- Implement parking management strategies to reduce the parking demand, such as:
  - Assign specific parking lots through the permitting process to student and employees. Develop specific names of each lot such as Blue, White, Tonka, Pride, etc.
  - Limit any increase in the number of annual and daily parking permits that are distributed to students if enrollment increases.
  - Consider reducing the number of permits currently distributed to provide sufficient parking for future staffing increases.
  - Encourage more bus utilization by increasing the cost of parking permits or providing students incentives.
  - Adjust the carpooling requirement for parking permits to three or more students per vehicle.
Medium Cost

- Provide a shuttle (or bus pick-up location) at a parking area near Minnetonka High School (nearby parking lots include: Westwind Plaza, Target, Ridgewood Church, Northern Tool Equipment/Opitz Outlet).
- Relocate the main drive aisle through the southwest student parking lot to align with the western aisle and restripe the drive aisle with additional parking.
- Restripe the southwest student parking lot from 90-degree to angle parking to provide a more organized traffic flow for vehicles as they circulate to find a parking space as well as potentially more parking spaces.

High Cost

- Identify potential locations for additional surface parking on site.
- Build a parking ramp to provide a minimum of 90 new parking spaces.

Traffic/Circulation Mitigation

Low Cost

- During the school start peak period, assign staff to be located in the visitor parking lot near the main entrance to direct vehicles to continue to move forward and utilize the entire drop-off area.
- Assign students to a specific parking lot to reduce unnecessary circulation during the school start period (i.e. students recirculating through the parking lots looking for an available space).
- During the school start peak period, encourage more student drop-offs to occur in the east lot near the bus parking spaces.
- Provide a school staff member during the school start peak near the visitor lot entrance, south of the center access along Delton Avenue to direct traffic flow for vehicles entering/exiting the school.
- Through enforcement, discourage motorists from cutting through the northwest parking lot (weaving around parked cars) to jump the queue at the west access on Delton Avenue during the departure peak period.

Medium Cost

- In the northwest lot, install barricades or a raised median on the west side to force vehicles to consolidate where vehicles exit the parking lot, reducing conflicts points.
- Construct a new westbound one-way drive aisle between the northwest and southwest lots. This drive aisle would improve circulation for vehicles looking for parking during the school start period and reduce circulation within the northwest lot during the school departure period.
- Consider constructing a right-in only access that aligns with the visitor parking lot access and closing the southern access along the main drive aisle to the parking lot.
• In the southwest student lot, consider modifying the 90-degree parking spaces to angle parking spaces and one-way driveway aisles, as well as removing the barricades along the east end of the parking lot.

High Cost

• Install a roundabout or traffic signal at the west access along Delton Avenue (a traffic control officer during the school start and departure peak periods would also provide similar improvements to traffic operations).

• Consider installing roundabouts at both the west and east accesses along Delton Avenue and restricting the center access to right-in/right-out.
  o This scenario would remove the existing signal at the center access.
Southwest Lot Improvements
Minnetonka High School Expansion Traffic Study
Minnetonka Public Schools

Figure 7

- Realign Drive Aisle
- Remove Barricades
- Restripe Southwest Lot as Angle Parking
- Remove End Caps and Stripe as Parking
Revise Parking Lot Layout

Install Barricades or Raised Median

Construct One-Way Drive Aisle

Enter Only Access

Close Access
Resolution No. 2015- 
Resolution approving a final site and building plan for the Pagel Activity Center Expansion at 18313 State Highway 7

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

Section 1. Background.

1.01 The Minnetonka Youth Hockey Association has requested approval of final site and building plans for the Pagel Activity Center Expansion. (Project 97001.15b.).

1.02 The property is located at 18313 State Highway 7. It is legally described in Exhibit A

1.03 On November 5, 2015, the Planning Commission held a hearing on the proposal. The applicant was provided the opportunity to present information to the Planning Commission. The Planning Commission considered all of the comments received and the staff report, which are incorporated by reference into this resolution.

Section 2. General Standards.

2.01 City Code §300.27, Subd. 5, states that in evaluating a site and building plan, the city will consider its compliance with the following:

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

2. Consistency with the ordinance;

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

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

5. Creation of a functional and harmonious design for structures and site features, with special attention to the following:
   a) an internal sense of order for the buildings and uses on the site and provision of a desirable environment for occupants, visitors and the general community;
   b) the amount and location of open space and landscaping;
   c) materials, textures, colors and details of construction as an expression of the design concept and the compatibility of the same with the adjacent and neighboring structures and uses; and
   d) vehicular and pedestrian circulation, including walkways, interior drives and parking in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangement and amount of parking.

6. Promotion of energy conservation through design, location, orientation and elevation of structures, the use and location of glass in structures and the use of landscape materials and site grading; and

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

Section 3. Findings.

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

4.01 The Planning Commission approves the final site and building plans for the Pagel Activity Center Expansion.

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

   - Site Plan and Landscaping dated September 4, 2015
   - Main Level Floor Plan dated September 4, 2015
   - Mezzanine Level Floor Plan dated September 4, 2015
   - Exterior Elevations dated September 4, 2015
   - Site Demolition Plan dated September 4, 2015
   - Civil Site Plans dated September 4, 2015
   - Site Grading Plan dated September 4, 2015
   - Utility Plan dated September 4, 2015
   - Stormwater Pollution Prevention dated September 4, 2015

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

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

      1) An electronic PDF copy of all required plans and specifications.

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

      3) Final site, grading, drainage, utility, landscape, and tree mitigation plans, and a stormwater pollution prevention plan (SWPPP) for staff approval.

         a. Final grading plan must:

            - Show a slope no greater than 3:1.
            - Show ADA compliant facilities.
            - Show retaining walls that meet City Code requirements, including being engineered with a railing if over four feet in height.
b. Final drainage plan must:

- Document that the rate control and water quality treatment provided in the proposed system meets the requirements of both the Pagel Center expansion and the area served by the underground system that will be removed.

- Address the separation distance between the proposed building and the infiltration facility, including evaluating the potential impacts of infiltrated surface water on the proposed structure.

- Provide clarification regarding the redirection of rooftop drainage under the proposed conditions.

- Show that there will be no impacts, including no additional bounce, to the Tamarack bog located to the south of the site.

- Demonstrate consideration was given to the designing of the proposed underground system to account for potential site modifications in the future.

c. Final utility plan must:

- Show the sewer and water main construction outside of the geogrid of the retaining wall.

d. Final landscaping and tree mitigation plans must meet minimum landscaping and mitigation requirements as outlined in the ordinance. However, at the sole discretion of natural resources staff, mitigation may be adjusted based on site conditions.
4) Individual letters of credit or cash escrow for 125% of a bid cost or 150% of an estimated cost to construct streets and utility improvements, comply with grading permit, wetland restoration, tree mitigation requirements, and to restore the site. One itemized letter of credit is permissible, if approved by staff. The city will not fully release the letters of credit or cash escrow until: (1) as-built drawings have been submitted; (2) a letter certifying that the streets and utilities have been completed according to the plans approved by the city has been submitted; (3) vegetated ground cover has been established; and (4) required landscaping or vegetation has survived one full growing season.

5) 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.

6) A copy of the approved MPCA NPDES permit.

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

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

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

b) Prior to issuance of a grading permit:

1) This resolution must be recorded at Hennepin County.
2) 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.

c) Permits may be required from other outside agencies including, Hennepin County, the Riley-Purgatory-Bluff Creek Watershed District, and the MPCA. It is the applicant’s and/or property owner’s responsibility to obtain any necessary permits.

3. Prior to issuance of a building permit:

a) Submit the following items for staff review and approval:

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

2) A landscaping and tree mitigation plan. The plan must meet minimum landscaping and mitigation requirements as outlined in the ordinance. However, at the sole discretion of natural resources staff, mitigation may be decreased based on any of the following: the health of trees removed; the ability to appropriately install trees and other shrubbery given existing vegetation and/or topography. The plan must include the following at a minimum:

- Comply with the grading and tree preservation (demo) plan shown and protect the remaining oak forest (woodland preservation area) to the south. Heavy-duty fencing (e.g. chain-link) must be installed to the south to protect the remaining woodland preservation areas, including the two large oaks southwest of the building.
• Landscape value in proportion to project value per city ordinance. Values must be provided with the permit application.

• The existing woodland area to the south of the proposed addition must be called out to be preserved on the plan sheet as part of the landscape plans.

3) 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.

4) An electronic CAD file or certified as-built drawings in microstation or DXF and PDF format.

5) A letter of credit or cash escrow for 125% of a bid cost or 150% of an estimated cost of all required landscaping, grading, and stormwater improvements.

6) An illumination plan.

b) Submit all required hook-up fees.

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

5. All rooftop and ground-mounted mechanical equipment, and exterior trash and recycling storage areas, must be enclosed with materials compatible with the principal structure, subject to staff approval. Low profile, self-contained mechanical units that blend in with the building architecture are exempt from the screening requirement.
6. Construction must begin by December 31, 2016, unless the planning commission grants a time extension.

Adopted by the City Council of the City of Minnetonka, Minnesota, on November 23, 2015.

Terry Schneider, Mayor

Attest:

________________________________________
David E. Maeda, City Clerk

Action on this resolution:

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

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on November 23, 2015.

________________________________________
David E. Maeda, City Clerk
PARCEL 1 (Book 1841 Deeds P. 78)

That part of the S.E. ¼ of Section 30-117-22 described as follows: Commencing at the S.W. corner of said S.E. ¼; thence East on the South line of said S.E. ¼, distant 953.78’ more or less to the West line of the East 50 acres South of the Mpls. St. Paul & Suburban rail road, right of way line; thence North and parallel with the East line of said S.E. ¼, distant 1246.0’ to the Southerly Right of way line of the Mpls. St. Paul & Suburban rail road; thence Northwesterly on said Southerly right of way line, distant 1022.4’ to the West line of said S.E. ¼; thence South on the West line of said S.E. ¼, distant 1584.95’ to the place of beginning, containing 29.9 Acres more or less, except the following described tract of land:

Commencing at a point 746.17’ North and 33.0’ East of the Southwest corner of said S.E. ¼ of Sec. 30-117-22; thence East and parallel with the South line of said S.E. ¼, distant 267.0’; thence North and parallel with the West line of said S.E. ¼, distant 571.03’; thence West and parallel with the South line of said S.E. ¼, distant 267.0’; thence South and parallel with the West line of said S.E. ¼ distant 571.03’ to the place of beginning, containing 3.5 acres more or less.

PARCEL 2 (Book 2477 Deeds P. 577)

The East 267 feet of the West 300 feet of the North 571.03 feet of the Southwest Quarter of the Southeast Quarter of Section 30, Township 117, Range 22, according to the map or plat thereof on file or of record in the office of the Register of Deeds of Hennepin County, Minnesota.

PARCEL 3 (Certificate of Title No. 157458)

All that part of the following described tract:

The southeast quarter (SE1/4) of section 30, township 117 north, range 22 west, as follows: Commencing at the southeast corner of said section 30; thence westerly along the south line of said section, 1623.94 feet; thence northerly and parallel with the east line of said section 1347.27 feet to the initial point of beginning of the land to be described; thence northerly along a continuation of the last named line 549 feet to center line of the Excelsior Boulevard, also known as County Road No. 3 and as State Highway No. 11; thence along said center line along the following courses: North 80 degrees 57 minutes west 165 feet; thence south 77 degrees 3 minutes west 500 feet; thence south 82 degrees 33 minutes west 312 feet to the west line of the southeast quarter of said section; thence south 0 degrees 31 minutes east along said west line 81.5 feet to the northerly line of right of way of the Minneapolis, St. Paul and Suburban Railway Company; thence south 77 degrees 38 minutes [east] along said right of way 1022.4 feet to the point of beginning;
Which lies southerly of a line run parallel with and distant 100 feet southerly of the following described line:

Beginning at a point on the easterly boundary of said section 30, distant 136.8 feet northerly of the east quarter corner thereof; thence run southwesterly at an angle of 64 degrees 17 minutes with said easterly boundary for a distance of 279.5 feet; thence deflect to the left on a 0 degree 30 minute curve, delta angle 1 degree 34 minutes, for a distance of 313.3 feet; thence on tangent to said curve for a distance of 1368.4 feet; thence deflect to the right on a 3 degree 30 minute curve, delta angle 47 degrees 28 minutes, for a distance of 900 feet, and there terminating.

PARCEL 4 (Certificate of Title No. 388168)

That part of the Southeast Quarter of Section 30, Township 117, Range 22, described as follows: Commencing at the intersection of the Southeasterly line of State Highway No. 7 with the Southerly line of the right-of-way of the Minneapolis and Excelsior Road, as now laid out and travelled; thence Southeasterly along said Southerly line of said Minneapolis and Excelsior Road, a distance of 111.34 feet; thence South parallel with the East line of said Southeast Quarter a distance of 490.9 feet to the Northerly line of the right-of-way of the Minneapolis, St. Paul and Suburban Railway Company; thence Northwesterly along said last described right-of-way a distance of 180.39 feet to its intersection with a line drawn parallel with the East line of said Southeast Quarter from a point on the South line of said Southeast Quarter a distance of 1623.94 feet along said line from the Southeast corner of said Southeast Quarter; thence North along the last described parallel line a distance of 526 feet to the Southeasterly line of State Highway No. 7; thence Northeasterly along said Southeasterly line a distance of 75 feet to the point of beginning.

PARCEL 5 (Doc No. 3935630)

That part of the South ½ of the Southwest ¼ of Section 30, Township 117, North Range 22, West of the principal meridian, described as follows: Beginning at a point on the North line of said South ½ of the Southwest ¼ of Section 30, distant 555.44 feet West of the Northeast corner thereof, thence East to the Northeast corner thereof, then South along the East line of said South ½ of the Southwest ¼ of Section 30 to the Southeast corner thereof, thence West along the South line of said South ½ of the Southwest ¼ of Section 30, distance of 1588.81 feet; thence Northeasterly to the point of beginning. EXCEPT the North 300 feet of the East 363 feet thereof.

PARCEL 6 (Certificate of Title No. 316481)

That part of the North ½ of the Northwest Quarter of Section 31, Township 117, Range 22, lying East of the plat of Kingswood and North of a line drawn from the most Easterly
corner of Outlot 2, said Kingswood, to a point in the East line of said Northwest ¼ distant 800 feet South from the Northeast corner thereof, according to the Government Survey thereof.

PARCEL 7 (Doc. No. 6753187)

The North 300 feet of the East 363 feet of Southeast ¼ of the Southwest ¼ of Section 30, Township 117, Range 22, according to the United States Government Survey thereof and situated in Hennepin County, Minnesota.

PARCEL 8 (no record document available)

That part of the right-of-way of the Minneapolis, St. Paul and Suburban Railroad, being a part of the West Half of the Southeast Quarter of Section 30, Township 117, Range 22, Hennepin County, Minnesota, which lies westerly of the westerly line of Skyline Terrace, according to the plat thereof of record, and southerly of State Highway No. 7.

PARCEL 9 (Doc. No. 9548071)

Lot 1, Dellton Second Addition, Hennepin County, Minnesota.

PARCEL 10 (Doc. No. 9761309)

That part of Lot 5, Block 1, Skyline Terrace, Hennepin County, Minnesota lying northwesterly of the following described line: Commencing at the northeast corner of said Lot 5; thence on an assumed bearing of North 70 degrees 14 minutes 03 seconds West along the northerly line of said Lot 5, a distance of 76.87 feet to the point of beginning of the line to be described; thence South 41 degrees 36 minutes 09 seconds West, a distance of 253.59 feet to the angle point in the West line of Lot 6, said Block 1 and there terminating. Said angle point being 250.00 feet south from the northerly corner of said Lot 6 as measured along the west line of said Lot 6.

PARCEL 11 (Doc. No. 10090618)

Lot 6, Block 1, Skyline Terrace, Hennepin County, Minnesota.
Resolution No. 2015-

Resolution approving a conditional use permit for the expansion of the Pagel Activity Center at 18313 State Highway 7

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

Section 1. Background.

1.01 The Minnetonka Youth Hockey Association has requested a conditional use permit for the expansion of the Pagel Activity Center.

1.02 The Pagel Activity Center is located on the Minnetonka High School property located at 18313 State Highway 7. It is legally described on Exhibit A.

1.03 On November 5, 2015, the planning commission held a hearing on the proposal. The applicant was provided the opportunity to present information to the planning commission. The planning commission considered all of the comments received and the staff report, which are incorporated by reference into this resolution. The commission recommended that the city council approve the permit.

Section 2. STANDARDS.

2.01 City Code §300.16, Subd. 2, outlines the general standards that must be met for granting conditional use permits in residential districts.

2.02 City Code §300.16 Subd. 3(a) outlines the specific standards that must be met for educational institutions and facilities in a residential district. These include:

1. Direct access limited to a collector or arterial roadway as identified in the comprehensive plan or otherwise located so that access can be provided without conducting significant traffic on local residential streets; the use is not permitted on property that has access only by
way of a private road or driveway that is used by more than one lot;

2. Buildings set back 50 feet from all property lines and parking setbacks subject to section 300.26 of this ordinance;

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

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

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

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

7. No connect to, or part of, any residential dwelling.

Section 3. Findings.

3.01 The proposal meets the general and specific conditional use permit standards, as outlined in City Code §300.16, Subd. 2 and City Code §300.16 Subd. 3(a).


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

1. Subject to staff approval, the property must be developed and maintained in substantial conformance with the following plans:

   • Site Plan and Landscaping dated September 4, 2015
   • Main Level Floor Plan dated September 4, 2015
   • Mezzanine Level Floor Plan dated September 4, 2015
   • Exterior Elevations dated September 4, 2015
   • Site Demolition Plan dated September 4, 2015
   • Civil Site Plans dated September 4, 2015
   • Site Grading Plan dated September 4, 2015
• Utility Plan dated September 4, 2015
• Stormwater Pollution Prevention dated September 4, 2015

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

3. Prior to issuance of a certificate of occupancy, the school district must submit a conservation easement for the review and approval by the city attorney. The easement must cover the woodland preservation area located to the south of the building, clearly establishing the area as outside of any future development areas on the campus. The easement must be prepared by an attorney knowledgeable in the area of real estate.

4. No tournaments or significant use of the Pagel Activity Center for those not attending Minnetonka High School may take place before 5:30 p.m. on any weekday.

5. Minnetonka School District #276 make the following improvements to the Minnetonka High School Campus by December 31, 2017:

a) Add signs in the visitor parking lot to encourage drivers to move up so the entire drop-off area can be utilized.

b) Revise the permitting process in the fall of 2016-2017 to include the assignment of specific lots to help drivers find and more easily navigate to available parking spaces.

c) The school district will explore having students go in the Arts Center door to help encourage drop-offs to move further up and better utilize the entire round about area. If a change is not made, the city must be provided information as to what it was not feasible.

d) During the summer of 2016 a barrier along a row of parking in the northwest parking lot will be installed to prevent drivers weaving through the parking lot to jump the queue at the west access on Delton Avenue.

e) During the summer of 2016 a right-in only access that aligns with the visitor parking lot access will be constructed and the southern access along the main drive aisle to the parking lot will be closed.
f) As enrollment increases, the school district will continue to limit the number of permits for annual and daily parking permits to available spaces. This will include reducing the number of student permits as needed to compensate for increases in staffing. The proposed increase to 3,400 students is anticipated to add about 12 staff members.

g) During the summer of 2016 the school district will relocate the main drive aisle through the southwest parking lot to align with the western aisle and restripe the drive aisle with additional parking.

h) During the summer of 2016 the school district will add additional parking spaces where possible. The number and location will be determined based on a site and building plan review process that will take into consideration traffic movement and site conditions including tree loss/mitigation, slope, and impervious surface coverage.

i) As restriping and construction projects occur, the school district will consider the use of angled parking. In general, angled parking will be used when it can improve the traffic flow while still retaining the same number of spaces.

j) During the summer of 2016 the school district will improve the design of the drop-off and pick-up area in front of the Pagel Activity Center through the use of additional concrete to improve operations and safety.

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

Adopted by the City Council of the City of Minnetonka, Minnesota, on November 23, 2015.

_______________________________________
Terry Schneider, Mayor

Attest:

_________________________________
David E. Maeda, City Clerk
Action on this resolution:

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

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on November 23, 2015.

__________________________________
David E. Maeda, City Clerk
PARCEL 1 (Book 1841 Deeds P. 78)

That part of the S.E. ¼ of Section 30-117-22 described as follows: Commencing at the S.W. corner of said S.E. ¼; thence East on the South line of said S.E. ¼, distant 953.78’ more or less to the West line of the East 50 acres South of the Mpls. St. Paul & Suburban rail road, right of way line; thence North and parallel with the East line of said S.E. ¼, distant 1246.0’ to the Southerly Right of way line of the Mpls. St. Paul & Suburban rail road; thence Northwesterly on said Southerly right of way line, distant 1022.4’ to the West line of said S.E. ¼; thence South on the West line of said S.E. ¼, distant 1584.95’ to the place of beginning, containing 29.9 Acres more or less, except the following described tract of land:

Commencing at a point 746.17’ North and 33.0’ East of the Southwest corner of said S.E. ¼ of Sec. 30-117-22; thence East and parallel with the South line of said S.E. ¼, distant 267.0’; thence North and parallel with the West line of said S.E. ¼, distant 571.03’; thence West and parallel with the South line of said S.E. ¼, distant 267.0’; thence South and parallel with the West line of said S.E. ¼ distant 571.03’ to the place of beginning, containing 3.5 acres more or less.

PARCEL 2 (Book 2477 Deeds P. 577)

The East 267 feet of the West 300 feet of the North 571.03 feet of the Southwest Quarter of the Southeast Quarter of Section 30, Township 117, Range 22, according to the map or plat thereof on file or of record in the office of the Register of Deeds of Hennepin County, Minnesota.

PARCEL 3 (Certificate of Title No. 157458)

All that part of the following described tract:

The southeast quarter (SE1/4) of section 30, township 117 north, range 22 west, as follows: Commencing at the southeast corner of said section 30; thence westerly along the south line of said section, 1623.94 feet; thence northerly and parallel with the east line of said section 1347.27 feet to the initial point of beginning of the land to be described; thence northerly along a continuation of the last named line 549 feet to center line of the Excelsior Boulevard, also known as County Road No. 3 and as State Highway No. 11; thence along said center line along the following courses: North 80 degrees 57 minutes west 165 feet; thence south 77 degrees 3 minutes west 500 feet; thence south 82 degrees 33 minutes west 312 feet to the west line of the southeast quarter of said section; thence south 0 degrees 31 minutes east along said west line 81.5 feet to the northerly line of right of way of the Minneapolis, St. Paul and Suburban Railway Company; thence south 77 degrees 38 minutes [east] along said right of way 1022.4 feet to the point of beginning;
Which lies southerly of a line run parallel with and distant 100 feet southerly of the following described line:

Beginning at a point on the easterly boundary of said section 30, distant 136.8 feet northerly of the east quarter corner thereof; thence run southwesterly at an angle of 64 degrees 17 minutes with said easterly boundary for a distance of 279.5 feet; thence deflect to the left on a 0 degree 30 minute curve, delta angle 1 degree 34 minutes, for a distance of 313.3 feet; thence on tangent to said curve for a distance of 1368.4 feet; thence deflect to the right on a 3 degree 30 minute curve, delta angle 47 degrees 28 minutes, for a distance of 900 feet, and there terminating.

PARCEL 4 (Certificate of Title No. 388168)

That part of the Southeast Quarter of Section 30, Township 117, Range 22, described as follows: Commencing at the intersection of the Southeasterly line of State Highway No. 7 with the Southerly line of the right-of-way of the Minneapolis and Excelsior Road, as now laid out and travelled; thence Southeasterly along said Southerly line of said Minneapolis and Excelsior Road, a distance of 111.34 feet; thence South parallel with the East line of said Southeast Quarter a distance of 490.9 feet to the Northerly line of the right-of-way of the Minneapolis, St. Paul and Suburban Railway Company; thence Northwesterly along said last described right-of-way a distance of 180.39 feet to its intersection with a line drawn parallel with the East line of said Southeast Quarter from a point on the South line of said Southeast Quarter a distance of 1623.94 feet along said line from the Southeast corner of said Southeast Quarter; thence North along the last described parallel line a distance of 526 feet to theSoutheasterly line of State Highway No. 7; thence Northeasterly along said Southeasterly line a distance of 75 feet to the point of beginning.

PARCEL 5 (Doc No. 3935630)

That part of the South ½ of the Southwest ¼ of Section 30, Township 117, North Range 22, West of the principal meridian, described as follows: Beginning at a point on the North line of said South ½ of the Southwest ¼ of Section 30, distant 555.44 feet West of the Northeast corner thereof, thence East to the Northeast corner thereof, then South along the East line of said South ½ of the Southwest ¼ of Section 30 to the Southeast corner thereof, thence West along the South line of said South ½ of the Southwest ¼ of Section 30, distance of 1588.81 feet; thence Northeasterly to the point of beginning. EXCEPT the North 300 feet of the East 363 feet thereof.

PARCEL 6 (Certificate of Title No. 316481)

That part of the North ½ of the Northwest Quarter of Section 31, Township 117, Range 22, lying East of the plat of Kingswood and North of a line drawn from the most Easterly
corner of Outlot 2, said Kingswood, to a point in the East line of said Northwest ¼ distant 800 feet South from the Northeast corner thereof, according to the Government Survey thereof.

PARCEL 7 (Doc. No. 6753187)

The North 300 feet of the East 363 feet of Southeast ¼ of the Southwest ¼ of Section 30, Township 117, Range 22, according to the United States Government Survey thereof and situated in Hennepin County, Minnesota.

PARCEL 8 (no record document available)

That part of the right-of-way of the Minneapolis, St. Paul and Suburban Railroad, being a part of the West Half of the Southeast Quarter of Section 30, Township 117, Range 22, Hennepin County, Minnesota, which lies westerly of the westerly line of Skyline Terrace, according to the plat thereof of record, and southerly of State Highway No. 7.

PARCEL 9 (Doc. No. 9548071)

Lot 1, Dellton Second Addition, Hennepin County, Minnesota.

PARCEL 10 (Doc. No. 9761309)

That part of Lot 5, Block 1, Skyline Terrace, Hennepin County, Minnesota lying northwesterly of the following described line: Commencing at the northeast corner of said Lot 5; thence on an assumed bearing of North 70 degrees 14 minutes 03 seconds West along the northerly line of said Lot 5, a distance of 76.87 feet to the point of beginning of the line to be described; thence South 41 degrees 36 minutes 09 seconds West, a distance of 253.59 feet to the angle point in the West line of Lot 6, said Block 1 and there terminating. Said angle point being 250.00 feet south from the northerly corner of said Lot 6 as measured along the west line of said Lot 6.

PARCEL 11 (Doc. No. 10090618)

Lot 6, Block 1, Skyline Terrace, Hennepin County, Minnesota.
Minnetonka Planning Commission Meeting
November 5, 2015

Agenda Item 9

Other Business
MINNETONKA PLANNING COMMISSION
November 5, 2015

Brief Description
Concept Plan for Highview Villas, a residential development of properties at 4301 Highview Place and an adjacent, unaddressed parcel

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

Background

In 2014, Whitten Associates submitted a concept plan contemplating the redevelopment of the property at 4301 Highview Place and an adjacent, unaddressed parcel. Cumulatively the two properties, zoned R-1, have an area of approximately 4.5 acres. The concept plan included six lots for single-family detached homes around a newly constructed cul-de-sac. The plan met all R-1 district standards. At that time, Whitten Associates had not partnered with a builder.

Whitten Associates has now partnered with Ridge Creek Custom Homes and has submitted a revised concept plan contemplating the redevelopment of the properties. The current concept plan includes 10 villa style homes and a newly constructed cul-de-sac. (See pages on A1-A9.)

If a formal application were submitted it would likely include: (1) rezoning to planned unit development; and (2) preliminary and final plats.

Review Process

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

• **Neighborhood Meeting.** The developer held a neighborhood meeting on October 20, 2015. Approximately 10 people were in attendance and raised a variety of questions and concerns regarding:
  
  • Existing and anticipated traffic issues;
  • Proposed density of the development;
  • Character of the proposed development, including setbacks, price points, and loss of view; and
  • Noise related to the construction of the new homes.

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

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

**Staff Recommendation**

During review of a formal application, commissioners may ask questions – and receive answers – regarding details of a proposal. Commissioners may also debate points of the proposal with each other and the applicant.

Concept plan review should be approached differently than the formal development application review process. To provide the most useful feedback to the applicant, rather than asking questions, the commission should spend a majority of the concept review engaged in discussion as a commission. After discussion, it would be appropriate to provide specific comments to the applicant. The applicant may consider the commission’s comments in the preparation of more detailed development plans and formal development review application.

For the Highview Villas concept, it would be useful if commissioners would provide their reaction and general comments related to the contemplated density and general site design of the previous 6-lot concept and the current 10-lot concept.

Originator: Ashley Cauley, Senior Planner
Through: Susan Thomas, AICP, Principal Planner
ADDİTİONAL İNFÖRMATION

Next Steps

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

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

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

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

Roles and Responsibilities

• **Applicants.** Applicants are responsible for providing clear, complete and timely information throughout the review process. They are expected to be accessible to both the city and to the public, and to respect the integrity of the public process.

• **Public.** Neighbors and the general public will be encouraged and enabled to participate in the review process to the extent they are interested. However, effective public participation involves shared responsibilities. While the city has an obligation to provide information and feedback opportunities, interested residents are expected to accept the responsibility to educate themselves about the project and review process, to provide constructive, timely and germane feedback, and to stay informed and involved throughout the entire process.

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

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

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

Project: Highview Concept Plan
Applicant: Ridge Creek Custom Homes
Address: 4301 Highview Place

This map is for illustrative purposes only.
VIEW FROM SHADY OAK RD BRIDGE
VIEW FROM HIGHWAY 7
Current 10-lot concept
**MINNETONKA PLANNING COMMISSION**  
**November 5, 2015**

<table>
<thead>
<tr>
<th><strong>Brief Description</strong></th>
<th>Concept Plan for redevelopment of the TCF Bank site at 1801 Plymouth Road</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Action Requested</strong></td>
<td>Discuss concept plan with the applicant. No formal action required.</td>
</tr>
</tbody>
</table>

**Background**

TCF Bank and Solomon Real Estate Group have submitted a concept plan for redevelopment of the TCF Bank site at 1801 Plymouth Road. The plan contemplate removal of the existing, two-story bank building and construction of two, one-story buildings. The westerly building would be occupied by TCF Bank and the easterly building by a variety of commercial and service tenants. (See pages on A1-A6.)

If a formal application were submitted it would likely include: (1) conditional use permits; and (2) site and building plan review.

**Review Process**

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

- **Neighborhood Meeting.** The developer held a neighborhood meeting on October 29, 2015. Approximately 15 people were in attendance. Some comments were raised about the design and color palate of the proposed TCF Bank building. However, the group generally commented that they liked the proposal.

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

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For the TCF Bank concept, it would be useful if commissioners would provide their reaction and general comments related to the scale and design of the proposed buildings and site.

Originator: Susan Thomas, AICP, Principal Planner
ADDITIONAL INFORMATION

Next Steps

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

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LOCATION MAP

Project: TCF Bank Concept Plan
Applicant: TCF Bank and Solomon Real Estate Group
Address: 1801 Plymouth Road
October 28, 2015

Susan Thomas/Julie Wischnack
City of Minnetonka
14600 Minnetonka Blvd
Minnetonka, MN  55345

Re: Concept Plan Review – Planning Commission Meeting on November 5th, 2015

Dear Sue/Julie:

Solomon Real Estate Group and TCF Bank are hereby requesting a meeting of the Planning Commission on November 5th, 2015 to formally review the proposed concept plan for the redevelopment of the existing TCF Bank property on Plymouth Road. The proposed concept plan would demolish the existing TCF Bank building and replace it with a new proto-typical free-standing TCF Bank branch along with an additional 5,400 SF retail building adjacent to it as further detailed on the attached concept plan. The current TCF Bank branch would remain open in their existing location while their new building is under construction. Upon completion, the old bank building would be demolished and the new retail building would be constructed.

We look forward to presenting the concept plan to the Planning Commission on November 5th. If you have any questions, please let us know.

Sincerely,

Steve Johnson
Development Partner
Solomon Real Estate Group
2035 Concept Plan: Potential New Development

Map showing potential new development areas including retail, hotel, office, residential, community, and parking structures.

- Retail
- Hotel
- Office
- Residential
- Community
- Parking Structure

NORTH