1. **Call to Order**

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

2. **Roll Call**

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

Staff members present: Community Development Director Julie Wischnack, Principal Planner Susan Thomas, Planner Jeff Thomson, Water Resources Engineer Liz Stout, Natural Resource Manager Jo Colleran, and Community Development Supervisor Elise Durbin.

3. **Approval of Agenda:** The agenda was approved as submitted with additional information and a modification provided in the change memo dated August 27, 2015.

4. **Approval of Minutes:** July 20, 2015

   *Odland moved, second by Magney, to approve the July 20, 2015 meeting minutes as submitted.**

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

5. **Report from Staff**

Wischnack briefed the commission on land use applications considered by the city council on August 17, 2015:

- Adopted a resolution approving a conditional use permit for a French immersion school at St. Paul’s Lutheran Church on Lake Street.
- Adopted a resolution approving a conditional use permit for an outdoor patio for Salsa Ala Salsa.
- A liquor permit was denied for the Target on County Road 101 and Highway 7.
- No action was taken on the Cartway Lane and Ridgedale Drive project.
There will be a joint EDAC and planning commission tour of projects in the city at 6 p.m. on September 17, 2015.

6. Report from Planning Commission Members

Calvert attended water-quality training which was very informative. There is another workshop on September 15, 2015 on green infrastructure she is looking forward to attending since it will cover groundwater issues.

Calvert attended the Glen Lake neighborhood meeting. It was fairly well attended. There were multiple presentations including work on the parks and considerations for the home school. It was good to meet the neighbors in that area.

7. Public Hearings: Consent Agenda

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

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

A. Horizontal projection variance for a new antenna array on an existing telecommunications tower at 10500 Bren Road.

Adopt the resolution approving the variance request on pages A7-A11 of the staff report.

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

8. Public Hearings

A. Preliminary and final plat for Marshes of Meadowwoods 2nd Addition.

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

Thomson reported. He recommended approval of the application based on the findings and subject to the conditions listed in the staff report.
Chair Kirk asked how outlots work. Thomson said that all outlots would be owned by the homeowner’s association. There is a stewardship plan for outlots that is overseen by the city’s natural resources personnel.

Anjali Dahiya, 4271 Lindsey Lane owner and applicant, stated that:

- The subdivision is necessary to build a decent house on the lot.
- The association is fine with the proposal.
- All of the properties in the association should pay the same amount for the stewardship fund.
- She hoped commissioners will accept the proposal.

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

Thomson clarified that the city council will consider the stewardship fund contribution issues.

**Odland moved, second by O’Connell, to recommend that the city council adopt the resolution approving the preliminary and final plats of the Marshes of Meadowwoods 2nd Addition, a two-lot subdivision at 4247, 4259, and 4271 Lindsey Lane on pages A7-A9 of the staff report.**

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

The city council is tentatively scheduled to review this item at its meeting on September 14, 2015.

**B. Preliminary and final plats for Meeting Ridge, a two-lot subdivision at 2360 Meeting Street.**

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

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

Tom Gonyea, of Estate Development Corporation, applicant, stated that the proposal is straight forward. He worked with Colleran to save as many trees as possible. It is a good plan. He was happy to answer questions.
The public hearing was opened. No testimony was submitted and the hearing was closed.

Odland moved, second by Knight, to recommend that the city council adopt the resolution approving the preliminary and final plats of Meeting Ridge on pages A12-A15 of the staff report.

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

The city council is tentatively scheduled to review this item at its meeting on September 14, 2015.

C. Items concerning a licensed daycare facility at 14730 Excelsior Boulevard.

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

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

John Fletcher, of Lakewest Development, applicant, thanked staff for their help and assistance with the ongoing project. He stated that the proposal is for a first-class childcare center. It would take over the entire facility. There would be an exterior playground added. A new roof, mechanicals, and parking would be completed. The site has 40 parking stalls which would allow up to 240 students. Realigning the driveway with the road across the street is being considered. A sidewalk would be constructed on Williston Road. He is available for questions. He agrees with the conditions.

Calvert asked how the parking requirement is calculated. Thomas explained that one stall per six students is required by code. The number of staff for the school is built into that calculation.

Odland confirmed with Mr. Fletcher that some children may only attend two or three days a week. It is intended to be a full-time daycare.

Chair Kirk confirmed with Mr. Fletcher that the proposed building would be similar to the company’s other buildings in Brooklyn Park and Apple Valley. The footprint of this building is a little larger than their usual buildings. There is a loading dock.

Chair Kirk asked if there would be events that would house all of the students and their parents at the same time. Mr. Fletcher was not aware of any. There is
no space in the building to accommodate a large event. The average room size would be 700 square feet. The state license that determines the number of students allowed is tied to the number of parking stalls.

Knight asked if young children would be able to exit the building without using stairs during an emergency. Mr. Fletcher said that would be looked at during the building-permit process. The basement is looked at as an amenity.

Calvert asked what would happen with the two lots to the north. Mr. Fletcher explained that a separate application has been submitted for the two lots on the north to be redeveloped into two single-family houses. There will be a concept plan review.

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

Calvert favored the improvements to the building and area. Children are a great addition to any neighborhood. It is a great idea. She supports the proposal.

Odland asked if the bus would remain. Wischnack replied that the bus would be moved.

Calvert was excited that there would be green space on the side of the building instead of all pavement.

Chair Kirk stated that the proposal would be a good use and a good fit. He struggled with the architecture. He did not know if it fits with Glen Lake. The EFIS, siding, and false gable roof may not fit very well. He just wanted to mention it. Calvert had the same reaction about the materials and appearance, but it would still be an improvement over what is there now.

Chair Kirk is ready for the rundown building to go and he would not deny the application on its architecture, but it would be nice to see if there are elements in Glen Lake that could be incorporated.

Calvert would prefer a classic color. It is nice to see a building recycled instead of torn down. She noted that the concept of mixed use for the site has been pursued by the city for some time and it is unfortunate that may not work out.

Magney noted that the final material and color board would be submitted to staff. He asked what would happen at that time. Thomas said that staff would provide suggestions to the applicant.
Magney moved, second by Odland, to recommend that the city council adopt the resolution on pages A18-A24 of the staff report approving a conditional use permit and final site and building plans for a licensed daycare facility at 14730 Excelsior Boulevard.

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

The city council is tentatively scheduled to review this item at its meeting on September 14, 2015.

9. Other Business

A. Concept plan review for redevelopment of the property located at 10101 Bren Road East.

Staff recommends that commissioners provide feedback to assist the applicant with direction that may lead to the preparation of more detailed development plans.

Durbin reported.

David Higgins, vice president of development with Roers Investments, co-applicant with CPM Companies of Minneapolis, stated that:

- He appreciated the opportunity to address the commission and receive feedback.
- The project would consist of rental, market-rate apartments.
- This location has a high number of jobs in the area. The infrastructure improvements in the area would be validated by this type of use. There is a demand for new housing opportunities in the suburban market place in the west metro.
- The goal for the area is to diversify the uses and become a mixed-use park.
- The applicant would like to start construction in the spring. It would last approximately 14 to 18 months and open at the end of 2017.
- He was available for questions.

Calvert asked for the sizes of the 274 units. Mr. Higgins said that there would be a mix of 10 percent studio, 50 percent one-bedroom plus a den, and 35 percent two-bedroom apartments.
In response to O’Connell’s question, Mr. Higgins stated that the applicant also owns the adjacent site that is being considered for a hotel use.

O’Connell asked if the applicant has a similar project already completed. Mr. Higgins stated that the CPM Group is well known for its work around uptown and the university. Roers Investment Group has done work in North Dakota. It has completed $140 million worth of projects over 20 projects to date. In 2015, there will be $150 million worth of projects in 4 states. He did not have visuals of the projects. The proposal is envisioned to be of similar quality to an uptown rental unit. There continues to be a significant number of renters who do not want to live downtown, but would like that quality of housing opportunity. There are a lot of empty nesters or early retirees who have had enough of mowing the lawn and would rather have a full-service experience. Lots of people who would buy a house 10 years ago would never qualify today.

Chair Kirk asked how much of the project has been driven by the location of the light rail station. Mr. Higgins stated that the project would be done without it, unquestionably, but that the opportunity for light rail would be a significant benefit to the proposal. It would be a walkable distance from the site to light rail.

Chair Kirk visited the site because he was concerned with traffic congestion. He asked how traffic would flow in and out of the site. Mr. Higgins anticipated the traffic would access Highway 169. More unique drivers would travel the Shady Oak Road route. A driver can get anywhere from this location.

Chair Kirk noted the amenities including the pool and outdoor patio that would be built on the site. Mr. Higgins said that the building would be configured to create a sense of place and an enveloped landscaped amenity area in the back to provide a level of privacy.

Chair Kirk asked about guest parking. Mr. Higgins stated that visitor parking on the surface level is a work in progress. The original number was 8 and has been updated to 14 stalls. There would be landscaped areas that could be made into parking areas if there would be a need. Balancing adequate parking to prevent poaching from surrounding uses with reducing surface runoff is the challenge. There is a shared maintenance and parking agreement with the property to the east. The area is predominantly a business-hour-type operation. Visitors to the apartments would happen on nights and weekends. In a downtown setting, not less than 2 percent of the units must have guest parking. That would be more than doubled with 14 stalls. He is committed to working with the neighbors and city staff to get the right number.
Chair Kirk invited Stout to address surface runoff. Stout stated that the city’s and the Nine Mile Creek Watershed District’s stormwater management requirements would apply. The surrounding infrastructure would be looked at to make sure that the discharge rate would not be increased.

Chair Kirk asked if Opus was developed prior to the adoption of stormwater management practices. Stout said that there are a number of regional ponds throughout the Opus area, however, they do not meet the current water quality treatment requirements. A specific amount of phosphorous removal would now be required.

Calvert noted that a forest on the north would be removed. She wondered why development had to go so far north. Mr. Higgins stated that the path does not get interrupted by the layout. The goal is to retain as much of the existing growth as possible. Looking at the entire site, the greatest concentration would be located where the existing improvements are located. The vegetation on the north has been determined more unfavorable. The area that buffers the trail would continue to be green space. The east-west trail would be untouched.

Calvert asked how the pending year-long closure of Highway 169 would impact the proposal. Mr. Higgins said that the proposal is planned for the long term. Calvert noted that it could impact marketability. Mr. Higgins explained that the quality of the project is not available in this area. He suggested driving down Blue Circle Drive on a Friday afternoon when everyone is commuting. It is completely silent. It is an unusually enclosed place near infrastructure that would get a driver to another place quickly. Defining when the improvements to Highway 169 would be done is a little uncertain. The applicant feels that it would not cause a major problem.

Calvert asked for the average rent. Mr. Higgins estimated $2 a foot. An average 2-bedroom is 1,200 square feet. The proposal would provide a unique experience.

Chair Kirk noted that the proposal would be 5 stories. The adjacent hotel is 10 stories. The land use, access, and site design are focal points.

Chair Kirk invited residents to provide comments.

Jack Schuth, employee of Annex Medical which is part of the Opus II Condominium Association, 6018 Blue Circle Drive, stated that:
• Construction vehicles would travel on the shared driveway and create a serious concern for the business owners.
• The water table is 6 inches below the ground. Underground parking would be a concern or the building would be increased one story.
• The parking lot of the condominium business association would become the sneak through to get to Blue Circle Drive.
• Trespassing has been an issue with UHG employees coming over to smoke.
• The residents of the proposed apartment building would be living right up against the road.
• A promise was verbally made at the last meeting that there would be 8 visitor parking stalls and that there would be more in the future. It is a month later and he would like to see more serious proposals about where parking would be located.

Jim Burns, 10201 Bren Road East, asked if the change in use status or increase in the number of trips would cause an additional fee that would need to be paid by the landowner to help pay for the project. The bridge in front of his building to get to County Road 101 is going to be under construction in 2016 and 2017. It will be closed and cause massive rerouting of traffic. Interstate 169 would be shut down for one year. Traffic goes the wrong way all of the time over the bridge and around the corner. There needs to be some thought to make drivers aware that there is no left turn. He is concerned a little that the building would be five stories. He asked if it would require approval to exceed the number of people per square footage of space allowed by the city. UHG was proposed as a two-stage project, but phase two started right after phase one was completed. The guest parking is a big question mark. Downtown parking is not relevant. There is no street parking in Opus. It seems like a precarious space for an apartment building to be located in the middle of Opus. He thought something on the Shady Oak side or Smetana at the entrance would be easier to find.

Wischnack said that Mr. Burns was correct regarding trip generation. That would be studied once plans have been submitted. There is an allowance of the number of trips a site may generate without cost, but there may be a payment required to help fund the improvements to Highway 169.

Chair Kirk stated that more details would be provided at the next public hearing once plans and an application have been submitted.

Calvert did not see building up as a bad thing, necessarily. It would be a large building, but it would leave less of a footprint than the current building.
Odland was concerned with the water table level and what potential negative changes would occur to provide underground parking. A location closer to light rail might make more sense. There are issues that need to be looked at.

Magney felt multi-family housing would be a good choice for the location. A little smaller scale of three or four stories may be preferable. He was not concerned with the groundwater issue. The engineers would work out those details. It might impact the whole project, but the engineers would determine that. There should be more guest parking. In the big picture, multi-family housing would be just fine.

O’Connell concurred that the density of housing would be a good fit for the area with an office park so close to jobs. It fits the long-term vision of using existing infrastructure. The issues raised would have to be addressed. He supports the proposal.

Knight agrees with Magney and O’Connell. The proposal would be an appropriate use of the property. The area has a lot of employment. Right now, employees are driving in from outside the area. If some of the workers lived in the apartment building, then that would be a good thing. The area is not residential where neighbors would be concerned about what could be seen out the window. It would not bother him if a five-story building was constructed next to the building he works in. The size of the building does not bother him at all.

Chair Kirk recapped that more than five stories would be an issue for the commission. Transportation issues need to be addressed because of current problems, but the proposal is not being rejected. He would appreciate more of a clear, long-range vision in the comprehensive guide plan for the Opus area. He did not object to the proposal, but he was worried how the greater Opus area associations and trip counts fit in with each other. Wischnack stated that the city council will look at comprehensive guide plan studies done on the Opus area.

**B. Concept plan review for Villa West on State Highway 7.**

Staff recommends that commissioners provide feedback to assist the applicant with direction that may lead to the preparation of more detailed development plans.

Bob Schmidt, president of RTS Development, applicant, stated that:

- Thomson did a good job explaining the proposal.
- The property owner of the site used to fix his boat props. It was a unique piece of property located off a gravel road on Highway 7.
• The plan is wonderful. It would create housing for the aging population.
• An association would maintain the grounds.
• He developed townhouses on Covington Road in Minnetonka years ago. He built villa-style townhomes in Golden Valley which is a primary example of the proposed development.
• This property lends itself to a community development master plan.
• He found a way to access the property that MNDot agrees with.
• He was available for questions.

Scott Dahlke, civil engineer of site design, stated that:

• The site is a long, rectangle shape. The plan proposed an access road to run down the center of the property and be constructed on both sides of the road.
• There are currently no sewer or water utilities. The utilities would be extended from the northwest corner down the center of the road.
• He has met with MNDot and reviewed many concept plans. MNDot prefers a single access point on the east end. There would be a private drive 20 feet in width with a turn lane on Highway 7 for the entrance. Traffic would enter on the east side, travel west through the site, and then exit on the west end. The reason MNDot prefers this configuration is because of the existing exit from the adjacent townhomes on the west. The nearest city street is Clear Spring Road. A connection to Clear Spring Road would not be beneficial.
• Topography and drainage details will be provided as the plan moves forward. He described the drainage pattern, location of wetlands, stormwater management plans, and importance of tree preservation and screening.

Rob Eldrich, of Ridge Creek Custom Homes, stated that he is one of the preferred builders for the project. He is looking to do the detached villa concept, rambler houses, and two-story houses. The targeted market would be looking to downsize or get rid of large yards. There would be main-floor master suites and elevators for some. Minnetonka’s median age is 60 years. These would be nice, new homes for local residents. He is available for questions.

Chair Kirk invited residents to provide input.

David Devins, 17100 Sandy Lane, stated that:
• The project is too dense. The homes would be substantial in size and be priced around $500,000.
• The property is zoned R-1 and guided R-3. He asked for the comprehensive guide plan to be changed to R-1, single-family residential.
• He has concerns about tree preservation and keeping the existing berm. It works as natural drainage control.
• The area has terrible drainage and is full of springs. The whole area is wet.
• There is mixed topography.
• The density seems too big. Houses with 2,800 square feet would be too large to still have room for trees, streets, and driveways.

Lisa Brown, 4926 Clear Spring Road, stated that:
• The small area cannot handle going from 5 houses to 30 houses.
• The issues include loss of trees, wetlands, and springs.
• She has seen a lot of change in 26 years. She remembers Snuffy’s and Lilliput.
• The proposal would be too big and cause the removal of mature trees that are significant.
• Removing buckthorn would eliminate a lot of screening.
• She understood something would be constructed, but this would be too big.
• She encouraged commissioners to visit the site. There is a bike trail along Highway 7.

Beth Frost, 4914 Clear Spring Road, stated that:
• The proposal seems massive.
• Her lot and those in the area are huge, but they would abut 40-foot lots if the proposal would be done. The proposal would be out of character with the neighborhood. She feels strongly about that.
• The elevation would be higher, so the proposed houses would be looking down on the existing surrounding houses and create a privacy issue.
• Access to Highway 7 would be crucial for the neighborhood, because it would create too much traffic for Clear Spring Road.
• She wants more history on Mr. Schmidt and his developments. The judgements against him are extensive, so she hopes those are looked at.
John Eiden, 16821 Highway 7, stated that:

- He declined selling. He does not think the proposal is a good idea. It would create a dead end. It would not be the best use of the property.
- The 2030 comprehensive guide plan is dedicated to preserving Minnetonka’s natural beauty. This proposal would impact the drainage. He explained the drainage pattern.
- This corridor is a gateway to a section of Minnetonka. The property owners have taken care of the land for decades. Trees help preserve the ozone, reduce emissions, and prevent global warming.
- He supports extending the Purgatory Creek area to the site. All 7 properties drain into Purgatory Creek.
- He does not want to live next to all of the construction.
- His living room faces Highway 7. It does not look pretty and is not quiet. He cannot see people paying $700,000 for property that is not quiet. The builder did not say anything about sound barriers. The project would be a “slow seller.” Neighbors would have to watch the construction unless barriers are provided.
- He understood that the property owners want to sell, but that does not mean that the neighborhood should be turned into a senior living center.
- He reviewed the traffic pattern. He did not think it made sense.
- The best use of the property would be to turn it into open space. It would look good as a corridor and bring up the value of surrounding properties.
- The proposal would be a mistake.

Pam Scherling, 4925 West End Lane, stated that:

- She had the same concerns as the previous speakers.
- There is a heavily used trail located in the front of the property. There are many near misses. Construction equipment would create a lot of traffic.
- Resident surveys show that parks and trails are a main priority. Residents do not want neighborhoods leveled or trees removed.
- The development should be much lower density. There is no walkability to shopping.
- The price point would be too high for a high-traffic area.
Ms. Frost added that the wetlands on the northwest side are connected by a tunnel that travels under Highway 7 and the bike path connects to Purgatory Creek.

Knight asked how the proposal compares to the development on the west in terms of density. Thomson said that the proposal would be 6.5 to 7 units per acre. Medium density zoning allows 4 to 12 units per acre. Thomas calculated that the Carlysle Townhomes next door are 9 units per acre.

Calvert asked what the price point would be. Mr. Eldrich did not know the lot cost yet, so the price has not been determined. The estimate would be $500,000 for one story with 1,400 to 1,700 square feet on the main level and $600,000 for two stories with 1,000 square feet on the main level and 1,500 square feet above. A market study was completed. There is a project in Minnetonka off of County Road 101 and Highway 5 that starts in the upper $700,000 and goes into the $1 million range.

Odland remembered conversations that Groveland Pond would be too big. The proposal looks like 15 lbs. of potatoes would be put into a 5 lb. bag. It would be too large. She thought the price point would be too high for a resident downsizing and considering that the units would be on a highway.

Chair Kirk was concerned that the access on Highway 7 would not be safe. The development would be too dense. The Carlysle development looks fairly dense. Once the driveways and garages were added to the Groveland Pond proposal, commissioners determined it would be too dense. The houses would have been within 15 feet of each other. There must be a market, because developers are proposing the density. Determining whether the residences would sell is up to the developer. The size, density, and safety of the accesses is within the purview of commissioners.

Knight has been on the trail biking. He did not like the steep hills to the Carlysle Townhomes. He stops for the stop sign and nearly hits a cyclist that does not stop at that intersection often. He crosses the path on his way to work. Motorists stop in the middle of the road because bicyclists do not stop.

Calvert noted that it seems that the Carlysle is protected by old trees that provide a buffer. The proposal would have to reduce the number of trees by an enormous amount. That would not be right.
Chair Kirk asked if commissioners would prefer an extension of Carlysle Place. Calvert said that the proposal is hard to visualize. A neighborhood would be significantly changed and commissioners have it in their purview to encourage responsible development that includes meeting demographic need by attracting young people and helping seniors have housing options. She was not convinced if the proposal would achieve either goal. It is hard to see the impact without a tree survey and the actual plans. Minnetonka does not have a lot of the type of housing that Carlysle would provide. There is not a lot of space to build new single-family housing stock in Minnetonka. It is a conundrum.

Chair Kirk said that it is nice to have some amenities when adding single-family houses. This is not a great spot. It would not be an easy place to get in and out of. It is not walkable to the store. Carlysle is full, but has the same traffic issues.

Thomson requested direction from commissioners regarding potential future development of the area as a whole. Chair Kirk asked if waiting for other parcels to be included in the development site would be an option. Thomson stated that the comprehensive guide plan guides the area to be considered as a whole for redevelopment. Planning for future connections would be a reasonable approach.

Chair Kirk thought that two additional lots on the east would be an easy extension of the proposal.

Thomson clarified that the comprehensive guide plan calls for an understanding that redeveloping the area in part would have some impact on future redevelopment of two properties on the east and what would ultimately happen to them.

Chair Kirk stated that the commission could request that the developer to create an extension of the proposal that would incorporate those two additional lots.

Chair Kirk wants tree preservation and a buffer to the Clear Spring Road neighborhood taken into account. To go from low density to high density suggests that there needs to be an area of buffer. Commissioners agree that the proposal is too dense and a buffer is needed between the proposal and Highway 7.

Calvert took to heart the comments regarding the wetlands.

Chair Kirk was interested to see how acceleration and deceleration would work with the access points.
Odland requested statistics on the number of accidents at Carlysle for motor vehicles, bicyclists, and pedestrians. Thomson will request that information from the police department.

O’Connell deferred the access issues to MNDot. He was not so certain that it would not be too dense based on the comprehensive guide plan. The same arguments could be made for Carlysle, but residents like living there.

Magney agreed that the proposal would not be too dense. The site is awkward. Safety is a big concern, but he would defer to MNDot on that.

10. Adjournment

*Odland moved, second by O’Connell, to adjourn the meeting at 9:20 p.m. Motion carried unanimously.*

By:  ____________________________  
Lois T. Mason  
Planning Secretary