Planning Commission Agenda

April 12, 2018—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: March 15, 2018

5. Report from Staff

6. Report from Planning Commission Members

7. Public Hearings: Consent Agenda

   A. Reaffirming an amendment to the sign plan for Minnetonka Corporate Center, 12800 and 12900 Whitewater Drive

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

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

8. Public Hearings: Non-Consent Agenda Items

   A. Front and side yard setback variance for an addition to the existing home at 3021 Lake Shore Boulevard

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

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

   B. Conditional use permit, with variances, for a daycare center at 14410 Brunsvold Road.

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

      - Recommendation to City Council (Tentative Date: April 30, 2018)
      - Project Planner: Susan Thomas
C. Site plan review to reconfigure the northern pick-up/drop-off area at Glen Lake Elementary at 4801 Woodridge Road

Recommendation: Adopt the resolution approving the site plan for Glen Lake Elementary at 4801 Woodridge Road. (4 votes)

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

9. Adjournment
Notices

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

2. Applications and items scheduled for the April 26, 2018 Planning Commission meeting:

   Project Description: Trammell Crow is proposing to redevelop a portion of the existing property at 12421 Ridgedale Drive. As proposed, portions of the existing parking lot would be removed and a new, six-story, 168-unit apartment building would be constructed. The project would also provide 1.31 acres of land for park purposes. The proposal requires approval of: (1) master development plan; (2) site and building plan; (3) variances; and (4) preliminary and final plats.
   Project No.: 03046.18b
   Ward/Council Member: 2—Wagner
   Staff: Loren Gordon
   Section: 02

   Project Description: The applicant has submitted formal applications for redevelopment of the properties at 5740 and 5750 Shady Oak Road. As proposed, existing structures would be replaced by 15 homes. The homes would consist of three detached townhomes and twelve condominium units contained within three condo buildings. The proposal requires: (1) master development plan, and (2) preliminary plat.
   Project No.: 09002.18b
   Ward/Council Member: 1—Ellingson
   Staff: Susan Thomas
   Section: 35

   Project Description: Chabad Center for Jewish Life submitted a formal application for a conditional use permit to construct a religious facility on the properties at 2333 and 2339 Hopkins Crossroad and 11170 Mill Run. As proposed, the existing home at the Mill Run address would remain occupied as a single-family home. The structures at 2333 and 2339 Hopkins Crossroad would be replaced by a two-story, 15,000 square foot building. The proposal requires: (1) conditional use permit, and (2) site and building plan approval.
   Project No.: 18003.18b
   Ward/Council Member: 2—Wagner
   Staff: Susan Thomas
   Section: 12

   Project Description: Alder Graduate School submitted a formal application to locate a graduate school at 10225 Yellow Circle Dr. As proposed, the exterior of the existing structure would remain unchanged, and interior changes would occur to accommodate the graduate school. The proposal requires (1) conditional use permit approval.
   Project No.: 18009.18a
   Ward/Council Member: 1—Ellingson
   Staff: Drew Ingvalson
   Section: 36

   Project Description: The applicant is requesting preliminary plat approval for a three lot subdivision with variances, at 15500 Minnetonka Blvd. The proposal requires a (1) preliminary and final plat, with variances.
   Project No.: 18004.18a
   Ward/Council Member: Open Seat
   Staff: Drew Ingvalson
   Section: 16
WELCOME TO THE MINNETONKA PLANNING COMMISSION MEETING

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

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

2. Staff presents their report on the item.

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

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

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

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

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

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

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

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

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

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

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

2. **Roll Call**

Commissioners Hanson, Knight, O’Connell, Powers, Schack, Sewell, and Kirk were present.

Staff members present: Community Development Director Julie Wischnack, City Planner Loren Gordon, Assistant City Planner Susan Thomas, Senior Planner Ashley Cauley, and Planner Drew Ingvalson.

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

4. **Approval of Minutes:** March 1, 2018

   *Schack moved, second by Knight, to approve the March 1, 2018 meeting minutes as submitted.*

   *Hanson, Knight, O’Connell, Powers, Schack, Sewell, and Kirk voted yes. Motion carried.*

5. **Report from Staff**

   Gordon briefed the commission on the city council’s review of public realm guidelines for the Ridgedale area. The city council will review the guidelines again at the April 2, 2018 city council meeting.

   The comprehensive guide plan steering committee will meet March 21, 2018 to discuss parks, trails, and open space.

   The next planning commission meeting will be April 12, 2018.

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

7. **Public Hearings: Consent Agenda**

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

   *Powers moved, second by Schack, to approve the item listed on the consent agenda as recommended in the staff report as follows:*
A. Aggregate side yard setback variance for a living space addition at 16119 Birch Lane.

Adopt the resolution that approves an aggregate side yard setback variance for a living-space addition at 16119 Birch Lane.

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

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

8. Public Hearings

A. Conditional use permit and site and building plan review for a concession stand and bathrooms at Hopkins High School at 10901 Hillside Lane West.

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

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


Mr. Newman stated that Ingvalson did a good job. The applicant met with the neighbors to discuss the project. Removing the port-a-potties would improve the looks of the area.

Schack asked how long the construction would take. Mr. Newman planned for it to be done by this fall.

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

_O’Connell moved, second by Schack, to adopt the resolution approving a conditional use permit and final site and building plans for a concession stand and bathroom facilities at Hopkins High School at 10901 Hillside Lane West._

_Hanson, Knight, O’Connell, Powers, Schack, Sewell, and Kirk voted yes. Motion carried._

B. Conditional use permit for Creo Arts and Dance Academy at 15100 Minnetonka Industrial Road.

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

Cauley reported. She recommended approval of the application based on the findings and subject to the conditions listed in the staff report.
Christa Anderson, applicant, stated that the proposed space is currently used as a storage area for dental supplies. She would like her dance studio to be part of the Minnetonka community.

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

Powers felt that the dance studio would be a perfect fit for the area.

Powers moved, second by Hanson, to recommend that the city council adopt the resolution approving a conditional use permit with a parking variance for Creo Arts and Dance Academy at 15100 Minnetonka Industrial Road.

Hanson, Knight, O'Connell, Powers, Schack, Sewell, and Kirk voted yes. Motion carried.

C. Conditional use permit for a microbrewery and taproom at 5959 Baker Road.

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

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

John Kraus, a controller for Brass Foundry, applicant, stated that he is excited about the proposed space. The taproom side would have a coffee-shop vibe. Everyone would be welcome to hang out with or without drinking. He was available for questions. Food trucks would park in front by the patio.

Powers visited the site with the applicants. The plan has been very well thought out. It would be a good location. The space is currently wide open. It would bring vitality to Minnetonka.

Hanson agreed that the proposal would bring life to the industrial park.

Chair Kirk noted that the location is a good distance from a residential neighborhood.

Sewall noted that there would be a lot of parking. There are stalls all along the back of the building. It would be a great addition to the area. He supported staff’s recommendation.

Schack agreed. The location would be perfect, the peak hours would be opposite of the surrounding uses, and there would be no parking issue.

The public hearing was opened. No testimony was submitted and the hearing was closed.
O’Connell moved, second by Hanson, to recommend that the city council adopt the resolution approving a conditional use permit for a microbrewery and taproom at 5959 Baker Road.

Hanson, Knight, O’Connell, Powers, Schack, Sewell, and Kirk voted yes. Motion carried.

9. Other Business

A. Concept plan review for Morrie’s Ford at 13400 Wayzata Blvd. and 13205 Southridge Road.

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

Thomas reported. She recommended that the planning commission provide comments and feedback on the identified key issues and any others commissioners deem appropriate. The discussion is intended to assist the applicant with the preparation of more detailed development plans and a formal application.

Lynn Robson, Morrie’s Automotive Group facilities director, applicant, stated that:

- She thanked Gordon and Thomas for their direction during the process.
- The intent of the project would be to improve site circulation and traffic flow and create a better experience for customers and staff.
- As part of a buy/sell Morrie’s went through in 2016, the manufacturer conditioned the purchase to some improvements to the facility. Ford has reviewed and approved the plans.
- She requested the commissioners’ comments and feedback.

Brandon Greize, representing the applicant, explained that:

- Ford wants to put corrugated metal over the brick and EIFS.
- A new pedestrian ramp would be added to increase access.
- There would be a 12,000 square-foot addition on the east side and the addition of service stalls, a three-lane service drive, and two-bay carwash. All of the drying would take place inside the drive-through car wash.
- There would be a place to deliver vehicles to customers on the west side.
- There would be an elevator to the second floor. There would be a display room on the second floor overlooking Interstate 394.
- Fifty parking stalls would be added on the north side for employee parking. The site would look cleaner and have a better appearance.

Chair Kirk invited the public to comment.

Rob Haas, 13224 Southridge Road, stated that:
• The proposal would set a bad precedent. There would be nothing to prevent Sears from tearing down three houses it owns. Sears also has issues with its parking area.
• Salespeople set off the vehicle alarms to locate the vehicles.

Jan Rivers, 13317 Southridge Road, stated that:

• She lives adjacent to the Sears’ owned residential properties.
• She is not a fan of a parking lot being located at the entrance to her neighborhood. It would not fit in the neighborhood.
• The proposal would set a precedent.
• She did not care what would happen with the building. She opposed the parking lot.

In response to Sewall’s question, Thomas explained that a residential property does not have a hard-surface maximum unless it is adjacent to a lake. A commercial property is allowed to have up to 85 percent of its surface covered by an impervious surface.

Chair Kirk asked if the residential properties owned by Sears are being used to store vehicles. Thomas answered that staff will be following up with those properties to see if ordinances are being followed.

Schack said that the comprehensive guide plan steering committee meetings have discussed how the changes in the landscape of areas happens over time. Thomas recalled an example of a residential area becoming more commercial when a rezoning and guide plan amendment were approved for the North Memorial clinic. Gordon noted that often commercial areas have become residential uses.

Powers could understand that more parking may be needed for employees. He did not know how restricting the lot to employee parking could be enforced. The applicant knew that the property is zoned R-1. Changing the zoning from residential to commercial would change the character of the neighborhood.

Chair Kirk confirmed with Thomas that the area is guided for medium-density residential.

Sewall asked for the number of parking stalls the site currently has and how many would be removed due to the addition on the building. Ms. Robson estimated that 50 stalls would be removed due to the addition of the building. Eighty employees are usually on site every day. Employee parking would create fewer trips and less of an impact on the neighbors than vehicle storage for the dealership. Having motion-activated lights is being considered.

Sewall visited the site and it is very tight.
Schack thought that the neighborhood is in favor of refreshing the look of the building. The changes to the car wash would be a big enhancement. She was concerned with a parking lot changing the character of the neighborhood. Turning a residential area into parking when parking needs would be changing in the future makes it more difficult to support the proposal.

In response to Chair Kirk’s question, Thomas answered that changing a residential site to a parking lot would require rezoning and a comprehensive guide plan amendment. Thomas explained the pyramid of discretion.

Chair Kirk felt that the integrity of the neighborhood needs to be protected. All of the vehicle dealerships need to be held to a line with a buffer to provide some degree of separation between the businesses and residential houses.

Powers asked if it would be possible to require a buffer so the surrounding neighbors would not see the vehicles. Thomas explained that if the zoning would be changed, then the city would be bound by the parameters provided in the zoning classification. A buffer could not be a condition of approval for a rezoning request.

Knight likes the idea of refreshing the building. A business owner can do that. The proposal shows that there would be a lot of green space around the perimeter of the proposed parking lot. At the moment, the site is doing a reasonable job of trying to hide the vehicles.

Hanson understood where the neighborhood was coming from. He saw the danger of setting a precedent. He saw no way of guaranteeing that the parking would change its use from employee parking to storage of merchandise.

Sewall thought that storage of new vehicles might have less of an impact than employee parking.

Chair Kirk reviewed that commissioners are apprehensive regarding the proposed change in the use of the residential property. There is a gray area in determining what would be the less obtrusive manner to manage the proposed parking lot. Commissioners support the renovations and freshening up the building, but struggle with the use encroaching on the neighborhood.
10. Adjournment

Sewall moved, second by Powers, to adjourn the meeting at 7:53 p.m. Motion carried unanimously.

By:  ____________________________
     Lois T. Mason
     Planning Secretary
Minnetonka Planning Commission Meeting
April 12, 2018

Agenda Item 7

Public Hearing: Consent Agenda
MINNETONKA PLANNING COMMISSION
April 12, 2018

Brief Description
Reaffirming an amendment to the sign plan for Minnetonka Corporate Center, 12800 and 12900 Whitewater Drive.

Recommendation
Adopt the resolution approving the request

Background
On Dec. 11, 2014, the planning commission approved an amendment to the sign plan for the Minnetonka Corporate Center for office buildings at 12800 and 12900 Whitewater Drive. (Resolution No. 2014-018, see attached). The amendment approved the following signage:

<table>
<thead>
<tr>
<th>Wall signs allowed under current sign plan</th>
<th>Proposed wall signs</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>12800 Whitewater Drive</strong></td>
<td>North elevation: 30” wall sign with 5 ft. logo. Total 40 sf.</td>
</tr>
<tr>
<td>The existing Sambatek sign.</td>
<td>East elevation: 36” wall sign. Total 40.5 sf.</td>
</tr>
<tr>
<td><strong>12900 Whitewater Drive</strong></td>
<td>South elevation: 36” wall sign. Total 40 sf.</td>
</tr>
<tr>
<td>36” wall mounted sign on the west elevation</td>
<td>West elevation: 48” wall sign. Total 48 sf.</td>
</tr>
</tbody>
</table>

As outlined in city code and the adopted resolution would be void if: (1) the signs were not installed prior to Dec. 31, 2015; and (2) the planning commission did not approve a time extension by Dec. 31, 2015.

Since the 2015 approval, the applicant installed one sign on the west elevation of the 12800 Whitewater Drive building (see attached), but the three other signs were never installed on the two subject buildings. The existing Sambatek sign was originally shown to be located on the north elevation of the building; however, it was later moved and approved by staff to be located on the west elevation. Staff would allow a second sign on the 12800 Whitewater building on either the east or north elevations, subject to the east elevation size requirements.

The subject sign plan became void for the additional signs because neither of the two required tasks were completed by the required deadline. As such, the applicant, Krista Kay, is now requesting reaffirmation of the previously approved Minnetonka Corporate Center sign plan amendment for 12800 and 12900 Whitewater Drive.
Reaffirmation

The city has occasionally reaffirmed previous approvals – rather than requiring a proposal go through a full review process again – when: (1) there have been no changes to the previously approved plans; (2) there have been no changes to city code or policy that could affect the previous approvals; and (3) reaffirmation would not adversely affect the interests of neighboring property owners. Staff finds that reaffirmation of the previous approval is reasonable, as:

1. The sign plan amendment continues to be consistent with the intent of the sign;

2. Reaffirmation would not adversely impact the surrounding area.

Recommendation

Staff recommends the planning commission adopt the resolution reaffirming the previously approved amendment to the sign plan for the Minnetonka Corporate Center for office buildings at 12800 and 12900 Whitewater Drive.

Originator: Drew Ingvalson, Planner
Through: Loren Gordon, AICP, City Planner
Location Map

Project: Minnetonka Corporate Center
Address: 12800 & 12900 Whitewater Dr
Good afternoon Drew,

In response to our conversation this morning I am writing to request reaffirmation of Resolution No 2014-18 that would restate the exact same exterior signage conditions as previously approved. Thank you in advance for having this added to the 3/19 City Council agenda for review and approval. Please note that as Sambatek has already installed exterior signage at 12800 Whitewater, the remaining exact locations and sizes as previously approved are noted below.

12800 Whitewater Dr.
East elevation – the wall sign would have a vertical elevation of 36” and a total area of 40 square feet

12900 Whitewater Dr.
West elevation- the wall sign would have a vertical elevation of 48” and a total area of 48 square feet
South elevation- the wall sign would have a vertical elevation of 36” and a total area of 40 square feet

Sincerely
Krista Kay

Krista A. Kay, CPM
Senior Property Manager

(p) 612-492-4336
(c) 612-369-1316

533 South Third Street, Suite 100
Minneapolis, MN 55415
Doc No T05221714
Certified, filed and/or recorded on
Dec 16, 2014 3:59 PM

Office of the Registrar of Titles
Hennepin County, Minnesota
Martin McCormick, Registrar of Titles
Mark Chapin, County Auditor and Treasurer

Deputy 16  Pkg ID 1185487E

Doc Name: Resolution

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<td>Document Recording Fee</td>
<td>$46.00</td>
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**Document Total**  $46.00

PID(s)
34-117-22-41-0017

Existing Certs
1348127

This cover sheet is now a permanent part of the recorded document.
Planning Commission Resolution No. 2014-18

Resolution approving a sign plan amendment to the sign plan for Minnetonka Corporate Center at 12800 and 12900 Whitewater Drive

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

Section 1. Background.

1.01 Liberty Property Trust Limited Partnership is requesting an amendment to the Minnetonka Corporate Center sign plan to allow two wall signs on the each of two existing buildings. (Project 86006.14a).

1.02 The properties are located at 12800 and 12900 Whitewater Drive. The properties are legally described on Exhibit A.

1.03 City Code §300.30 Subd. 9(h) states that properties within the PUD zoning district are regulated according to the corresponding land use and zoning category of the sign ordinance. The city may approve a sign plan with differing requirements.

1.04 City Code §300.30 Subd. 4 outlines the sign regulations for office buildings.

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

1.06 The applicant is proposing to construct wall signs on north and east elevations of the existing building at 12800 Whitewater Drive. The wall signs would have a total area of 40 square feet.

1.07 The applicant is proposing to construct wall signs on the west and south elevations of the building at 12900 Whitewater Drive. The wall sign on the west elevation would have a vertical dimension of 48 inches and a total area of 48 square feet. The wall sign on the south elevation would have a total area of 40 square feet.
Section 2. General Standards.

2.01 By City Code §300.30 Subd.9(h) the city may consider and approve sign plans with differing standards for properties located with the PID district. Factors used in determining if an individual sign plan will be considered include the following:

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

2. The development includes multiple structures and/or substantial site area;

3. The development includes mixed uses;

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

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

Section 3. FINDINGS.

3.01 The sign plan amendment is appropriate for the property at 12800 Whitewater Drive as:

1. Under the existing sign plan, the building at 12800 Whitewater is the only building within the Minnetonka Corporate Center that is not allowed a wall sign on its western façade.

2. When the sign plan was originally approved in 1984 concurrent with the Master Development Plan, the building was proposed to be set back further from I-494 and have a smaller building footprint than the surrounding buildings.

3. On January 16, 1986, the planning commission approved site and building plan review for a building that had a setback and building footprint consistent with the surrounding buildings.

4. By ordinance, office buildings are allowed more than one wall signs when the building has frontage on more than one public roadway. The property has frontage onto I-494 and onto Whitewater Drive.
5. The proposed wall signs on the north and east elevations are generally consistent with existing wall signs within the development.

3.02 The sign plan amendment is appropriate for the property at 12900 Whitewater Drive as:

1. The approved sign plan allowed a wall sign on the west elevation with a vertical dimension of 36 inches.

2. The proposed vertical dimension of 48 inches on the west elevation would increase the visibility of the sign from the I-494 roadway and would still be generally consistent with the square footage of the existing wall signs.

3. By ordinance, office buildings are allowed more than one wall signs when the building has frontage on more than one public roadway. The property has frontage onto I-494 and onto Whitewater Drive.

4. The proposed wall sign for the south elevation is consistent with the square footage and vertical dimension of existing wall signs within the development.

Section 4. Planning Commission Action.

4.01 The Planning Commission approves a sign plan amendment to the Minnetonka Corporate Center to allow wall signs on the north and east elevation of the building at 12800 Whitewater Drive.

a. Subject to staff approval, the site must be developed and maintained in substantial conformance with the site and sign plans date-stamped October 29, 2014, unless modified by the conditions below.

b. Sign permits are required for the wall signs.

c. Any changes to the sign plans may require an amendment to this approval.

d. The signs must be installed prior to December 31, 2015, unless the planning commission grants a time extension.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on December 11, 2014.
Resolution No. 2014-18

[Signature]

Paul Lehman, Chairperson

Attest:

[Signature]

Kathy Leervig, Deputy City Clerk

Action on this resolution:

Motion for adoption: Odland
Seconded by: Magney
Voted in favor of: Magney, Odland, Rettew, Kirk, Knight, Lehman
Voted against:
Abstained:
Absent: O’Connell
Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Planning Commission of the City of Minnetonka, Minnesota, at a duly authorized meeting held on December 11, 2014.

[Signature]

Kathy Leervig, Deputy City Clerk
EXHIBIT A

The property at 12800 Whitewater Drive is legally described as follows:

Lot 5 and that part of Lot 4, Minnetonka Corporate Center, Block 2, lying southerly of the following described line and its extensions: Beginning at a point on the Westerly line of Lot 4 a distance of 142 feet Northerly of the most Southerly corner therof, thence easterly a distance of 358.59 feet to a point on the Easterly line of Lot 4, distance of 114.51 feet Northerly of the Southeast corner thereof as measured along said Easterly line and there ending.

The property at 12900 Whitewater Drive is legally described as follows:

Lot 6, Block 2, Minnetonka Corporate Center, Hennepin County, Minnesota
MINNETONKA PLANNING COMMISSION
December 11, 2014

Brief Description  Amendment to the sign plan for Minnetonka Corporate Center
Recommendation  Adopt the resolution approving the request

Background

The Minnetonka Corporate Center includes 13 buildings which are primarily used for office and service commercial uses. The development is governed by a sign plan which was approved concurrent with the center’s master development plan in 1984. Unlike other sign plans within the city which, uniformly apply sign standards to a building or series of buildings, the Minnetonka Corporate Center “assigned” sign types to each of the center’s buildings. The prescribed sign types include monument entry identifiers, wall signs and address identifiers. Under the current sign plan, 36 inch wall signs are allowed on the west elevation of a majority of the buildings adjacent to I-494. (See existing sign plan on page A18.)

Proposal

Liberty Property Trust Limited Partnership is requesting an amendment to the existing sign plan amendment to allow wall signs on the office buildings 12800 and 12900 Whitewater Drive, within the Minnetonka Corporate Center. The applicant is proposing the following:

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See full plan sets of the proposed signs on pages A1-A16.
Staff analysis

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

- **Is the requested sign plan amendment appropriate?**
  
  Yes. Consideration for wall signs has been given and ultimately approved on several occasions since the adoption of the development’s sign plan. The proposed wall signs are generally consistent with the signs originally allowed under the sign plan and those approved through subsequent amendments.

- **Is the requested amendment consisted with the intent of the Minnetonka Corporate Center sign plan?**
  
  Yes. A sign plan establishes the sign requirements for a specific development based on its unique characteristics and visibility needs. Sign plans may vary from the specific requirements of the city’s sign ordinance. However, generally a sign plan is consistent with the intent of the sign ordinance. Staff finds that the requests meet the intent of the Minnetonka Corporate Center and the city’s general sign ordinance for office buildings.

**12800 White Water Drive**

Under the existing sign plan, the building at 12800 Whitewater Drive is the only building in the development adjacent to I-494 that is not allowed a wall sign on the west elevation. At the time of the 1984 approval, it was anticipated that this building would have an increased setback from I-494 and would have a much smaller building footprint than the surrounding buildings. Therefore, it is likely that a wall sign was not approved for this building because a reasonably sized wall sign would not have been visible from the roadway. However, when the building was actually constructed, the setback and the building footprint became more consistent with the surrounding buildings.

Additionally, the sign ordinance allows more than one wall sign on office buildings with frontage on more than one public street. Based on the actual development of the building and the property’s multiple road frontages, staff finds the proposed wall signs for 12800 Whitewater Drive are reasonable.

**12900 Whitewater Drive**

The Minnetonka Corporate Center sign plan allows a 36 inch wall sign on the west elevation of the building. The applicant is requesting to increase the vertical dimension of the west elevation wall sign to 48 inches. Due to the sign’s configuration, limiting the sign’s height to 36 inches would significantly reduce its visibility from I-494. Despite the increase in height in vertical dimension, the wall
sign would be generally consistent with the square footage of existing wall signs within the development. Similar to the building at 12800 Whitewater Drive, the building has frontage onto two public roadways. Therefore, it is reasonable to have two walls signs.

**Staff recommendation**

Adopt the resolution on pages A20-A23, which approves an amendment to the MINNETONKA CORPORATE CENTER SIGN PLAN for wall signs at 12800 and 12900 Whitewater Drive.

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

Surrounding Land Uses

Properties to the North, South and East are office, zoned PUD and guided for mixed use
Westerly: I494

Planning

Guide Plan designation: Mixed Use
Zoning: PUD, Planned Unit Development

Sign Plan Review Standards

Within the P.U.D./P.I.D zoning districts, a sign plan with differing requirements may be approved by the city. Factors which will be used in determining if an individual P.U.D/P.I.D sign play will be considered include the following:

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

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

3) The development includes mixed uses;

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

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

Sign plan History

The sign plan for Minnetonka Corporate Center was approved concurrent with the master development plan and P.U.D. in 1984. The sign plan established general sign type and size parameters. Generally this included 30 sq. ft. entrance monuments and walls signs up to 36”. The sign plan established the locations on these signs on a site plan. (See page A18.)

In 1989, the planning commission approved an amendment to the Minnetonka Corporate Center sign plan to allow eight monument style signs, two smaller directional monuments, and wall signs for the building at 12501 Whitewater Drive.

In 2003, the planning commission approved an amendment to the Minnetonka Corporate Center sign plan to allow two monument
<table>
<thead>
<tr>
<th>Subject: 12800 and 12900 Whitewater Drive</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signs and a 40-square-foot wall sign at 5950 Clearwater Drive for Children’s Hospital and Clinics</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Appeals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any person aggrieved by the planning commission’s decision about the requested variances may appeal such decision to the city council. A written appeal must be submitted to the planning staff within ten days of the date of the decision.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Neighborhood Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>The city sent notices to 41 area property owners and have received no comments to date.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Deadline for Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 26, 2014</td>
</tr>
</tbody>
</table>
Location Map

Project: Minnetonka Corporate Center
Applicant: Liberty Property Trust Ltd. Partnership
Address: 12800 & 12900 Whitewater Dr
(86006.14a)

This map is for illustrative purposes only.
12800 Whitewater Drive

Tenant One: Sambatek

Tenant Two: unidentified
Written Statement

12800 Whitewater Drive
Minnetonka, MN

For Submission of:

Sign Plan Review

Liberty Property Trust is requesting approval for two tenant signs on the 12800 office building on Whitewater Drive in Minnetonka. The proposed size is 3 ft. tall with a maximum length of 13.5 ft. for a maximum of 40.5 sf.

Due to the speed of the interstate and the viewing distance from the cars to the building a larger sign size is required for ease of visibility.
Written Statement

12900 Whitewater Drive
Minnetonka, MN

For Submission of:

Sign Plan Review

Liberty Property Trust is requesting approval for two tenant signs on the 12900 office building on Whitewater Drive in Minnetonka. The proposed size is 3 ft. tall with a maximum length of 13.5 ft. for a maximum of 40.5 sf.

Due to the speed of the interstate and the viewing distance from the cars to the building a larger sign size is required for ease of visibility.
Existing Minnetonka Corporate Center sign plan
Minnetonka Corp Center Sign Plan (updated through 4-3-03)

The area bounded by Waterway Drive and Clearwater Drive is regulated by the attached table 1 (Amendment 1-5-96) and Planning Report (Dated 4-3-03).

Removed 5/03 due to disrepair.
Resolution
Resolution No. 2014-

Resolution approving a sign plan amendment to the sign plan for Minnetonka Corporate Center at 12800 Whitewater Drive

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

Section 1. Background.

1.01 Liberty Property Trust Limited Partnership is requesting an amendment to the Minnetonka Corporate Center sign plan to allow two wall signs on the each of two existing buildings. (Project 86006.14a).

1.02 The properties are located at 12800 and 12900 Whitewater Drive.

1.03 City Code §300.30 Subd. 9(h) states that properties within the PUD zoning district are regulated according to the corresponding land use and zoning category of the sign ordinance. The city may approve a sign plan with differing requirements.

1.04 City Code §300.30 Subd. 4 outlines the sign regulations for office buildings.

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

1.06 The applicant is proposing to construct wall signs on north and east elevations of the existing building at 12800 Whitewater Drive. The wall signs would have a total area of 40 square feet.

1.07 The applicant is proposing to construct wall signs on the west and south elevations of the building at 12900 Whitewater Drive. The wall sign on the west elevation would have a vertical dimension of 48 inches and a total area of 48 square feet. The wall sign on the south elevation would have a total area of 40 square feet.
Section 2. General Standards.

2.01 By City Code §300.30 Subd.9(h) the city may consider and approve sign plans with differing standards for properties located within the PID district. Factors used in determining if an individual sign plan will be considered include the following:

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

2. The development includes multiple structures and/or substantial site area;

3. The development includes mixed uses;

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

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

Section 3. FINDINGS.

3.01 The sign plan amendment is appropriate for the property at 12800 Whitewater Drive as:

1. Under the existing sign plan, the building at 12800 Whitewater is the only building within the Minnetonka Corporate Center that is not allowed a wall sign on its western façade.

2. When the sign plan was originally approved in 1984 concurrent with the Master Development Plan, the building was proposed to be set back further from I-494 and have a smaller building footprint than the surrounding buildings.

3. On January 16, 1986, the planning commission approved site and building plan review for a building that had a setback and building footprint consistent with the surrounding buildings.

4. By ordinance, office buildings are allowed more than one wall signs when the building has frontage on more than one public roadway. The property has frontage onto I-494 and onto Whitewater Drive.
5. The proposed wall signs on the north and east elevations are generally consistent with existing wall signs within the development.

3.02 The sign plan amendment is appropriate for the property at 12900 Whitewater Drive as:

1. The approved sign plan allowed a wall sign on the west elevation with a vertical dimension of 36 inches.

2. The proposed vertical dimension of 48 inches on the west elevation would increase the visibility of the sign from the I-494 roadway and would still be generally consistent with the square footage of the existing wall signs.

3. By ordinance, office buildings are allowed more than one wall signs when the building has frontage on more than one public roadway. The property has frontage onto I-494 and onto Whitewater Drive.

4. The proposed wall sign for the south elevation is consistent with the square footage and vertical dimension of existing wall signs within the development.

Section 4. Planning Commission Action.

4.01 The Planning Commission approves a sign plan amendment to the Minnetonka Corporate Center to allow wall signs on the north and east elevation of the building at 12800 Whitewater Drive.

a. Subject to staff approval, the site must be developed and maintained in substantial conformance with the site and sign plans date-stamped October 29, 2014, unless modified by the conditions below.

b. Sign permits are required for the wall signs.

c. Any changes to the sign plans may require an amendment to this approval.

d. The signs must be installed prior to December 31, 2015, unless the planning commission grants a time extension.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on December 11, 2014.
Paul Lehman, Chairperson

Attest:

Kathy Leervig, Deputy City Clerk

Action on this resolution:

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

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Planning Commission of the City of Minnetonka, Minnesota, at a duly authorized meeting held on December 11, 2014.

Kathy Leervig, Deputy City Clerk
Resolution No. 2018-
Resolution reaffirming an amendment to the sign plan for Minnetonka Corporate Center at 12800 and 12900 Whitewater Drive

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

Section 1. Background.

1.01 On Dec. 11, 2014, the planning commission adopted Resolution No. 2014-18, approving an amendment of the Minnetonka Corporate Center Sign Plan

1.02 The amendment approved the following signage:

<table>
<thead>
<tr>
<th>12800 Whitewater Drive</th>
<th>Walls signs allowed under current sign plan</th>
<th>Proposed wall signs</th>
</tr>
</thead>
<tbody>
<tr>
<td>36” wall mounted sign on the west elevation</td>
<td>North elevation: 30” wall sign with 5 ft. logo. Total 40 sf.</td>
<td></td>
</tr>
<tr>
<td>36” wall mounted sign on the west elevation</td>
<td>East elevation: 36” wall sign. Total 40.5 sf.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>12900 Whitewater Drive</th>
<th>Walls signs allowed under current sign plan</th>
<th>Proposed wall signs</th>
</tr>
</thead>
<tbody>
<tr>
<td>36” wall mounted sign on the west elevation</td>
<td>South elevation: 36” wall sign. Total 40 sf.</td>
<td></td>
</tr>
<tr>
<td>36” wall mounted sign on the west elevation</td>
<td>West elevation: 48” wall sign. Total 48 sf.</td>
<td></td>
</tr>
</tbody>
</table>

1.03 The subject properties are located at 12800 and 12900 Whitewater Drive. The properties are legally described on Exhibit A.

1.04 The approval granted under Resolution No. 2014-18 expired on December 31, 2015.
1.05 The applicant, Krista Kay, is requesting reaffirmation of the previously approved amendment to the Minnetonka Corporate Center Sign Plan.

Section 2. Findings.

2.01 Reaffirmation of the amendment to the Minnetonka Corporate Center Sign Plan is appropriate for three reasons:

1. There have been no changes to the previously approved sign plan amendment.

2. There have been no changes to city code or policy that would affect the previous approval. The sign plan amendment would be consistent with the intent of the sign ordinance.

3. Reaffirmation of the previous approval is not anticipated to adversely affect the interests of neighboring property owners.

Section 3. Planning Commission Action.

3.01 The amendment to the Minnetonka Corporate Center Sign Plan for 12800 and 12900 Whitewater Drive is hereby reaffirmed, subject to the following conditions:

1. Approval is subject to the conditions outlined in Resolution No. 2014-18.

2. This approval will be void if: (1) the approved signs are not installed by Dec. 31, 2019; and (2) the planning commission has not received and approved a written application for a time extension by Dec. 31, 2019.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on April 12, 2018.

Brian Kirk, Chairperson
Attest:

Kathy Leervig, Deputy City Clerk

Action on this resolution:

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

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a duly authorized meeting held on April 12, 2018.

Kathy Leervig, Deputy City Clerk
EXHIBIT A

The property at 12800 Whitewater Drive is legally described as follows:

Lot 5 and that part of Lot 4, Minnetonka Corporate Center, Block 2, lying southerly of the following described line and its extensions: Beginning at a point on the Westerly line of Lot 4 a distance of 142 feet Northerly of the most Southerly corner thereof, thence easterly a distance of 358.59 feet to a point on the Easterly line of Lot 4, distance of 114.51 feet Northerly of the Southeast corner thereof as measured along said Easterly line and there ending.

The property at 12900 Whitewater Drive is legally described as follows:

Lot 6, Block 2, Minnetonka Corporate Center, Hennepin County, Minnesota
Minnetonka Planning Commission Meeting

April 12, 2018

Agenda Item 8

Public Hearing: Non-Consent Agenda
Brief Description
Front and side yard setback variance for an addition to the existing home at 3021 Lake Shore Blvd.

Recommendation
Adopt the resolution approving the variances

Background
The subject property was created in 1917 as part of the THORPE BROS. GROVELAND SHORES subdivision. The existing home was built three years later, in 1920. Both the property and the home significantly predate adoption of the city’s first subdivision and zoning ordinances. Both are non-conforming, as outlined below.

Proposal
Remod All Properties, on behalf of property owners Tom and Liana Patton, is proposing to construct a two-story addition on the southwest side of the existing home. The lower level would include a 22-foot by 24-foot garage and interior stairway access to the second level. The second level would essentially expand existing attic area to allow for creation of more functional bedroom and bathroom space. The addition requires the following variances:

- Side yard setback variance from 7 feet to 3.5 feet; and
- Front yard setback variance from 20 feet to 4 feet.

Staff Analysis
From staff’s perspective, the proposal can be reviewed as to different “sets” of variances. The first “set” of variance is for the lower level garage, which staff finds to be reasonable.

- **Garage Policy.** The proposed addition is consistent with written planning commission policy associated with garages. Namely:
  1. A two-car garage on single-family residential property is generally considered to be a reasonable use.
2. Maximum standard two-car garage dimensions are 24 feet by 24 feet.

The subject property does not currently contain a garage. The proposal is for a 22-foot by 24-foot garage. However, the proposed addition would not be a full 24 feet in depth. Rather, it would extend just 16 feet from the existing home. In other words, eight feet of lower level living space would be "lost" to accommodate the garage. (See attached plans)

- **Location of Existing Home.** There is no location on the property where a 24-foot by 24-foot garage could be constructed without variance. Though the proposed addition would be just four feet from the front property line it would be set back 22 feet from the paved surface of Lake Shore Blvd.

- **Context of the Neighborhood.** There are several single-story garages in the immediate area that have either received front and side yard setbacks in the past or have not received variances, but appear to have non-conforming setbacks. (See attached map.)

Staff is less comfortable with the second “set” of variances, which is for the second level living space. Both enclosed living space and an outdoor deck area – that would covered and surrounded by an architectural feature – would increase visual mass closer to Lake Shore Blvd than currently exists in the immediate area. However, staff does recognize the constraints of building on the property, given its size and the construction of the existing home. It would be difficult to add functional living space to the home without a variance.

In 1995 the city approved a front yard setback variance to 10.5 feet for a living space addition on a nearby property. Though this does not constitute a legal precedent – given the 23 years that has passed since that approval – it could be argued that it establishes a “living space building line” in the area. As such, staff would be comfortable with a 10.5-foot setback for second story covered space. The resolution provided for the planning commission’s consideration includes conditions of approval reflecting this setback.

**Staff Recommendation**

Adopt the resolution that approves front and side yard setback variances for an addition to the existing home at 3021 Lake Shore Blvd.

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

<table>
<thead>
<tr>
<th><strong>Surrounding Land Uses</strong></th>
<th>The subject property is surrounded by single-family properties zoned R-1</th>
</tr>
</thead>
</table>
| **Planning**              | Guide Plan designation: Low-density residential  
Zoning: R-1 |
| **Small Lots**            | “Small lots” qualify for reduced structural setbacks. By city code, a “small lot” is one that:  
• Is less than 15,000 sq.ft. in area;  
• Was a lot of record as of Feb. 12, 1966; and  
• Is located in an area in which the average size of all residential lots within 400 feet is less than 15,000 sq.ft. in area.  
The subject property meets this definition, as:  
• The lot is just over 6,200 sq.ft. in size;  
• The lot was platted in 1917;  
• The average lot size in the surrounding area is 14,350 sq.ft. |
| **McMansion Policy**      | The McMansion Policy is a tool the city can utilize to ensure new homes or additions requiring variances are consistent with the character of the existing homes within the neighborhood. By policy, the floor area ratio (FAR) of the subject property cannot be greater than the largest FAR of properties within 1,000 feet on the same street, and a distance of 400 feet from the subject property.  
The proposal would meet this policy. As proposed, the home would have an FAR of 0.25; the largest FAR in the area is 0.56. |
| **Impervious Surface**    | The property currently has a non-conforming amount of impervious surface. Within the shoreland district, the ordinance allows up to 30 percent of a lot to be covered by impervious surfaces. Staff calculates that over 50 percent of the lot is currently impervious. Given that existing gravel surface is considered impervious, the proposal would not increase the level of hard surface on the site. However, staff would recommend that the owners consider removing the gravel area located east of the new addition and establish vegetation in that area. |
| **Variance Standard**     | A variance may be granted from the requirements of the zoning ordinance when: (1) it is in harmony with the general purposes and intent of the ordinance; (2) it is consistent with the comprehensive plan; and (3) when an applicant establishes that there are practical difficulties in complying with the ordinance. Practical difficulties mean that the applicant proposes to use a property in a reasonable manner not permitted by the ordinance, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and, the variance if granted, would not alter the essential character of the locality. (City Code §300.07) |
Natural Resources

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

Neighborhood

The city sent notices to 39 area property owners and received one written response – in support of the request. The response is attached.

Pyramid of Discretion

The current proposal.

Motion Options

The planning commission has three options:

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

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

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

Voting and Appeals

By City Code §300.07 Subd.4, the planning commission has authority to approve variances from city code requirements. Approval requires the affirmative vote of five commissioners. Any person aggrieved by the planning commission’s decision about the requested variances may appeal such decision to the city council. A written appeal must be submitted to the planning staff within ten days of the date of the decision.

Deadline for Decision

July 10, 2018
Location Map

Project: Patton Residence
Address: 3021 Lake Shore Blvd
CERTIFICATE OF SURVEY

LEGAL DESCRIPTION:
LOT 6, BLOCK 2, THORPE BROTHERS
RE-ARRANGEMENT OF GROVELAND SHORES,
HENNEPIN COUNTY, MINNESOTA

NOTES:
1) THIS SURVEY WAS PERFORMED WITHOUT THE
   BENEFIT OF A TITLE INSURANCE COMMITMENT.
2) P.I.D.:17-117-22-21-0104
3) PARCEL AREA: 6,477 SQ. FT.
4) BEARING BASIS IS ASSUMED.
5) DATE OF FIELDWORK: 2-23-2018

PREPARED FOR:
THOMAS AND LIANA PATTON
3021 LAKESHORE BOULEVARD
WAYZATA, MN 55391

CERTIFICATION:
I hereby certify that this survey, plan, 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.

VAN NESTE SURVEYING
PROFESSIONAL SURVEYING SERVICES
85 WILDHURST ROAD, EXCELSIOR, MN 55331
PHONE (952) 656-3025 TOLL-FREE FAX (666) 473-0120
WWW.VANNESTESURVEYING.COM

JOB # 2018010
ISSUED: 2-23-2018
DRAWN BY: TWIN
REV: 3-7-2018
SCALE: 1" = 20 FEET

SHEET 1 OF 1
CERTIFICATE OF SURVEY

LEGAL DESCRIPTION:
LOT 6, BLOCK 2, THORPE BROTHERS
RE-ARRANGEMENT OF GROVELAND SHORES,
HENNEPIN COUNTY, MINNESOTA

NOTES:
1) THIS SURVEY WAS PERFORMED WITHOUT THE
   BENEFIT OF A TITLE INSURANCE COMMITMENT.
2) P.I.D.:17-117-22-21-0104
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5) DATE OF FIELDWORK: 2-23-2018

PREPARED FOR:
THOMAS AND LIANA PATTON
3021 LAKESHORE BOULEVARD
WAYZATA, MN 55391

PREPARED BY:
THOMAS AND LIANA PATTON
3021 LAKESHORE BOULEVARD
WAYZATA, MN 55391

SCALE: 1" = 20 FEET

LEGEND:
• FOUND IRON PIPE
○ POWER POLE
□ COMMUNICATIONS PEDESTAL
— OVERHEAD UTILITY LINE
GRavel SURFACe
BITUMINOUS SURFACE

CERTIFICATION:
I hereby certify that this survey, plan, 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.

SIGNED: W VAN NESTE

JOE # 2018010
ISSUED: 2-23-2018
DRAWN BY: WVN
REV: 3-7-2018
SCALE: 1" = 20 FEET

VAN NESTE SURVEYING
PROFESSIONAL SURVEYING SERVICES
85 WILDHURST ROAD, EXCELSIOR, MN 55331
PHONE (952) 666-3055 TOLL-FREE FAX (866) 473-0120
WWW.VANNESTESURVEYING.COM

MAR 12 2018
FIRST STORY

EXISTING

PROPOSED
SECOND STORY

EXISTING

PROPOSED
Siding will have Agek Panels, board and batten
- Cedar wood - Lap siding
- LP Lap siding
- Aluminum soffits w/ wood under T & G
- Aluminum clad windows
- EAVR Flat Roof
Susan, as a concerned/nearby neighbor just 2 doors to the east (3035 Lake Shore Blvd), I wanted to add to my comments for consideration in the approval process for the requested variance at 3021 Lake Shore Blvd.

As a resident in my home since 1989, I wanted to STRONGLY SUPPORT THIS PROJECT. When we first purchased our home, we did not have a garage either. I lived several years without one and it is truly a hardship to live without a garage in Minnesota.

While much of the neighborhood in “non-conforming” from a planning perspective (due to the age of many of the homes and small size of many of the lots), the set of homes on the channel are further challenged and unreasonably constricted (in my opinion). I think the road easement is unnecessarily wide as well and it is disproportionately impacting the value of their homes and the possibilities of their homes.

Further, with all the pain and suffering we put in for the new road and curbs two years ago, it is now clear the road footprint is never going to be widened. If they ever tried to, it would just get people to go faster and endanger kids and walkers which would be foolish. It has been fun to see the neighborhood changing over the recent years such that we now have lots of kids, where this was not for many years other than my own.

I applaud these new neighbors in wanting to fix up their property and further improve the neighborhood. I think their plans look like they will definitely improve the neighborhood and the overall character of it. It is great to see all the improvements to homes in the vicinity where again, over many of the years we have lived here, we were more of a minority of homeowners doing as such.

Looking around the neighborhood, things like the Zygmunt’s garage next to me at 3041 Lake Shore Blvd provide a nice precedent of being very close to the roadway but still being very nice. We see a similar situation down on Park Lane with the new house and the updated garage they had done that is no more than 4 feet off the roadway.

Again, please express this full support from neighbors very near by and include in the application brought forth to the Planning Commission. Please also respond to this email so that I know that you have received this message as well for confirmation. I will be out of town on the night of the Planning meeting or I would be in attendance as well to voice my support. Please approve this project. Terry and Anne Zurn
Planning Commission Resolution No. 2018

Resolution approving front and side yard setback variances for an addition to the existing home at 3021 Lake Shore Boulevard

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

Section 1. Background.

1.01 The subject property is located at 3021 Lake Shore Blvd. It is legally described as: Lot 6, Block 2, THORPE BROS RE-ARRANGEMENT GROVELAND SHORES, HENNEPIN COUNTY, MINNESOTA.

1.02 The property was platted in 1917 and the existing home was constructed on the site in 1920. Both the property and the home predate the city’s first subdivision and zoning ordinances. Both are non-conforming.

1.03 The lot is considered a small lot by city code definition. Structures on the lot are subject to reduced setbacks under City Code §300.10 Subd.7(c).

1.04 Remod All Properties, on behalf of property owners Tom and Liana Patton, is proposing to construct a two-story addition on the southwest side of the existing home. The lower level would include a 22-foot by 24-foot garage and interior stairway access to the second level. The second level would expand existing attic area to allow for creation of more functional bedroom and bathroom space.

1.05 The proposal requires a front yard setback variance from 20 feet to 4 feet and a side yard setback variance from 7 feet to 3.5 feet.

<table>
<thead>
<tr>
<th>Lot Dimensions</th>
<th>REQUIRED</th>
<th>EXISTING*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Dimensions</td>
<td>Area</td>
<td>22,000 sq.ft</td>
</tr>
<tr>
<td></td>
<td>Buildable Area</td>
<td>3,500 sq.ft</td>
</tr>
<tr>
<td></td>
<td>Width at Right of Way</td>
<td>80 ft</td>
</tr>
<tr>
<td></td>
<td>Width at Setback</td>
<td>110 ft</td>
</tr>
<tr>
<td>Setbacks (Small Lot)</td>
<td>Side Yard</td>
<td>7 ft</td>
</tr>
</tbody>
</table>
1.06 Minnesota Statute §462.357 Subd. 6, and City Code §300.07 authorizes the Planning Commission to grant variances.

Section 2. Standards.

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

Section 3. Findings.

3.01 While there are several single-story structures in the immediate area with setbacks similar to those proposed, the proposed second level living space and covered deck would increase visual mass closer to Lake Shore Boulevard than currently exists in the immediate area.

3.02 In 1995 the city approved a front yard setback variance to 10.5 feet for a living space addition on a nearby property. Though this does not constitute a legal precedent – given the 23 years that has passed since that approval – the setback does establish a “living space building line” in the area.

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

<table>
<thead>
<tr>
<th></th>
<th>Front Yard Setback</th>
<th>Side Yard Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>First level Garage</td>
<td>4 ft</td>
<td>3.5 ft</td>
</tr>
<tr>
<td>Second Level Covered Space</td>
<td>10.5 ft</td>
<td>3.5 ft</td>
</tr>
</tbody>
</table>

1. PURPOSE AND INTENT OF THE ZONING ORDINANCE: The intent of setback requirements is to provide appropriate and consistent setbacks between roadways and structures and between individual structures. Though the proposed setbacks are small, they would meet this intent.

a) The proposed addition would be just 0.3 feet closer to the side property line than the existing home.

b) Though the proposed garage would be just four feet from the front property line it would be set back 22 feet from the paved surface of Lake Shore Boulevard.
c) At a setback of 10.5 feet, the covered second level would have a setback consistent with others in the immediate neighborhood.

2. CONSISTENT WITH COMPREHENSIVE PLAN: The proposed variances are consistent with the comprehensive plan. The guiding principles in the comprehensive plan provide for maintaining, preserving, and enhancing existing single-family neighborhoods. The requested variances would preserve the residential character of the neighborhood, and would provide investment in the property to enhance its use.

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

a) REASONABLENESS.

1) The proposed garage setbacks are reasonable, as they would accommodate construction of a garage consistent with written planning commission policy. Namely:

- A two-car garage on single-family residential property is generally considered to be a reasonable use.
- Maximum standard two-car garage dimensions are 24 feet by 24 feet.

   The subject property does not currently contain a garage. The proposal is for a 22-foot by 24-foot garage. However, the proposed addition would not be a full 24 feet in depth. Rather, it would extend just 16 feet from the existing home. In other words, eight feet of lower level living space would be “lost” to accommodate the garage.

2) The second floor covered area setback outlined in this section are reasonable as they would be consistent with others in the immediate neighborhood.

3) UNIQUE CIRCUMSTANCE: There is no location on the property where additions could be made to the existing home without variance. This fact presents a unique circumstance not common to all similarly zoned properties.

   a) NEIGHBORHOOD CHARACTER: The variances outlined in the section would not negatively impact neighborhood character. There are structures in the Lake Shore Blvd. and Grays Bay Blvd. area that have received significant front and side yard setback variances in the past or have not received variances, but appear to have non-conforming setbacks.
Section 4. Planning Commission Action.

4.01 The planning commission approves variances outlined in section 3 of this resolution, based on the findings outlined in the same section. Approval is subject to the following conditions:

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

   • Survey dated March 12, 2018
   • Building elevations and floor plans dated March 18, 2018

2. Prior to issuance of a building permit:

   a) A copy of this resolution must be recorded with Hennepin County.

   b) Submit a revised survey illustrating that the proposed garage would be set back a minimum of 4 feet from the front property line and the second level covered and enclosed space would be set back a minimum of 10.5 feet from the front property line.

   c) Building plans may not include any architectural feature vertically-surrounding or covering the deck area located over the garage.

   d) The sewer service material type under the proposed garage must be verified to confirm compliance with the plumbing code. The service must be replaced with approved materials if found to be non-compliant.

   e) A driveway permit application must be submitted. Maximum driveway width is 20 feet and this full width must be paved. All utility services within the driveway must be sleeved.

   f) Install erosion control measures as required by staff for inspection and approval. The measures must be maintained throughout the course of construction.

3. The property owners are advised:

   a) Stormwater management practices will be required for any site disturbance exceeding 50 cubic yards or excavation/fill or 5,000 square feet.

   b) No additional impervious surface may be installed on the lot.

4. This variance will end on Dec. 31, 2019, unless the city has issued a building permit for the project covered by this variance or has approved a time extension.
Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on April 12, 2018.

Brian Kirk, Chairperson

Attest:

Kathy Leervig, Deputy City Clerk

Action on this resolution:

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

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Planning Commission of the City of Minnetonka, Minnesota, at a duly authorized meeting held on April 12, 2018.

Kathy Leervig, Deputy City Clerk
MINNETONKA PLANNING COMMISSION
April 12, 2018

Brief Description
Conditional use permit, with variances, for a daycare facility at 14410 Brunsvold Road.

Recommendation
Recommend the city council adopt the resolution approving the conditional use permit, with variances.

Background
The existing building was constructed in 1949 as Bethlehem Lutheran Church. In 1968 a new, larger building was constructed adjacent to Eden Prairie Road and the primary worship and church uses were moved to this new building. The original building was converted to childcare space. At the time of both the original and secondary construction, churches and daycares were permitted uses within the residential zoning district. The zoning ordinance was subsequently amended such that religious uses and daycare facilities became conditionally permitted uses in residential districts.

In 2014, the larger Bethlehem Lutheran Church property was divided in order to place the two buildings on two separate properties. The division located the church building on the larger, westerly property and the childcare building on the much smaller easterly property. The division allowed the church to sell the easterly property. The uses on both properties continued as non-conforming uses.

In 2015, planning and legal staff confirmed with the owner of the easterly property that the daycare use could continue on the site as a non-conforming use. At that time, the center served 24 children. However, staff noted that any intensification of the use would necessitate a conditional use permit.

Proposal
Hopkins Montessori School has been operating from the subject property since 2015, serving children between 33 months and six years of age. The Montessori is proposing to start a toddler program that would add 14 children and two teachers to the site.

Montessori preschools do not neatly “fit” into a city code land use definition. A Montessori preschool provides self-directed, educator-guided learning in multi-aged classrooms. Given the educational focus, one could argue that these facilities should be defined as schools by city code. However, one could also argue that they should be considered licensed daycare facilities under city code, as Montessori preschools are licensed as such by the State of Minnesota. While both schools and daycare facilities are conditionally-permitted uses in residential zoning districts, staff has determined that the Hopkins Montessori School proposal should be reviewed as the later to ensure consistency with state review and licensing. Therefore, the proposal requires:

- **Conditional Use Permit.** By City Code §300.10 licensed daycare facilities serving up to 16 children are conditionally permitted in residential zoning districts.
• **Variancest.** Two variances are necessary: (1) to increase the number of children to 44; and (2) to recognize the existing building’s non-conforming setbacks.

**Primary Questions and Analysis**

A land use proposal is comprised of many details. In evaluating a proposal, staff first reviews these details and then aggregates them into a few primary questions or issues. The following outlines both the primary questions and staff findings for the proposed daycare center.

- **Is the proposed use appropriate?**
  
  Yes. The subject property has been used for childcare purposes for over 50 years.

- **Is the variance to increase the number of children on the site reasonable?**
  
  Yes. The addition of up to 14 toddlers to the site would not fundamentally change the longstanding land use or the character of the neighborhood.

- **Are the requested setback variances reasonable?**
  
  Yes. The existing structure was constructed in 1968 and has non-conforming setbacks from property lines. The setback variances would not impact neighborhood character, as they would not change the existing setbacks. Rather, the variances would simply acknowledge the long-standing location/situation of the existing structure.

**Staff Recommendation**

Recommend the city council adopt the resolution approving a conditional use permit, with variances, for a daycare facility at 14410 Brunsvold Road.

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

Surrounding Land Uses
Northerly: Single-family homes; zoned R-1
Easterly: Single-family homes; zoned R-1
Southerly: Single-family homes; zoned R-1
Westerly: Bethlehem Lutheran Church, zoned R-1

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

City Actions
The proposal requires the following applications:

- Conditional Use Permit, with variances. By City Code §300.10 Subd.4(e), daycare facilities for up to 16 children are conditionally-permitted uses in the R-1 zoning district. One of the conditional use permit standards is that daycares maintain a 50 foot setback from all property lines. Variances are required to allow up to 44 children and to acknowledge the structures existing, non-conforming setbacks.

<table>
<thead>
<tr>
<th>BUILDING SETBACKS</th>
<th>REQUIRED</th>
<th>EXISTING</th>
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<tbody>
<tr>
<td>North</td>
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<tr>
<td>South</td>
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<td>40 ft*</td>
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<tr>
<td>East</td>
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<td>9 ft*</td>
</tr>
<tr>
<td>West</td>
<td>50 ft</td>
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*Cvariance required

CUP Standards
The proposed daycare facility would be generally consistent with the general CUP 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 requires variances from the specific conditional use permit standards for licensed daycare centers as outlined in City Code §300.16 Subd.3(e):

1. Located only on a collector or arterial roadway as designated in the comprehensive plan or otherwise located so that access
can be provided without conducting significant traffic on local residential streets;

**FINDING:** The daycare facility currently has access to Eden Prairie Road – an arterial roadway – via both Brunsvold Road and Ferris Lane. Though Brunsvold and Ferris are local streets, the access points to the facility are located west of area residences. As such, no Hopkins Montessori related traffic is directed past homes. The current proposal would not alter this existing situation.

2. buildings set back 50 feet from all property lines and parking lots set back 15 feet from streets and non-residential property and 25 feet from residential property;

**FINDING:** The existing building is located within the required setback from north, south, and east property lines. The current proposal would not alter this existing situation.

3. pick-up and drop-off areas located outside of parking setback area;

**FINDING:** There is no parking area physically located on the subject property. Rather, the site has a parking easement for use of nine parking stalls on the Bethlehem Lutheran Church parking lot immediately to the west.

4. outdoor recreational areas to be set back 15 feet from all property lines and screening provided to mitigate noise and adverse visual impacts on neighboring properties;

**FINDING:** The existing recreation area exceeds the required setback from all property lines. The current proposal would not alter this existing situation.

5. one parking space provided for each six children based upon the licensed capacity of the center;

**FINDING:** Under an existing parking agreement, the facility is allocated nine parking stalls. Based on this number, the facility would be allowed to care for up to 54 children. As proposed, the licensed capacity of the center would be 44 children.

6. site and building plan of all free standing centers subject to review pursuant to section 300.27 of this ordinance, with particular attention to compatibility of facility with surrounding neighborhood; and

**FINDING:** See the SBP section of this report.
7. review by city planner of facilities in common areas to
determine whether externally visible modifications are
significant enough to require formal site and building plan
review.

**FINDING:** See the SBP section of this report.

**SBP Standards**

The proposed childcare center would be generally consistent with the
general site and building plan standards as outlined in City Code
§300.27 Subd.5:

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

**Finding:** The proposal has been reviewed by planning,
engineering, natural resources, and fire staff and found to be
generally consistent with the city's development guides.

2. Consistency with this ordinance;

**Finding:** But for the variances necessary to recognize existing
conditions, the proposal is consistent with 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 proposal is simply for expanded use within an
existing building. No site changes are proposed.

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 proposal is simply for expanded use within an
existing building. No exterior changes are proposed.

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;
Meeting of April 12, 2018

Subject: Hopkins Montessori School, 14410 Brunsvold Road

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

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

Finding: The proposal is simply for expanded use within an existing building. No building or site changes are proposed.

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: The proposal is simply for expanded use within an existing building. No building or site changes are proposed.

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

Finding: The proposal is simply for expanded use within an existing building. No building or site changes are proposed.

Variance Standard

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

Intent of the Ordinance. The intent of the ordinance as it pertains to the number of students and setbacks for daycare centers is to reduce real and perceived nuisance impacts on residential uses. The proposal meets this intent. Though a conditional use permit, and associated variances, are required it is not for a new use of the site. Rather, the CUP simply recognizes and approves what has been a
long-standing use of the site. Planning staff has not previously received any complaints regarding the existing childcare use.

**Comprehensive Plan.** The subject property is guided institutional in the 2030 comprehensive guide plan. The requested variances would not conflict with this designation.

**Reasonableness and Neighborhood Character.** The requested variances are reasonable and would not impact neighborhood character:

- The existing structure was constructed in 1949. The requested setback variance would not change the building or its current setbacks.

- The existing structure has been used for childcare since 1968. The addition of 14 toddlers to the site would have no impact on overall, long-standing use of the property.

**Unique Circumstance.** The existing structure was constructed in 1949 and has been occupied by childcare uses for decades. Both the structure and its use predate existing ordinance standards and both are considered non-conforming. This is a unique circumstance not typical of all residentially-zoned property.

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**Pyramid of Discretion**

![Pyramid of Discretion](image)

This proposal:

**Motion Options**

The planning commission has three options:

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

2. Disagree with staff's recommendation. In this case, a motion should be made recommending the city council deny the request. This motion must include a statement as to why denial is recommended.
3. Table the requests. In this case, a motion should be made to table the item. The motion should include a statement as to why the request is being tabled with direction to staff, the applicant, or both.

**Voting Requirement**

The planning commission will make a recommendation to the city council. The city council's final approval requires an affirmative vote of five members due to the requested variances.

**Neighborhood Comments**

The city sent notices to 40 property owners and has received one written comment to date.

**Deadline for Action**

June 18, 2018
Location Map

Project: Hopkins Montessori School
Address: 14410 Brunsvold Rd
LEGAL DESCRIPTION OF PARCEL A:
The parcel of land for sale is located in Township 17, Range 22, West 1/2 of the Northeast Quarter of the Southeast Quarter, Section 33, Twp 17N, Rge 22W, Sec 33, United States Census Coordinates: E 321,796.39', N 3,914,097.45'. The parcel is bounded on the North by the South line of 185.0 feet of the Lake Ottertail Park, on the East by the West line of the Southeast Quarter of Section 33, Twp 17N, Rge 22W, Sec 33, on the South by the West line of the South line of the Southeast Quarter of Section 33, Twp 17N, Rge 22W, Sec 33, and on the West by the South line of the North line of 185.0 feet of the Lake Ottertail Park. The parcel is 48,053 square feet in area.
Legal Description-

That part of the southeast quarter of the northeast quarter of section 33, township 117, range 22, Hennepin County, Minnesota, described as follows:

Beginning at a point on the east line of said southeast quarter of the northeast quarter, a distance of 408.3 feet south of its intersection with the south line of Glen Lake Park; thence south on said east line a distance of 185.0 feet; thence west parallel with the south line of Glen Lake Park, a distance of 190.03 feet; thence northeasterly to a point 190.62 feet westerly as measured on a line drawn parallel with the south line of Glen Lake Park from the point of beginning; thence easterly parallel with the south line of Glen Lake Park to the point of beginning, except the south 33.0 feet thereof, also except that part of the southeast quarter of the northeast quarter of section 33, Township 117, Range 22, Hennepin County, Minnesota, described as follows:

Beginning at a point on the east line of said southeast quarter of the northeast quarter, a distance of 408.3 feet south of its intersection with the said south line of Glen Lake Park; thence south on said east line a distance of 185.0 feet; thence west parallel with the south line of Glen Lake Park, a distance of 100.0 feet; thence northeasterly to a point 60.0 feet westerly as measured on a line drawn parallel with the south line of Glen Lake Park from the point of beginning; thence easterly parallel with the south line of Glen Lake Park to the point of beginning.

Written Statement-

Hopkins Montessori School would like to add a toddler program opening in September of 2018 (the Tuesday after Labor Day). The program will run in the upstairs of the building. There will be two teachers and up to 14 children. The hours will run from 8:00am-5:00pm. The families will use the parking spaces in the parking lot and use the stairs to walk up to their own front door on the upper level on the south side of the building. The children will use the gated grassy area or the lower playground gated area for outdoor play. The toddler program will also run summer school ten weeks out of the summer. We plan to add two toddler sized toilets where there had previously been one in the other infant/toddler daycare years before. The building name above is currently operating under an existing CUP that states the building can used for educational purposes. This program will continue the amazing legacy of our 50
year old Hopkins Montessori School educating and helping children to grow to be kind, loving, respectful of all people and also love learning!
Landscape plan

Existing trees

0 0 0

Flat roof

Existing fire trees

0 0 0

NO CHANGES TO

Landscape

Submitted by Applicant

MAR - 9 2018

Fence
Resolution No. 2018-

Resolution approving a conditional use permit, with variances, for a licensed daycare facility at 14410 Brunsvold Road

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

Section 1. Background.

1.01 The subject property is located at 14410 Brunsvold Road. It is legally described on EXHIBIT A of this resolution.

1.02 The original building on the subject property was constructed in 1949 as Bethlehem Lutheran Church.

1.03 A new church building was constructed on the church property in 1968 and the original building was converted to childcare space.

1.04 At the time of original and secondary construction, churches and daycares were permitted uses within the residential zoning district. However, both uses require a conditional use permit under the current zoning ordinance.

1.05 In 2014, the larger church property was divided in order to place the two buildings on two separate properties. The church and childcare uses, now on separate properties, continued as non-conforming uses.

1.06 In 2015, planning and legal staff confirmed with the owner of the easterly property that the daycare use could continue on the site as a non-conforming use. At that time, the facility served 24 children. However, staff noted that any intensification of the use would necessitate a conditional use permit.

1.07 The property owner, Rachel Stavrou, is proposing to add a toddler program to the daycare facility, increasing the licensed capacity to 44 children. The proposal requires:

1. Conditional Use Permit. By City Code §300.10 licensed daycare facilities serving up to 16 children are conditionally permitted in residential zoning districts.

2. Variance to allow 44 children on the site; and
3. Setback variance from 50 feet to 30 feet from the north property line, 40 feet to the south property line, and 9 feet to the east property line.

1.08 On April 12, the planning commission held a hearing on the request. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments and the staff report, which are incorporated by reference into this resolution. The commission recommend the city council approve the conditional use permit, with variances.

Section 2. Standards.

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

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

2.02 City Code §300.16 Subd.3(e) lists the following specific conditional use permit standards for licensed daycare facilities:

1. Located only on a collector or arterial roadway as designated in the comprehensive plan or otherwise located so that access can be provided without conducting significant traffic on local residential streets;
2. buildings set back 50 feet from all property lines and parking lots set back 15 feet from streets and non-residential property and 25 feet from residential property;
3. pick-up and drop-off areas located outside of parking setback area;
4. outdoor recreational areas to be set back 15 feet from all property lines and screening provided to mitigate noise and adverse visual impacts on neighboring properties;
5. one parking space provided for each six children based upon the licensed capacity of the center;
6. site and building plan of all free standing centers subject to review pursuant to section 300.27 of this ordinance, with particular attention to compatibility of facility with surrounding neighborhood; and
7. review by city planner of facilities in common areas to determine whether externally visible modifications are significant enough to require formal site and building plan review.

2.03 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
2.04 By City Code §300.07 Subd. 1, a variance may be granted from the requirements of the zoning ordinance when: (1) the variance is in harmony with the general purposes and intent of this ordinance; (2) when the variance is consistent with the comprehensive plan; and (3) when the applicant establishes that there are practical difficulties in complying with the ordinance. Practical difficulties means: (1) The proposed use is reasonable; (2) the need for a variance is caused by circumstances unique to the property, not created by the property owner, and not solely based on economic considerations; and (3) the proposed use would not alter the essential character of the surrounding area.

Section 3. FINDINGS.

3.01 The proposed daycare facility would meet the general conditional use permit standards as outlined in City Code §300.16 Subd.2 and the staff report associated with the applicant’s request.

3.02 But for the requested variances, the proposed daycare facility would meet the specific conditional use permit standards as outlined in City Codes §300.16 Subd.3(3).

1. The daycare facility currently has access to Eden Prairie Road – an arterial roadway – via both Brunsvold Road and Ferris Lane. Though Brunsvold and Ferris are local streets, the access points to the facility are located west of area residences. As such, no Hopkins Montessori related traffic is directed past homes. The current proposal would not alter this existing situation.

2. The existing building is located within the required setback from north, south, and east property lines. The current proposal would not alter this existing situation.

3. There is no parking area physically located on the subject property. Rather, the site has a parking easement for use of nine parking stalls on the Bethlehem Lutheran Church parking lot immediately to the west.

4. The existing recreation area exceeds the required setback from all property lines. The current proposal would not alter this existing situation.

5. Under an existing parking agreement, the facility is allocated nine parking stalls. Based on this number, the facility would be allowed to care for up to 54 children. As proposed, the licensed capacity of the facility would be 44 children.

3.03 The proposal would meet the site and building plan as outline in City Code §300.27, Subd.5
1. The proposal has been reviewed by planning, engineering, natural resources, and fire staff and found to be generally consistent with the city’s development guides.

2. But for the variances necessary to recognize existing conditions, the proposal is consistent with ordinance standards.

3. The proposal is simply for expanded use within an existing building. No site or exterior building changes are proposed.

3.04 The proposal would meet the variance standard as outlined in City Code §300.07 Subd.1:

1. Intent of the Ordinance. The intent of the ordinance as it pertains to the number of students and setbacks for daycare centers is to reduce real and perceived nuisance impacts on residential uses. The proposal meets this intent. Though a conditional use permit, and associated variances, are required, the proposed use is not new. Rather, the CUP simply recognizes and approves what has been a long-standing use. Planning staff has not previously received any complaints regarding the existing childcare use.

2. Consistent with Comprehensive Plan. The subject property is guided institutional in the 2030 comprehensive guide plan. The requested variances would not conflict with this designation.

3. Practical Difficulties

a) Reasonableness and Neighborhood Character. The requested variances are reasonable and would not impact neighborhood character:

- The existing structure was constructed in 1949. The requested setback variance would not change the building or its current setbacks.

- The existing structure has been used for childcare since 1968. The addition of 14 toddlers to the site would have no impact on overall, long-standing use of the property.

b) The existing structure was constructed in 1949 and has been occupied by childcare uses for decades. Both the structure and its use predate existing ordinance standards and both area considered non-conforming. This is a unique circumstance not typical of all residentially-zoned property.
Section 4. City Council Action.

4.01 The above-described conditional use permit, with variances, is approved. Approval is based on the findings outlined in the associated staff report and section 3 of this resolution. Approval is subject to the following conditions:

1. The daycare facility must meet all minimum city and state licensing requirements.

2. The facility is allowed to serve up to 44 children. An increase in licensed capacity would require an amended conditional use permit.

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

4. 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 April 30, 2018.

_____________________________
Brad Wiersum, Mayor

Attest:

_____________________________
David E. Maeda, City Clerk

Action on this resolution:

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

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a duly authorized meeting held April 30, 2018.

_____________________________
David E. Maeda, City Clerk
EXHIBIT A

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, SECTION 33, TOWNSHIP 117, RANGE 22, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER 408.3 FEET SOUTH OF ITS INTERSECTION WITH THE SOUTH LINE OF GLEN LAKE PARK; THENCE SOUTH ON SAID EAST LINE A DISTANCE OF 185.0 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE OF GLEN LAKE PARK, A DISTANCE OF 190.03 FEET; THENCE NORTHEASTERLY TO A POINT 190.62 FEET WESTERLY AS MEASURED ON A LINE DRAWN PARALLEL WITH THE SOUTH LINE OF GLEN LAKE PARK FROM THE POINT OF BEGINNING; THENCE EASTERLY PARALLEL WITH THE SOUTH LINE OF GLEN LAKE PARK TO THE POINT OF BEGINNING, EXCEPT THE SOUTH 33.0 FEET THEROF, ALSO EXCEPT THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, SECTION 33, TOWNSHIP 117, RANGE 22, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 408.3 FEET SOUTH OF ITS INTERSECTION WITH THE SOUTH LINE OF GLEN LAKE PARK; THENCE SOUTH ON SAID EAST LINE A DISTANCE OF 185.0 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE OF GLEN LAKE PARK, A DISTANCE OF 100.00 FEET; THENCE NORTHEASTERLY TO A POINT 60.0 FEET WESTERLY AS MEASURED ON A LINE DRAWN PARALLEL WITH THE SOUTH LINE OF GLEN LAKE PARK FROM THE POINT OF BEGINNING; THENCE EASTERLY PARALLEL WITH THE SOUTH LINE OF GLEN LAKE PARK TO THE POINT OF BEGINNING.
Brief Description  Site plan review to reconfigure the northern bus and pick-up/drop-off area at Glen Lake Elementary, 4801 Woodridge Road.

Recommendation  Adopt the resolution approving the site plan

Proposal Summary

Glen Lake Elementary has submitted a proposal to reconfigure the bus and pick-up/drop-off loop on the north side of the property. This proposal requires site plan review and approval.

Existing site features

The subject property is roughly 14 acres in size. The property is improved with the elementary school building originally constructed in 1957. Aerial photography indicates that the site generally remained in its original configuration until the mid-1990s.

In anticipation of future building additions, several site improvements were completed in 1994 – including the northern bus and pick-up/drop-off loop in its current configuration. The current loop has one in-out access onto Woodridge Road. This in-out access is located just south of Highbury Lane. In addition to serving as the bus loop and student pick-up/drop-off area, the loop also has 20 parking stalls.

In 1996, the city approved site and building plans to allow the construction of the media center, additional classrooms and a handicapped accessible ramp. Following the construction of these additions, the building increased in size to roughly 86,000 square feet.
Proposal

As proposed, the existing northern loop would be removed in order to accommodate a new one-way loop with two accesses to-from Woodridge Road.

Both passenger vehicles and buses would access via the southern access. Buses would navigate around the loop and passenger vehicles would enter into a striped drop-off/pick-up lane. Both would then exit at the north near Highbury Lane.

Site impacts

The following site impacts are proposed to accommodate the new loop:

1. Sidewalk. The existing sidewalk is currently only located on the southeast side of the bus and pick-up/drop-off loop. This sidewalk would be relocated to connect to the sidewalk along Woodridge Road. Additionally, the applicant has proposed to include a sidewalk within the interior of the proposed driveway loop.

2. Grading and drainage. The subject area is relatively flat, with elevation in the area gradually sloping downward from the north to the south. As proposed, water would drain from the improved surface to stormwater pipes that release to the proposed underground stormwater chamber. The proposed stormwater chamber and a small filtration depression would be located in the middle of the loop. The applicant would need to complete minor grading within this area to accommodate the new loop, underground stormwater chamber, and the small depression.

3. Access. As proposed, the new bus and pick-up/drop-off loop would add an additional curb cut to Woodridge Road. However, the new loop would be a one-way loop that enters from the south and exits at the north. The northern access would align with Highbury Lane.
4. **Parking.** In addition to the pick-up and drop-off areas, the loop would include a total of 39 angled parking stalls. This would be a significant increase from the site’s existing 20 parking stalls.

5. **Landscaping.** Trees and vegetation located within the general area would need to be removed if this proposal were approved. City ordinance would permit the removal of these trees as they are within the basic tree removal area. It is staff’s belief that the majority of the trees proposed to be removed were originally planted as part of the original landscape plan and the applicant would be responsible to replace the lost landscaping.

6. **Lighting.** The applicant has proposed to add new LED lighting within the subject loop. This lighting would replace the existing lighting on the site and would be reduced to zero illumination at adjacent properties. (See attached).

**Staff Analysis**

Staff finds that the applicant’s proposal is reasonable as:

- The proposal meets the site plan review standards outlined in the zoning ordinance;
- The proposed parking lot expansion provides a functional design for the site. The proposed one-way design and northern exit with alignment with Highbury Lane create a more efficient and safer traffic design; and
- The proposal adds additional parking spaces, but meets minimum setback requirements and mitigates for the additional stormwater through the addition of an underground stormwater chamber.

**Staff Recommendation**

Adopt the resolution approving the site plan for Glen Lake Elementary at 4801 Woodridge Road.

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

<table>
<thead>
<tr>
<th><strong>Project No.</strong></th>
<th>96011.18a</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Property</strong></td>
<td>4801 Woodridge Road</td>
</tr>
<tr>
<td><strong>Applicant</strong></td>
<td>Neil Tessier, on behalf of SAFEngineering and ISD #270</td>
</tr>
<tr>
<td><strong>Surrounding Land Uses</strong></td>
<td>All surrounding properties are zoned R-1 and guided for low density residential</td>
</tr>
</tbody>
</table>
| **Planning**   | Guide Plan designation: Institutional  
Zoning: R-1, low density residential |
| **SBP Standards** | The proposal would comply with all site and building standards as outlined in City Code 300.27 Subd.5 |

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

   **Finding:** The proposal has been reviewed by the city planning, engineering, and natural resources staff and has been found to be generally consistent with the city's development guides, including the water resources management plan.

2. Consistency with this ordinance;

   **Finding:** The proposal is consistent with all ordinance standards and requirements.

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 new bus and pick-up/drop-off loop would be located in the same general location as the existing loop. The proposed project area is relatively flat and, if approved, the project would require only minimal grading.

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 bus and pick-up/drop-off loop would have reasonable visual and physical relationships to the existing site features and building.
5. Creation of a functional and harmonious design for structures and site features, with special attention to the following:

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

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

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

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

**Finding:** The proposed bus and pick-up/drop-off loop would be appropriately located and integrated into the existing site without a significant amount of site disturbance.

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:** The proposal would need to meet all applicable landscape and grading requirements.

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 bus and pick-up/drop-off loop will only negligibly alter the existing views from adjacent properties, stormwater will be mitigated through underground storage chambers, and the proposed light additions would meet city code lighting requirements.

**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.

Pyramid of Discretion

Approving Body
The planning commission has final authority to approve or deny the request, subject to appeal. Approval requires the affirmative vote of five planning commissioners.

Motion Options
The planning commission has three options:

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

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

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

Appeals
Any person aggrieved by the planning commission’s decision regarding the requested site plan review may appeal such decision to the city council. A written appeal must be submitted to the planning staff within ten days of the date of the decision.

Neighborhood Comments
The city sent notices to 103 area property owners and received no comments.

Deadline for Decision
July 9, 2018
Location Map

Project: Glen Lake Elementary
Address: 4801 Woodridge Rd
1-Story Brick Building
4801 Woodridge Road
Building Footprint = 70,254 Square Feet

PROPOSED SPACES = 39
EXISTING SPACES = 19
NET PARKING SPACES GAINED = 20

PROPOSED ADA SPACES = 2
REQUIRED ADA SPACES = 2

SITE NOTES
12D 4 INCH WIDE PAINTED YELLOW STRIPES. 2.0 FOOT O.C. @ 45 DEGREES (SEE SIZE INDICATED AT SYMBOL).
21A TAPER CURB TO MATCH EXISTING CURB.
70A MAINTAN AND PROTECT CONCRETE OVER FOOTINGS AT BUILDING ENTRANCE LOCATIONS

SITE DETAILS
03C WHEELCHAIR RAMP IN SIDEWALK (TYPICAL AT EACH DRIVEWAY CURB RETURN)
03D CONCRETE SIDEWALK
08A STANDARD DUTY ASPHALT PAVING
08C HEAVY DUTY CONCRETE PAVING
09S ACCESSIBLE / VAN ACCESSIBLE PARKING SIGN
09U ACCESSIBLE PARKING SYMBOL
10A TRAFFIC FLOW ARROW
11A DO NOT ENTER SIGN
12F STANDARD SIGN BASE
12G STOP SIGN
20A CATCH BASIN/STORM MANHOLE IN PUBLIC ROW
21A CATCH BASIN/STORM MANHOLE
21B CATCH BASIN PLAN VIEW
70A D312 CONCRETE CURB AND GUTTER
70B DROP OFF/PICK UP PAVEMENT MARKING
73A OUTLET CONTROL STRUCTURE

SITE PLAN

SAF Engineering, PLLC
Site and Wetland Engineering

CEI Engineering Associates, Inc.

ISD #270 - Glen Lakes E.S.
4801 Woodridge Road
Minnetonka, MN

SITE PLAN

N Know what's below. Call before you dig.
**NOTES:** Preliminary Design. Verify all approximately pole locations. Verify light levels

---

**Lighting System**

<table>
<thead>
<tr>
<th>Pole / Fixture Summary</th>
<th>Pole ID</th>
<th>Pole Height</th>
<th>Mtg Height</th>
<th>Fixture Qty</th>
<th>Luminaire Type</th>
<th>Load</th>
<th>Group</th>
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<tbody>
<tr>
<td>P1-P7</td>
<td>22'</td>
<td>22'</td>
<td>1</td>
<td>Cree OSQ</td>
<td>0.13 kW</td>
<td></td>
<td>A</td>
</tr>
<tr>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0.91 kW</td>
<td></td>
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</table>

**Group Summary**

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<th>Group</th>
<th>Description</th>
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<th>Fixture Qty</th>
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<tbody>
<tr>
<td>A</td>
<td>Parking</td>
<td>0.91 kW</td>
<td>7</td>
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</table>

**Fixture Type Summary**

<table>
<thead>
<tr>
<th>Type</th>
<th>Source</th>
<th>Wattage</th>
<th>Lumens</th>
<th>L90</th>
<th>L80</th>
<th>L70</th>
<th>L60</th>
<th>Quantity</th>
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</thead>
<tbody>
<tr>
<td>Cree OSQ</td>
<td>LED 5700K - 70 CRI</td>
<td>130W</td>
<td>17,000</td>
<td>--</td>
<td>--</td>
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**Light Level Summary**

<table>
<thead>
<tr>
<th>Calculation Grid Summary</th>
<th>Grid Name</th>
<th>Calculation Metric</th>
<th>Illumination</th>
<th>Groups</th>
<th>Fixture Qty</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Blanket Grid</td>
<td>Horizontal</td>
<td>Ave</td>
<td>Min</td>
<td>Max</td>
</tr>
<tr>
<td></td>
<td>Parking</td>
<td>Horizontal</td>
<td>2.43</td>
<td>0</td>
<td>11</td>
</tr>
</tbody>
</table>

---

From Hometown to Professional

We Make It Happen.

---

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EQUIPMENT LIST FOR AREAS SHOWN

<table>
<thead>
<tr>
<th>Pole</th>
<th>Luminaires</th>
</tr>
</thead>
<tbody>
<tr>
<td>Qty</td>
<td>Location</td>
</tr>
<tr>
<td>7</td>
<td>P1-P7</td>
</tr>
</tbody>
</table>

Notes:
- Preliminary Design
- Verify all approximately pole locations
- Verify light levels

Scale in Feet: 1:60

Pole location(s) → dimensions are relative to 0,0 reference point

ENGINEERED DESIGN By: William Hart • File #191118 • 01-Mar-18

GRID SUMMARY

Name: Parking
Size: 2' x 2'
Spacing: 10.0' x 10.0'
Height: 3.0' above grade

ILLUMINATION SUMMARY

MAINTAINED HORIZONTAL FOOTCANDLES
Entire Grid
Scan Average: 2.43
Maximum: 11
Minimum: 0
Avg / Min: 5.17
Max / Min: 241.93
UG (adjacent pts): 3.67
CU: 0.70
No. of Points: 331

LUMLNARE INFORMATION
Color / CRI: 5700K - 70 CRI
Luminaire Output: 17,000 lumens
No. of Luminaires: 7
Total Load: 0.91 kW

Lumen Maintenance:
<table>
<thead>
<tr>
<th>Lumen Type</th>
<th>L90 hrs</th>
<th>L80 hrs</th>
<th>L70 hrs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cree OSCL</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
</tbody>
</table>

Guaranteed Performance:
The ILLUMINATION described above is guaranteed per your Musco Warranty document and includes a 0.95 dirt depreciation factor.

Field Measurements: Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume ± 3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

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EQUIPMENT LIST FOR AREAS SHOWN

<table>
<thead>
<tr>
<th>Pole</th>
<th>Luminaires</th>
</tr>
</thead>
<tbody>
<tr>
<td>Qty</td>
<td>Location</td>
</tr>
<tr>
<td>3</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>3</td>
</tr>
</tbody>
</table>

Field Measurements:
- Glen Lake Elementary School P
  - The ILLUMINATION described
  - Minimum: 0
  - Maximum: 0
  - Avg / Min: 364.32

ILLUMINATION SUMMARY

- MAINTAINED HORIZONTAL FOOTCANDLES
  - Entre Grid
  - Scan Average: 1.13
  - Maximum: 12
  - Minimum: 0
  - Avg / Min: 364.32
  - Max / Min: 3754.49
  - UG (adjacent pts): 5.75
  - UG Min: 0.97
  - No. of Points: 992

- LUMINAIRE INFORMATION
  - Color / CRI: 5700K - 70 CRI
  - Luminaire Output: 17,000 lumens
  - No. of luminaires: 7
  - Total Load: 0.91 kW

- Lumen Maintenance:
  - Luminaire Type: 190 hrs, 180 hrs, 170 hrs
  - Cree QSL: --

Guaranteed Performance: The ILLUMINATION described above is guaranteed per your Musco Warranty document and includes a 0.95 dirt depreciation factor.

Field Measurements: Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

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Glen Lake Elementary School Parking Lot
Minnetonka, MN

EQUIPMENT LAYOUT

INCLUDES:
- Parking

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume ± 3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

EQUIPMENT LIST FOR AREAS SHOWN

Pole Luminaires

<table>
<thead>
<tr>
<th>Pole</th>
<th>Location</th>
<th>Size</th>
<th>Grade Elevation</th>
<th>Mounting Height</th>
<th>Luminaire Type</th>
<th>QTY / POLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>P1</td>
<td>P1-P7</td>
<td>21.6′</td>
<td>21.5′</td>
<td>21.5′</td>
<td>Cree OSQ</td>
<td>7</td>
</tr>
</tbody>
</table>

TOTALS 7

SINGLE LUMINAIRE AMPERAGE DRAW CHART

<table>
<thead>
<tr>
<th>Single Phase Voltage</th>
<th>208</th>
<th>220</th>
<th>240</th>
<th>277</th>
<th>347</th>
<th>380</th>
<th>480</th>
</tr>
</thead>
<tbody>
<tr>
<td>Line Amperage Per Luminaire (max draw)</td>
<td>0.90 min power factor</td>
<td>9.90</td>
<td>10.00</td>
<td>11.00</td>
<td>12.00</td>
<td>12.00</td>
<td>12.00</td>
</tr>
<tr>
<td>Cree OSQ</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

NOTES:
- Preliminary Design.
- Verify all approximately pole locations.
- Verify light levels.

Pole Location(s) - Dimensions are relative to 0,0 reference point(s).
Resolution No. 2018-

Resolution approving final site plans to reconfigure the northern bus and pick-up/drop-off area at Glen Lake Elementary, 4801 Woodridge Road

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

Section 1. Background.

1.01 Neil Tessier, on behalf of SAFEngineering and Hopkins School District (ISD #270), has requested approval of final site plans to reconfigure the northern bus and pick-up/drop-off area at Glen Lake Elementary.

1.02 The property is located 4801 Woodridge Road. It is legally described as follows:

The Westerly 500 feet of the Southeast Quarter of the Northwest Quarter of Section 27, Township 117, Range 22, Hennepin County, Minnesota.

1.03 On April 12, 2018, the planning commission held a hearing on the proposal. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments received and the staff report, which are incorporated by reference into this resolution.

Section 2. 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.

1. The proposal has been reviewed by the city planning, engineering, and natural resources staff and has been found to be generally consistent with the city’s development guides, including the water resources management plan.

2. The proposal is consistent with all ordinance standards and requirements.

3. The new bus and pick-up/drop-off loop would be located in the same general location as the existing loop. The proposed project area is relatively flat and, if approved, the project would require only minimal grading.

4. The proposed bus and pick-up/drop-off loop would have reasonable
visual and physical relationships to the existing site features and building.

5. The proposed bus and pick-up/drop-off loop would be appropriately located and integrated into the existing site without a significant amount of site disturbance.

6. The proposal would need to meet the all applicable landscape and grading requirements.

7. The proposed bus and pick-up/drop-off loop will only negligibly alter the existing views from adjacent properties, stormwater will be mitigated through underground storage chambers, and the proposed light additions would meet city code lighting requirements.

Section 4. Planning Commission Action.

4.01 The Planning Commission approves the final site plans to reconfigure the northern bus and pick-up/drop-off area at Glen Lake Elementary, 4801 Woodridge Road. Approval is based on the findings outlined in section 3 of this resolution. Approval is subject to the following conditions:

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

   - Site plan date received March 12, 2018.
   - Grading plan date received March 12, 2018.
   - Erosion control plan date received March 12, 2018.
   - Lighting plan date received March 12, 2018.

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) Final site plan and parking layout plans.

         • The final plan must have a centerline strip at the exit with a left arrow in the southern half and a thru-right arrow on the northern half to line up thru traffic to Highbury Lane.

         • All sidewalks shall conform with ADA requirements.

      2) Final grading and erosion control plans. The grading plan must be adjusted so that the proposed 1020-foot elevation
grade ties into the existing 1020-foot elevation grade.

3) Final drainage and stormwater plans.
   • Submit hardcover calculations detailing the area of impervious surface added through the proposed project.
   • Provide a stormwater maintenance agreement in city format.

4) A landscaping plan to compensate for the landscaping that will be removed.

b) The following must be submitted prior to issuance of the grading permit:

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.

2) 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.

3) 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.

4) An illumination plan.

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

4. The property owner is responsible for replacing any sidewalk damaged during construction.
5. Construction must begin by Dec. 31, 2019, unless the city council grants a time extension.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on April 12, 2018.

Brian Kirk, Chairperson

Attest:

Kathy Leervig, Deputy City Clerk

Action on this resolution:

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

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Planning Commission of the City of Minnetonka, Minnesota, at a duly authorized meeting held on April 12, 2018.

Kathy Leervig, Deputy City Clerk