Planning Commission Agenda

January 4, 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: December 14, 2017

5. Report from Staff

6. Report from Planning Commission Members

7. Public Hearings: Consent Agenda
   No Items

8. Public Hearings: Non-Consent Agenda Items
   A. Minor amendment to an existing master development plan for a car wash addition at 13700–13712 Wayzata Boulevard.

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

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

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 January 18, 2018 Planning Commission meeting:

   Project Description: The applicant is proposing to operate a full-service restaurant in the entirety of the existing building at 5445 Eden Prairie Road. The proposal requires a: (1) conditional use permit for a restaurant with pick-up window and outdoor seating area; and (2) a parking variance.
   Project No.: 97095.17a
   Ward/Council Member: 1—Bob Ellingson
   Staff: Susan Thomas
   Section: 33

   Project Description: The city is proposing changes to the city code pertaining to telecommunications in right-of-way and small cell sites.
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 Knight, O’Connell, Powers, Schack, Sewall, Calvert, and Kirk were present.

Staff members present: City Planner Loren Gordon and Assistant City Planner Susan Thomas.

3. **Approval of Agenda**

_Sewall moved, second by Calvert, to approve the agenda as submitted with additional comments provided in the change memo dated December 14, 2017._

_Knight, O’Connell, Powers, Schack, Sewall, Calvert, and Kirk voted yes. Motion carried._

4. **Approval of Minutes**: November 30, 2017

_Calvert moved, second by Schack, to approve the November 30, 2017 meeting minutes as submitted with corrections in the spelling of two names._

_Knight, O’Connell, Powers, Schack, Sewall, Calvert, and Kirk voted yes. Motion carried._

5. **Report from Staff**

Gordon briefed the commission on land use applications considered by the city council at its meeting of December 4, 2017:

- Adopted a resolution approving a 12-month extension of the preliminary plat approval for Tonkawoods Farm First Addition.
- Adopted a resolution approving a 12-month extension for the approval of the canopy of the Bauer’s gas and U-Haul site.
- Directed staff to provide a resolution approving a conditional use permit for an eight-person residential care facility on Baker Road. The item will be reviewed by the city council December 18, 2017.
- Reviewed the concept plan for Ridgedale Executive Apartments on Ridgedale Drive.
• Reviewed a concept plan for Dominium apartments that would be located in Opus. The use and density was found to be appropriate. Integrating parks and trails in Opus was discussed.

There was a comprehensive guide plan meeting December 11, 2017 and the next one will be in January 2018. Please check the city’s website, eminnetonka.com, to confirm the date.

The next planning commission meeting will be January 4, 2017.

6. Report from Planning Commission Members

Schack reported on how the comprehensive guide plan meeting focused on economic development. She encouraged everyone to watch the presentation and discussion online. Powers agreed that it is good to get involved and learn how a city operates.

Calvert attended the mountain bike meeting that had over 200 interested parties in attendance. There is a lot of education needed to learn about mountain-bike trails.

7. Public Hearings: Consent Agenda

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

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

A. Time extension for a parking lot setback variance from 20 feet to 5 feet at 11311 K-Tel Drive.

Approve a 12-month time extension.

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

Chair Kirk stated that this motion may be appealed to the city council if requested in writing within 10 days to planning staff.

8. Public Hearings: None

9. Other Business

A. Concept plan review for The Villas of Glen Lake at 5517 and 5525 Eden Prairie Road.

Chair Kirk introduced the proposal and called for the staff report.
Thomas reported. Staff recommends that the planning commission provide comments and feedback on the identified key issues and other issues the planning commission deems appropriate. The discussion is intended to assist the applicant with future direction that may lead to the preparation of more detailed development plans.

Blaine Waters, Quest Development, applicant, stated that:

- He lives in the Glen Lake community.
- There is a desire for this type of housing priced below the $800,000s.
- The intent is for the area to be walkable and this type of housing would fit with that vision.
- He welcomed comments and questions.

Powers asked for the price point. Mr. Waters was hoping for $550,000 to $650,000. It would be difficult to have the price any lower due to land and building costs. There would be 1,450 square feet on the main level and another 1,000 square feet in the basement. Mr. Waters was still researching if a second-story option would be offered. He predicted that most of the houses would be rambler style.

Chair Kirk confirmed with Mr. Waters that the houses would have walk-out basements.

In response to Powers’ question, Mr. Waters said that the backyards would be minimal and geared toward empty nesters. There would be areas to congregate and entertain. The steep-slope, wooded area would not be able to be developed.

Chair Kirk invited those present to provide comments.

Greg Olson, owner of the office building at 5509 Eden Prairie Road, stated that:

- He would like a buffer between his lot and the proposed site. He would like a fence and landscaping.
- A five-foot setback seems too small.
- He invited commissioners to walk the property. He marked the property line. The corner of his lot is 17 feet from the property line.
- He is worried about water flooding his basement and parking lot on the east side.
- He thought five houses would be considered high-density residential. He was concerned with the amount of hard cover surface.
- He was worried about losing trees located on the property line.
- Neighbors have walked through his property for years with dogs and people have dumped garbage in his dumpster. Neighbors have dumped grass clippings on his property. He has had people sleep in their vehicles in the parking lot or leave their vehicles in the lot overnight.
- He takes pride in the parking lot. The plan upset him.
- He was worried about people walking through his parking lot.
- When Highway 169 was closed, traffic was backed up.
• He was concerned that the proposal’s snow would be dumped in his parking lot.
• The vehicle lights would shine in his windows.

Thomas appreciated the drainage, buffering, and setback questions which would be looked at if a formal application would be submitted. The concept plan would fit zoning for a PUD or R-3, low or medium density residential district.

Sewall stated that there should be an increase in buffering that corresponds with a decrease in the size of setbacks. As much natural buffering as possible would be the best option. He did not think empty nesters would walk around a parking lot too much.

Calvert suggested maintaining the mature trees between the properties to maintain the buffer and natural feel.

Chair Kirk stated that new townhomes at an affordable price are needed in the city. The proposal would sacrifice too much in terms of the volume of space that would be covered by hard surface. The root zones of the neighbors’ trees should be protected. That would require a little more than the five-foot setback. He struggled with the density. He was not as concerned with the hydrology, but the trees on the north and south would have to be protected. There could be a problem if the street would be widened or a sidewalk or trail added.

Calvert agreed that new, single-level housing stock is in desperate need. The natural buffer and preserving the root zones of the mature trees located between the site and neighbor are important. The houses would be located close to Eden Prairie Road which could become problematic if the street would be expanded or a sidewalk or trail added.

Schack concurred. The tree ordinance provides specific requirements that could be met by preserving the trees on the steep slope, but clear-cutting trees adjacent to the neighbor is not appealing. She encouraged incorporating the wooded areas into the plan.

Powers said that if the villas already existed and a commercial building would be proposed where it is now, then the commercial building would not be allowed to have such a small setback to the property line.

O’Connell asked if the city would have the ability to build a sidewalk north of the site. The trees located between the properties are important. He asked for the amount of buildable area and setbacks for an office building on the property zoned for an office building. He supports this type of housing. The proposal would provide a transition from an office building to single-family residential housing.

Calvert asked if there would be sustainable aspects to the proposal. Mr. Waters explained that the building code now requires many sustainable practices. The proposal would meet or exceed code requirements. It would be cost prohibitive to utilize geothermal or solar power for five villas.
Chair Kirk thought that the Groveland Pond villas are too large for the setbacks. The volume of the houses in The Sanctuary creates a more aesthetically pleasing development.

Calvert liked that the proposal would provide a transition from commercial to single-family housing.

Knight did not have a problem with the setbacks between the proposed houses, but he did not like the north side-yard setback. That would be too tight. He asked how the private drive would be regulated. Thomas answered that the city must approve a private street. A private street must be able to support the weight and turning radius of the largest fire truck. There is a minimum street-width requirement of 20 feet and 14-foot vertical requirement.

Calvert noted the issues of guest parking and snow removal.

Knight noted the large setback on the south side. He suggested moving the houses further south.

The city council is tentatively scheduled to review the concept plan on January 8, 2018.

10. Adjournment

*Calvert moved, second by Powers, to adjourn the meeting at 7:27 p.m. Motion carried unanimously.*

By: طريق Lois T. Mason
Planning Secretary
Minnetonka Planning Commission Meeting
January 4, 2018
Agenda Item 7

Public Hearing: Consent Agenda
Minnetonka Planning Commission Meeting

January 4, 2018

Agenda Item 8

Public Hearing: Non-Consent Agenda

(No Items)
MINNETONKA PLANNING COMMISSION
January 4, 2018

Brief Description  Minor amendment to an existing master development plan for a car wash addition at 13700–13712 Wayzata Boulevard.

Recommendation  Adopt the resolution approving the amendment

Background

In 1993, Maurice Wagener requested and received several city approvals to conduct automobile sales from the properties at 13700–13712 Wayzata Boulevard. Those approvals included a master development plan, final site and building plans, and conditional use permits, with variances for outdoor display, sales, and storage.

In 1996, the property owner requested an amendment to the master development plan to allow for a building footprint and size different than previously approved. This amendment was approved.

In 2013, the property owner proposed further modification of the master development plan. The proposal included construction of: (1) a secondary dealership building in the west parking lot; (2) a car wash and service consultation area on the northeast side of the existing building; (3) a drive aisle connection between the east and west parking lots, requiring a setback variance; and (4) a gated, “exit only” access to Horn Drive. The city approved the proposed new building and building addition, but denied the proposed drive aisle and driveway. The new building and addition were not constructed.

The full build-out of the site as approved in 1993 – and as modified in 1996 and 2013 – has not occurred to date.

Current Proposal

The property owner is now proposing a major remodel of the existing dealership. Both the interior building layout and exterior façades will be upgraded to comply with Mazda’s facility requirements. In addition to these aesthetic changes, the proposed remodel also includes three site changes:

1. **Drive Aisle Dimension.** The width of a drive aisle in the easterly parking lot would be increased. This change in width would be accommodated by removal of a parking lot median and interior landscaping. No change to the parking lot perimeter is proposed.

2. **Trash Enclosure.** There is currently a covered, west-facing trash enclosure located on the northwest corner of the building. As proposed, the trash enclosure would be relocated. A new trash enclosure would be built adjacent to an existing retaining wall on the north side of the parking lot.

3. **Car Wash.** As proposed, a new single-stall car wash would be constructed to the west of the vacated area of the trash enclosure. The car wash would not replace an existing wash bay, located on the northeast side of the building. Rather, the new bay is intended to reduce vehicle wait times/queues. As is the dealership’s current practice: (1) the car wash
would be available only to Morrie’s customers; (2) the wash would be open the same
day/hours as the dealership; and (3) vehicles would be valet washed by Morrie’s
employees.

The interior and façade changes, drive-aisle width change, and relocated trash enclosure do not
require any special city approval; they may be administratively approved through the building
permit process. The proposed car wash requires approval of a minor amendment to the existing
master development plan.

Staff Analysis

In evaluating the proposed car wash, staff notes:

- The proposed car wash bay would be just 975 square feet in size, resulting in just a 2
  percent increase in square footage of the existing dealership building.

- The proposed car wash location would meet all minimum setbacks as outlined in both the
  Planned I-394 (PID) ordinance and the existing master development plan.

<table>
<thead>
<tr>
<th>PROPERTY LINE</th>
<th>REQUIRED SETBACK</th>
<th>PROPOSED SETBACK</th>
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<tbody>
<tr>
<td>North</td>
<td>50 ft</td>
<td>50 ft</td>
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<tr>
<td>West</td>
<td>35 ft</td>
<td>270+ ft</td>
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<tr>
<td>South</td>
<td>50 ft</td>
<td>N/A</td>
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<tr>
<td>East</td>
<td>50 ft</td>
<td>N/A</td>
</tr>
</tbody>
</table>

- The proposed location would generally ensure that existing on-site circulation are
  maintained.

- Existing topography would provide some natural screening, as would existing vegetation
  and proposed plantings.

Staff Recommendation

Adopt the resolution approving a minor amendment to an existing master development plan for a
car wash addition at 13700–13712 Wayzata Boulevard.

Originator: Susan Thomas, AICP, Principal Planner
Through: Loren Gordon, AICP, City Planner
Subject: Morrie’s Mazda 13700–13712 Wayzata Blvd

Supporting Information

**Surrounding Land Uses**
- Northerly: Single-family homes; zoned R-1
- Easterly: Commercial; zoned PID
- Southerly: I-394
- Westerly: Commercial; zoned PID

**Planning**
- Guide Plan designation: Commercial
- Zoning: PID

**Build-Out**
Given the 1993 and 1996 approvals, the dealership has the right to use the subject properties for the sale of automobiles. Similarly, the dealer has certain rights to a full build-out of the site if such build-out is in substantial compliance with the previously approved master development plan.

**Original Request**
The plans originally submitted by the applicant included construction of a car wash bay in the same general location as the vacated trash enclosure. That location required a setback variance from 50 feet to 32 feet. In addition, the plans proposed an easterly expansion of the dealership’s east parking lot. The expansion required a wetland setback variance. Staff indicated to the applicant that they could not support the variance requests for much the same reasons they could not support the 2013 proposal. Namely, there was no unique circumstance inherent to the property justifying the variances. The applicant subsequently chose to amend the plans to those presented in this report.

**Nuisance Concerns**
During review of the current proposal, residents raised concerns regarding perceived nuisance conditions at the site, including noise violations during nighttime and early morning hours, maintenance of landscaping, and trash. While staff was made aware of similar issues in 2013, no complaints have since been submitted to planning staff. Morrie’s management and city staff have encouraged residents to contact Morrie’s directly with any concerns. If issues persist, residents are encouraged to contact planning staff during office hours and the police during non-office hours. As with any property, the dealership is subject to all provisions of the city’s nuisance ordinance.

**Neighborhood Meeting**
The applicant held a neighborhood meeting on December 12, 2017. One area property owner attended and noted that his primary concern related to the [then] proposal was the requested setback variances.

**Deadline for Action**
February 5, 2018
Location Map

Morrie's Minnetonka
Address: 13700 Wayzata Blvd
Project No.89005.17a

This map is for illustrative purposes only.
PREVIOUS APPROVALS
AND PROPOSALS
1993 MASTER DEVELOPMENT PLAN
CURRENT PROPOSAL
### MATERIAL INDEX - PLANS, SECTIONS

<table>
<thead>
<tr>
<th>Material</th>
<th>Description</th>
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<tbody>
<tr>
<td>Earth</td>
<td></td>
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<tr>
<td>Compacted Fill</td>
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<td>Gravel Fill</td>
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<td>Ceramic Tile</td>
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<td>Poured Concrete</td>
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<td>Concrete Block</td>
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<td>Concrete Block Filled</td>
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<td>Face Brick</td>
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<td>Stone</td>
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<td>Rough Lumber</td>
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<td>Plywood</td>
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<td>Finished Lumber</td>
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<td>Rigid Insulation</td>
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<td>Batt Insulation</td>
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<td>Drywall</td>
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<td>Steel</td>
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<td>Precast Concrete</td>
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<td>Acoustic Tile</td>
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<td>Bituminous Paving</td>
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</table>

### CONSTRUCT NEW WALL

### EXISTING WALL TO REMOVED

### EXISTING WALL TO REMAIN

### REFERENCE SYMBOLS

<table>
<thead>
<tr>
<th>Symbol Description</th>
<th>Example</th>
</tr>
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<tbody>
<tr>
<td>Section Cut Symbol (Wall Sections)</td>
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<tr>
<td>Section Designation (Number for Wall Section)</td>
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<td>Drawing Number on Which Section Appears</td>
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<tr>
<td>Plan Detail / Enlarged Plan Symbol</td>
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<tr>
<td>Detail Number on Which Plan Detail Appears</td>
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<tr>
<td>Detail Cut Symbol</td>
<td></td>
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<tr>
<td>Detail Number on Which Detail Appears</td>
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<tr>
<td>Elevation Mark - New</td>
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<tr>
<td>Elevation Mark - Existing</td>
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### DRAWING SYMBOLS

<table>
<thead>
<tr>
<th>Symbol Description</th>
<th>Example</th>
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<td>Revision Number</td>
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<tr>
<td>Window Tag</td>
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<td>Column Line Designation - New</td>
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<td>Wall Type</td>
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<td>Stairway Direction Indication</td>
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<td>Keynote Mark - Accessories</td>
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<tr>
<td>Keynote Mark - Demolition Notes</td>
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<tr>
<td>Keynote Mark - Plan Notes</td>
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<tr>
<td>Spot Elevation Marker</td>
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GENERAL NOTES:

1. All materials and labor shall be in accordance with the American National Standard for Nursery Stock and American National Standard for Nursery Stock for Trees and Shrubs, respectively, as published by the American National Standards Institute. Material and labor shall comply with the specifications set forth herein. No substitutions shall be made without written permission from the Architectural Group Inc. (AGI) and Owner.

2. The Landscape Contractor shall be responsible for the appropriateness of all materials, labor, and equipment needed to complete the construction of the project. The Landscape Contractor shall ensure that all work is performed in accordance with the specifications and plans.

3. All areas not covered by Baseline Plan/Grounds Plan or other exterior view shall be used for the construction of the project. The Landscape Contractor shall ensure that all work is performed in accordance with the plans and specifications.

4. All Underground Systems shall be installed in accordance with the plans and specifications, and a detailed record of all underground installations shall be provided to the Architectural Group Inc. (AGI) and Owner. The Landscape Contractor shall ensure that all work is performed in accordance with the plans and specifications.

5. All materials furnished to the project shall be of the highest grade available, and the Landscape Contractor shall ensure that all work is performed in accordance with the plans and specifications.

PLANT MATERIALS:

1. All plants shall be provided in accordance with the plans and specifications, and all plants shall be installed in a manner consistent with the plans and specifications. The Landscape Contractor shall ensure that all work is performed in accordance with the plans and specifications.

2. All plants shall be delivered to the project site in a healthy condition, and the Landscape Contractor shall ensure that all work is performed in accordance with the plans and specifications.

3. All plants shall be installed in accordance with the plans and specifications, and the Landscape Contractor shall ensure that all work is performed in accordance with the plans and specifications.

MAINTENANCE & WARRANTY:

1. The Landscape Contractor shall be responsible for the maintenance of the landscape materials during the warranty period as outlined in the MAINTENANCE INSTRUCTIONS. The Landscape Contractor shall ensure that all work is performed in accordance with the plans and specifications.

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SEEDS PREPARATION:

1. All seeds shall be designed to the typical section, and other seeds shall be designed to the plans. The top of the seeds shall be particularly designed to develop a root system. The seeds shall be designed to be pre-germinated before planting.

2. The seeds shall be designed to the plans, and the top of the seeds shall be particularly designed to develop a root system. The seeds shall be designed to be pre-germinated before planting.

3. The seeds shall be designed to the plans, and the top of the seeds shall be particularly designed to develop a root system. The seeds shall be designed to be pre-germinated before planting.

4. The seeds shall be designed to the plans, and the top of the seeds shall be particularly designed to develop a root system. The seeds shall be designed to be pre-germinated before planting.

SHRUB INSTALLATION - BALL & BURLAP

1. All shrubs shall be installed in accordance with the plans and specifications, and the Landscape Contractor shall ensure that all work is performed in accordance with the plans and specifications.

2. All shrubs shall be installed in accordance with the plans and specifications, and the Landscape Contractor shall ensure that all work is performed in accordance with the plans and specifications.

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4. All shrubs shall be installed in accordance with the plans and specifications, and the Landscape Contractor shall ensure that all work is performed in accordance with the plans and specifications.

LANDSCAPE PLAN:

1. The Landscape Plan shall be designed to the typical section, and the plans shall be designed to the plans. The top of the plans shall be particularly designed to develop a root system. The plans shall be designed to be pre-germinated before planting.

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BUILDING ALTERATIONS AND ADDITION FOR:

MORRIES MAZDA

MINNETONKA, MINNESOTA
**DETAIL WORK SCOPE:**
- Stone closer existing floor
- New 3-tone wall paint scheme with new ceiling paint (bot. 8' to be elastomeric paint)
- Accurate positioning for all new benches/cabinets
- New") hung 2x4 ceiling lights and 1x8 wall mounted lights
- Accommodate power/air for all new benches/cabinets
- New trench drain as indicated
- New photo booth with photo station
- New sill at window
- New overhead doors as indicated.

**CAR WASH SCOPE OF WORK:**
- Provide extruch panel over existing walls and ceiling
- New air operated overhead door and track
- New WP lighting
- New fiberglass man door and frame
- New sill at window
- New overhead doors as indicated.

**EXP. CONC. NCD SCOPE OF WORK:**
- New quartz flooring
- Paint walls
- New air overhead doors and track at ea. openings
- New act with recessed lighting
- New trench drains

**FIRST FLOOR PLAN - AREA 'B'**

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**MECHANICAL ROOM WORK SCOPE:**
- New masonry wall enclosure and HM door
- Room will get new wall paint and ceiling to be exposed painted. Sealed concrete floor

**WORK SCOPE:**
- New quartz flooring
- New 3-tone wall paint scheme with new ceiling paint
- New light fixtures and new wall mounted lights
- Accommodate power for all new tool benches
- (2) New wall mounted fans

**ALTERNATE BID:**
- New high speed door (need to verify headroom)

**SERVICE ADVISOR WORK SCOPE:**
- New tile flooring
- New wall paint
- New case work per Mazda did
- New 2x4 ceiling hung lights and 1x8 wall mounted lights
- Accommodate power for all new tool benches
- Remove existing concrete at alignment rack to provide fit for flush mounted rack.

**ELEVATOR WORK SCOPE:**
- New cab floor and wall finishes
- New lighting

**STAIR WORK SCOPE:**
- New tread and risers
- New wall cladding
- New wall coverings
- New vinyl tread and risers
- Paint existing doors and frames

**STAIR WORK SCOPE:**
- New tile tread and risers
- New wall cladding
- New ceiling finish
- New 2x2 lights
- Paint existing doors and frames

**EXCEPTION REQUEST:**
Will Mazda allow use of epoxy/quartz flooring in lieu of tile flooring?
CLEAR ANODIZED AT ALL MFR INSULATED, PPG, SOLARBAN 60, CLEAR ALUMINUM CAP FLASH SYSTEM (WALL FINISH & COLOR TO MATCH - REYNOBOND W/ GLAZING: HOLLOW METAL (EXISTING)

EXTERIOR PAINT (OVER EXISTING WALL / POWER IS REQUIRED, ALPOLIC AT ALL MFR ELASTOMERIC CAR WASH AIR DOOR:

ALL SIGNAGE CONTRACTOR TO PROVIDE REQUIRED SHELRASTIC ELASTOMERIC ALUMINUM W/ INSUL. GLAZING PAINTED:

BREAK METAL BETWEEN OPENINGS REFER TO WALL SECTIONS & DETAILS.

CONTRACTOR TO PROVIDE REQUIRED OVERHEAD DOOR OR EQUAL ALUM. W/ GLAZING:

SPRIRAL FV

SPRIRAL FV

1/8" = 1'-0"
NEIGHBORHOOD COMMENTS
Dear Susan,

My name is Lynette Carlson and I own the home located behind Morrie’s dealership at 1009 Horn Drive. Due to its location, my residence will be the most impacted by the site changes being proposed by the dealership. I would like to express to you the following concerns:

1) Morrie’s already has a carwash in the northeast corner of the building. I am impacted by the noise generated by this carwash on a daily basis. The noise is audible throughout my home. It is especially annoying outside in my back yard which includes my deck area. I find it unacceptable that Morrie’s is requesting a 11/9 variance into the existing minimal 50 ft setback to construct a second car wash that would be even closer to my residence. This would double the noise I am already experiencing. Section 300.07 in Minnetonka ordinance pertaining to variances states that a variance may be granted where the applicant is experiencing undue hardship. Taking into consideration that there is a functioning carwash on the premises, I do not see where undue hardship would apply in Morrie’s situation. If the dealership feels another carwash is needed it can be located on another part of the property where no such variance is needed.

2) Noise from the dealership is an issue in many ways. There is a large gas storage container to my backyard, cars are filled up with gas and there is gas delivery. Then there is also their dumpster to the northwest corner, where metal parts are dumped into the dumpster at 400 am daily. The dumpsters are loud and shaken when emptied by the sanitation trucks daily. Car carriers are routinely making deliveries in the middle of the night. The delivery process results in the slamming and banging of chains and ramps as the cars are offloaded. The dealership routinely utilizes the vehicles theft deterrent systems to set off the horns in order to locate the vehicles.

3) The back of the dealership is unsightly and poorly maintained. The primary buffer between the dealership and my home is marginal landscaping that consists of dead trees and buckthorn. The back of the dealership is utilized for storage of excess
equipment and vehicles. The lack of a properly maintained buffer allows this unsightly mess to be viewed from my home. The pond area to the north is littered with debris from the dealership and can be seen from our neighborhood entry road spring and fall. Morrie’s history of compliance with provisions that were agreed upon has not been good.

4) Another variance of 10' into the 50 ft setback is being requested to relocate the trash enclosure as a result of the proposed carwash. This is a large property I’m confident that the trash enclosure could be relocated on site without a variance

Thank You,

Lynette Carlson
Hello Susan,

Subject: Proposed Morrie’s Minnetonka Renovation

I am writing in regard to Morrie’s proposed ‘improvements” for the dealership located at 13700 Wayzata Blvd. My initial thought was to question the construction of a carwash considering that there is already a functioning carwash on site, but then I noticed that it included a variance request into the 50 ft setback on the north side of the building. Over the years it seems that whenever there is a proposed upgrade at this site, whether it be the fictitious Bentley/Maserati Building or a remodel of the men’s room, it always seems to include a variance request on the north side of the building.

When the dealership constructed this building in 1998 they elected to have it directly abut the minimum 50 foot setback and ever since then they have proposed plans to encroach into it. I believe their ultimate goal is to establish a driveway on the north side of the building. I also question their request for a variance on the east or the lot. For the most part this is a natural drainage area and buffer. The dealerships current site plan already allows for considerable expansion. If they need an additional carwash I’m sure they can find an area to construct it without variances. When completed, could you also please e-mail me a copy of the completed staff report for this project

Thank you,

John K. Wallace
Resolution No. 2018-

Resolution approving a minor amendment to an existing master development plan for a car wash addition at 13700–13712 Wayzata 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 within the Planned I-394 (PID) zoning district at 13700–13712 Wayzata Boulevard. It is legally described on Exhibit A of this resolution.

1.02 In 1993, the city council granted several approvals to the automobile dealership located on the subject properties. The approvals included: master development plan, final site and building plans, and conditional use permits, with variances, for outdoor display, sales, and storage.

1.03 In 1996, the master development plan was amended to allow for a building footprint and size different than approved in 1993.

1.04 Morrie’s Minnetonka MRE, LLC. is proposing to construct a single-stall car wash addition on the northwest corner of the existing dealership building. The proposal requires the approval of a minor amendment to the existing master development plan.

1.05 On January 4, 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. Standards.

2.01 City Code §300.31 Subd.10 outlines various changes to an approved master development plan that would be considered major amendments. Any change that does not reach this major amendment threshold is considered a minor amendment.

2.02 City Code §300.31 Subd.7(a)(1) requires that buildings within the PID zoning district be set back a minimum of 50 feet from lot lines abutting lands designated for low density residential development.

Section 3. Findings.

3.01 Under City Code §300.31 Subd.10, the applicant’s proposal is considered a minor amendment to the existing master development plan.

3.02 The proposed car wash addition would meet setback standards as outlined in City Code §300.31 Subd.7(a)(1), as well as the setback standards established in the 1993 master development plan and 1996 amendment.

Section 4. Planning Commission Action.

4.01 The planning commission hereby approves the amendment to the existing master development plan. Approval is based on the findings outlined in Section 3 of this resolution and 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, dated December 21, 2017
   - Landscape Plan, dated December 21, 2017

2. Prior to issuance of a building permit:

   a) This resolution must be recorded at Hennepin County.

   b) Submit final site, grading, stormwater management, utility, landscape, and tree mitigation plans, and a stormwater pollution prevention plan (SWPPP) for staff approval.

      1) Final grading plan must:
a. Minimize adjacent tree loss and impacts. Trees to be removed must be clearly identified for staff review and approval.

b. Include calculations of site disturbance. If the proposal includes more than 50 cubic yards of fill/excavation or 5,000 square feet of site disturbance, a stormwater management plan will be required.

2) Final stormwater management plan – if required – must meet city rules rate, volume, and water quality criteria for new impervious surface.

3) Final landscape and tree mitigation plans must meet minimum landscaping and mitigation requirements as outlined in ordinance. However, at the sole discretion of natural resources staff, mitigation may be adjusted based on site conditions.

c) Submit a stormwater maintenance agreement, if stormwater management is required.

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

e) Submit an individual letters of credit or cash escrow for 125% of a bid cost or 150% of an estimated cost to construct stormwater management facilities, meet landscaping requirements and to restore the site. One itemized letter of credit is permissible, if approved by staff. The city will not fully release the letters of credit or cash escrow until: (1) as-built drawings have been submitted; (2) a letter certifying that the underground facility has been completed according to the plans approved by the city has been submitted; (3) vegetated ground cover has been established; and (4) required landscaping or vegetation has survived one full growing season.

f) Submit 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.

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

3. The car wash must be equipped with technology to ensure that the drying function is completed prior to opening of the car wash door.

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

5. Construction must begin by December 31, 2019, unless the planning commission grants a time extension.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on January 4, 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 January 4, 2018.

Kathy Leervig, Deputy City Clerk
EXHIBIT A

Parcel 1:

That part of the South 478 feet of the East 50 feet of the Southeast ¼ of the Northwest ¼ of Section 3, Township 117, Range 22, Hennepin County, Minnesota, which lies northerly of the Northern right-of-way line of U.S. Highway No. 12 as described in the Partial Final Certificate recorded in the Office of the County Recorder as Document No. 3590915.

Abstract Property Parcel 2:

That part of the South ½ of the Northwest ¼ of Section 3, Township 117, Range 22, Hennepin County, Minnesota, described as follows:

Beginning at a point in the East line of said South ½ of the Northwest ¼ which is 478 feet north of the Southeast corner; thence west parallel with the South line of said South ½ of the Northwest ¼ a distance of 50 feet to the point of beginning of the land to be described; thence at an angle of left 0 degrees 04 minutes 20 seconds a distance of 268 feet; thence at an angle left 79 degrees 04 minutes to the North line of U.S. Highway No. 12; thence East 345 feet on the North line of U.S. Highway No. 12 to a point which is 50 feet west of the East line of said South ½ of the Northwest ¼ thence north parallel with said East line 428 feet to the point of beginning, which lies Northerly of the Northerly right-of-way line of U.S. Highway No. 12 as described in the Final Certificate recorded in the Office of the County Recorder as Document No. 3763766.

Abstract Property

Parcel 3:

That part of the Southeast Quarter of the Northwest Quarter of Section 3, Township 117, Range 22, Hennepin County, Minnesota, described as follows:

Beginning at the Southwesterly corner of Lot 1, Block 3, Knollway; thence Westerly along the Southerly line of said Lot 1 to the Southwesterly corner of said Lot 1; thence South along the East line of Horn Drive shown as Knoll Ridge Road on the plat of Knollway, a distance of 403.11 feet more or less to the Northerly right-of-way line of U.S. Highway No. 12 as described in Parcel 3B of the Final Certificate recorded in the Office of the County Recorder as Document No. 3763766; thence Easterly along said Northerly right-of-way line to its intersection with the Southerly extension of the Easterly line of said Lot 1; thence Northerly along said extension a distance of 305.88 feet more or less to the point of beginning.

Registered Property Certificate of Title No. 819080