

# Planning Commission

August 24, 2020 – 7 pm

## REGULAR MEETING MINUTES

This meeting was held via Webex in accordance with the local emergency declaration made by the City under Minn. Stat. § 12.37. In accordance with that declaration, beginning on March 16, 2020, all Planning Commission meetings held during the emergency were conducted electronically. The City used Webex to conduct this meeting and members of the public were able to monitor the meetings by watching it on Comcast cable channel 16, by streaming it on CCXmedia.org, or by dialing in to the public call-in line.

The public was able to participate in this meeting during public comment sections, by dialing the public call-in line.

### 1. Call to Order

The meeting was called to order at 7:00 by **Chair Blum**.

#### Roll Call

Commissioners present: Rich Baker, Ron Blum, Adam Brookins, Andy Johnson, Noah Orloff, Ryan Sadeghi, Chuck Segelbaum

Commissioners absent: Lauren Pockl

Staff present: Jason Zimmerman – Planning Manager, Myles Campbell – Planner

Council Liaison absent: Gillian Rosenquist

### 2. Approval of Agenda

**Chair Blum** asked for a motion to approve the agenda.

**MOTION** made by **Commissioner Johnson**, seconded by **Commissioner Brookins** to approve the agenda of August 24, 2020. Staff called a roll call vote and the motion carried unanimously.

### 3. Approval of Minutes

**Chair Blum** asked for a motion to approve the minutes from August 10, 2020.

**MOTION** made by **Commissioner Brookins**, seconded by **Commissioner Segelbaum** to approve the August 10, 2020 meeting minutes.

Staff called a roll call vote and the motion carried unanimously.

### 4. Informal Public Hearing – Zoning Text Amendment – Section 113-90: Medium Density Residential (R-3) Zoning District

**Applicant:** City of Golden Valley

**Jason Zimmerman, Planning Manager**, reiterated this item is required follow up from adoption of the 2040 Comp Plan.



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**Zimmerman** explained that R-3 is considered medium density and showed this diagram to illustrate the differences between the designation in the 2040 Comp Plan and the existing R-3 zoning.

2040 Comprehensive Plan	Zoning Code (existing)
<i>Medium Density Residential</i> 8 to 30 units per acre	<i>Medium Density (R-3)</i> Maximum of 10 units per acre or 12 units per acre with a density bonus  Maximum of 20 units per acre for senior/disability housing with a CUP

The main reason this item was tabled was to address density bonuses. The old bonuses were based on another era and on a developing community. It was asked if new bonuses could be reflective of a redeveloping community and of current City priorities. There was a desire to reduce “by-right” densities and provide bonuses to get up to the maximums allowed.

Staff reviewed these bonuses, using the Comp Plan for guidance this is staff’s proposal:

*Medium Density (R-3)*

Maximum of 12 units per acre or 17 units per acre with a CUP (up to 3 additional units per acre available through density bonuses).

For senior/disability housing, maximum of 20 units per acre or 25 with a CUP (up to 5 additional units per acre available through density bonuses).

**Zimmerman** added that approving the proposed zoning district revision would bring all current R-3 properties into conformance.

Staff reviewed possible topics for density bonuses: Affordable Housing, Energy Efficiency, Renewable Energy, and Stormwater Management.

The two main criteria listed for creating density bonuses are:

1. Is the trigger concrete and non-subjective? Can it be easily quantified and monitored?
2. Does it involve a substantial investment that would be difficult or unwieldy to reverse once the bonus has been awarded?

Recommended Density Bonus Topics

- Green building certification
- Construction of private renewable energy systems or infrastructure
- Incorporation of microgrid for back-up power
- Inclusion of electric vehicle charging stations
- Construction of above-ground stormwater facilities

Recommended Criteria

Density bonuses would be available for an additional 2 units per acre for:

- Green building certification at the Platinum level

- Construction of private renewable energy systems or infrastructure
- Incorporation of microgrid for back-up power

Density bonuses would be available for an addition 1 unit per acre for:

- Green building certification at the Gold level
- Inclusion of electric vehicle charging stations
- Construction of above-ground green stormwater facilities

### **Recommendation**

Amend the text of the Medium Density Residential (R-3) Zoning District to revise the allowed density ranges and update the density bonus provisions, as detailed in the attached document (Underline/Overstruck language for Sec. 113-90 of the City Code).

Staff and Commissioners reviewed specific text language and asked questions.

**Chair Blum** opened the public hearing at 7:22pm.

There were no callers at the time of opening the hearing. Commissioners continued to ask staff questions regarding language in the ordinance versus in the policy. The conversation continued into a potential point system and levels of bonuses.

### **Dianne Hofstead**

*2450 Valders Ave N*

Caller stated that she submitted a letter to Commissioners and she opposes the R-3 re-zoning. Medium density is not appropriate for the area as the increase in building heights, traffic, and noise would be disastrous for the area.

### **Hannah Fotsch**

*8445 Patsy Lane*

Caller asked about the industrial zoning changes and if there will be changes to the nature preserve.

**Chair Blum** told the caller she didn't need to call back but that her comment would be addressed during the next agenda item.

**Zimmerman** chimed in to reiterate there are two public hearings during this meeting and if folks are calling about re-zonings in the NW portion of Golden Valley, to please wait for the next agenda item.

The conversation moved on to specifics about density bonuses and the permanence of some options that will lead to bonuses. The conversation circled back to the density bonus categories being in the ordinance and then adding details in a policy document at a later date.

### **Matthew Faber**

*2325 Winnetka Ave N*

Caller's main concerns are that the Commission states they're for housing for all people but they're mostly concerned for energy efficiency. Rain gardens etc for water displacement is important but the caller is concerned that there isn't actual affordable housing being created. The caller suggested R-1 housing on concrete slabs with unattached garages that the average person can afford. The caller asked why his feed while watching his phone went down and asked if the meeting was actually pre-recorded and not live. **Chair Blum** responded and told the caller that he was participating in a live meeting and that staff responds to questions at the end of the hearing. The caller asked the Commission how much the average electric car costs and how many people own them that are looking for housing. The **Chair** reiterated the public hearing process and the caller continued to ask for immediate responses to his questions.

**Zimmerman** added that affordable housing is one of the goals emphasized through density bonuses. This is incentivized through the mixed-income housing policy. This particular hearing is about density bonuses in an R-3 zoning district, that does not include single family homes. This conversation should continue when the R-1 district conversation occurs.

The Commissioners continued the discussion around density bonuses and its relation to affordability. The conversation evolved into housing types as well as that building rules were not followed at some point and modifying R-3 zoning text brings the areas into conformance without increasing to an R-4.

**Chair Blum** closed the public hearing at 8:15pm.

**MOTION** made by **Commissioner Segelbaum**, and seconded by **Commissioner Brookins** to approve the density bonus list, subject to Planning staff and City Attorney review of the language.

Staff took a roll call vote.

Aye: Baker, Blum, Brookins, Sadeghi, Segelbaum

Nay: Johnson

Motion passes, 5:1

**5. Informal Public Hearing – Zoning Map Amendment – Rezoning of Properties to Achieve Conformance with the 2040 Comprehensive Plan (Group 3)**

**Applicant:** City of Golden Valley

**Jason Zimmerman, Planning Manager**, started by addressing the original notification letters that went out to resident. These letters included rezoning of three properties owned by General Mills owns. Once the letters went out, GM requested the properties not be included in this hearing as they would like more clarification with the City. As such, those items will not be discussed tonight.

**Zimmerman** revisited the 2040 Comp Plan schedule that started in November 2018. The Future Land Use map was displayed for reference with the three quadrants of neighborhoods, tonight's hearing is regarding the third quadrant. **Zimmerman** continued and broke down the ten groups within this quadrant that are proposed for rezoning. They each had an associated map and explanation from staff.

Wrapping up the presentation, **Zimmerman** reminded everyone that state statute requires all zoning designations to be consistent with the land uses identified in the Comp Plan within nine months of adoption. He added that businesses would be allowed to continue with current uses and site layouts under a legally non-conforming status; PUD regulations take precedence.

Should the City choose not to rezone any of these properties, the Future Land Use Map would need to be amended with the Met Council.

#### Recommendation

Following the provisions of State statute (sec. 473.858, subd. 1) and the requirements of the Metropolitan Council with respect to comprehensive planning, staff recommends the 37 identified properties be rezoned as indicated.

**Commissioner Orloff** asked if rowhouses are included in the R-2 discussion or if that's a future decision. **Zimmerman** clarified that the decision to include rowhouses has not been made.

**Zimmerman** added that if the Commission wants to resolve the R-2 designations prior to approving the groups that include R-2, he suggests those groups be tabled. **Brookins** mentioned tabling group 6 as well since a developer is looking at a property in that group. The goal would be to rezone it so what is developed there is something the City is looking for. The conversation evolved in to a brief conversation about rezonings around the Country Club.

**Chair Blum** opened the public hearing at 8:40pm.

#### **Van Tran**

*2445 Winnetka Ave N*

My property is zoned, office, is that R-2? I'm not sure the difference from R-2 and R-3. My partner owns the property next door and we'd like to redevelop the two pieces of property together. The size is limited and if the zoning isn't right, it won't attract a developer/investor.

#### **Lawrence Johanns**

*2415 Winnetka Ave N*

We would like to see these lots zoned R-3 and there seems to be interest in 55+ housing. Developers contacted me and said they would consider our lots if they were rezoned appropriately. I think this would help the City and the residents. My business partner and I support rezoning to R-3.

#### **Jake Langer**

*2480 Valders Ave N*

I oppose the rezoning. I bought my home understanding that I was moving in to an R-1 neighborhood and I would not have bought it if I thought the property next to me was zoned differently. Having a 4-5 story building in my yard would be an albatross. If this happens, the residents should receive compensation from the City that covers the value difference before and after this rezoning.

#### **Matthew Faber**

*2325 Winnetka Ave N*

I am offended how this meeting is occurring, residents didn't have ample time to prepare for this meeting. I don't have a problem with the City growing but these rezonings are changing the entire neighborhood. What is the target growth for Golden Valley by 2040? Going to an R-2 is more acceptable. How can you talk about displacement of water and talk about adding underground parking? I feel like you need to be more honest with your constituents and I'm starting a petition tomorrow.

**C Griffith**

*7979 Jonellen Lane*

My understanding is that the two proposed lots were originally residential and changed to office zoning at the request of the owners-despite objection from the neighbors. My understanding is that the owners are asking for R-3 in order to recoup property value. However, this would reduce the value of neighbor properties and would potentially be very high. This would also increase traffic on an already congested area. I'm confused about a letter going around the neighborhood that says the whole area will be rezoned for a multi-unit development. Is that part of the plan?

**Patty Burrets**

*6414 Golden Valley Road*

Can you explain, exactly, what Mixed use residential means? A strip mall? Bakery? Drugstore? I'd like to know why the City would want that to happen on Golden Valley Road. We have this parcel that was industrial and went to office. Why is this industrial to offices? Now across the street from my house is Mixed-Use. I want to know the difference and what that means. I appreciate Jason talking to me for a long time but it doesn't make things so clear for others. This is a neighborhood. We need to think about the whole city.

**Dianne Hofstead**

*2450 Valders Ave N*

I stand by my letter I sent earlier and my previous statement. R-3 is not acceptable for the Winnetka/Valders area because of the height, additional noise, resulting traffic, and those various reasons. R-3 is not a good fit.

**Chair Blum** asked staff to give a quick summary on the difference between R-2 and R-3.

**Zimmerman** responded:

**R-3**

- Medium Density Residential
- Multi-Family/Multi-Family Senior Housing
- 4 stories by right/5 for senior building
- Density could reach up to 30 units/acre

**R-2**

- Single Family homes and Duplexes
- Previous meetings there has been a discussion to add rowhouses (side by side units) and not limiting it to duplex
- Height limited to 2-2.5 stories.

**Kathy Longar**

*2105 Aquilla Ave*

Asked if there could be a traffic study on the increase in accidents on Winnetka now that the lanes have decreased. Is the plan for access to the apartments, that folks would drive in and out from Valders or Winnetka?

The **Chair** asked staff what the extent is of traffic studies in rezonings. **Zimmerman** responded that a traffic study specialist is part of the planning process and plugs in projections based on the target population growth. Results from the Winnetka traffic study when it was reduced to a 3-lane road are not in, when they are, they will be shared. When a proposal for development is received by the City, then a traffic study will take place.

**Chair** asked staff to clarify when communications started regarding this item.

**Zimmerman** stated that discussions started a few years prior, continued to Land Use discussion but it was City wide, not neighborhood focused. Now individual properties are being proposed for rezoning, owners and neighbors with 500 feet are receiving public information from both the Planning Commission and City Council. City Code requires mailings to go out 10 days in advance of the meeting. We've all heard about delays with postal service so we will get City Council notice letters out sooner to compensate. Staff added that a final decision isn't occurring at this meeting but may rather be recommended to City Council and they make the final decision. **Zimmerman** addressed inquiries about R-2 zoning south on Winnetka, but that conversation isn't happening tonight. A discussion about what R-2 includes will happen first. The **Chair** added that the conversations regarding rezoning these areas have occurred for a long time and there's a robust record in both video and minutes to see that. The **Chair** asked staff to address the definition of Mixed-Use Residential. **Zimmerman** reminded everyone that these definitions are in the City Code, Section 113-97 defines Mixed-Use. This district is a flexible district: allows residential, office, commercial and institutional (schools/places of worship). Mixed-Use Residential is similar albeit on a smaller scale: multi-family dwellings of 3 or more, single family dwellings, medical clinics, restaurants, general retail, schools, religious institutions. It would prohibit: stand-alone parking lots, auto repair, gas stations. Staff continued explaining the area and history of thinking for the proposed rezoning. The **Chair** asked staff what the target growth is for the City. **Zimmerman** responded that there are three projections for growth at 2020, 2030, and 2040. The current population of Golden Valley is just under 25,000. The projection for 2030 is to increase by around 800 more and by 2040 the target population is 26,700.

The **Chair** opened the discussion to review the other groups at length. He continued by asking staff about what the height difference is between the subject properties in group 2 related to the R-1 properties. **Zimmerman** responded this was reviewed in 2016 and the measurements show there is a 20-foot grade difference. A 20-foot building will reach about the first level of the westerly abutting R-1 properties.

**Commissioner Brookins** stated support for tabling group 2 until a discussion about expanding the R-2 designation can occur. **Commissioner Johnson** and **Commissioner Sadeghi** echoed this support.

**Commissioner Brookins** stated he'd like more conversation on group 6. **Commissioner Segelbaum**

stated he'd like to change the zoning and isn't in favor of it being Industrial, as it currently stands. **Johnson** stated support for voting on group 6 tonight.

**Katherine Schlumpberger**

2005 Gettysburg Ave N

Regarding 9145 Earl street, the street is short, about 4 blocks. I'm curious what might happen at about this address in the future.

**Zimmerman** answered the address is for staff as the parcel has no street address. It is on the north portion of the General Mills Nature Site, it's wooded and is part of the tabled conversation regarding the GM properties. Residents will receive another letter before that comes to Planning Commission again.

**Chair Blum** closed the public hearing at 9:31pm.

**MOTION** was made by **Commissioner Brookins** seconded by **Commissioner Baker** to approve groups 1, 3-10 in order to achieve conformance with the 2040 Comprehensive plan, and to table group 2 for further discussion.

Staff took a roll call vote and the motion passed unanimously.

**Televised portion of the meeting concluded at 9:35pm**

**6. Council Liaison Report**

**Council Member Rosenquist** was absent so no liaison report was given.

**7. Reports on Board of Zoning Appeals and other Meetings**

**Zimmerman** confirmed that **Commissioners Pockl and Segelbaum** would attend the Board meeting this month.

**8. Other Business**

**Commissioner Johnson** offered to be the Planning Commission representative to the Facilities Analysis Task Force.

**9. Adjournment**

**MOTION** by **Commissioner Brookins** to adjourn, seconded by **Commissioner Segelbaum**, and approved unanimously. Meeting adjourned at 9:43 pm.

  
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Amie Kolesar, Planning Assistant

  
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Adam Brookins, Secretary