

Planning Commission

September 14, 2020 – 7 pm

REGULAR MEETING AGENDA

This meeting will be held via Webex in accordance with the local emergency declaration made by the City under Minn. Stat. § 12.37. The public may monitor this meeting by watching on Comcast cable channel 16, by streaming on CCXmedia.org, or by calling 1-415-655-0001 and entering the meeting code 133 637 0497. The public may participate in this meeting during public comment sections by calling 763-593-8060 and following the automated prompts.

Additional information about monitoring electronic meetings is available on the [City website](#). For technical assistance, please contact the City at 763-593-8007 or webexsupport@goldenvalleymn.gov. If you incur costs to call into the meeting, you may submit the costs to the City for reimbursement consideration.

1. Call to Order

2. Approval of Agenda

3. Approval of Minutes

August 24, 2020, Regular Planning Commission Meeting

4. Informal Public Hearing – Zoning Map Amendment – Rezoning of Properties to Achieve Conformance with the 2040 Comprehensive Plan (Group 4)

Applicant: City of Golden Valley

5. Informal Public Hearing – Amendment to Conditional Use Permit No. 145

Applicant: Good Shepherd Church and School

Location: 145 Jersey Ave S

Purpose: To allow for the addition of a second preschool classroom

– End of Televised Portion of Meeting –

To listen to this portion, please call 1-415-655-0001 and enter meeting access code 133 637 0497

6. Council Liaison Report

7. Reports on Board of Zoning Appeals and Other Meetings

8. Other Business

9. Adjournment



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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.

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 the 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.

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.

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.

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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

Televised portion of the meeting concluded at [REDACTED] pm

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.

Adam Brookins, Secretary

Amie Kolesar, Planning Assistant



MEMORANDUM

Planning Department

763-593-8095 / 763-593-8109 (fax)

Date: September 14, 2020
To: Golden Valley Planning Commission
From: Jason Zimmerman, Planning Manager
Subject: Informal Public Hearing – Rezone Properties to Achieve Conformance with the 2040 Comprehensive Plan

Summary

Staff is requesting that 16 properties be considered for rezoning in order to come into conformance with the Future Land Use Map in the 2040 Comprehensive Plan.

Background

State statute requires that all zoning designations be updated to be consistent with the land uses identified in the Comprehensive Plan within nine months of adoption. A number of properties have already been rezoned, or are awaiting a City Council vote at the September 15 meeting. The two areas currently being discussed were initially tabled by the Planning Commission and are now being revisited.

Below is a summary of the timeline of the approval and adoption of the 2040 Comprehensive Plan and the subsequent zoning changes:

Meeting Date	Action
November 13, 2018	Planning Commission reviewed the final draft of the City's proposed 2040 Comprehensive Plan and unanimously recommended it be approved
December 4, 2018	City Council held a public hearing and voted to approve the plan
January 2, 2019	City Council directed staff to submit the plan to the Metropolitan Council for final review
January 22, 2020	Metropolitan Council approved Golden Valley's plan
February 4, 2020	City Council adopted the 2040 Comprehensive Plan and approved the rezoning of the I-394 Mixed Use properties

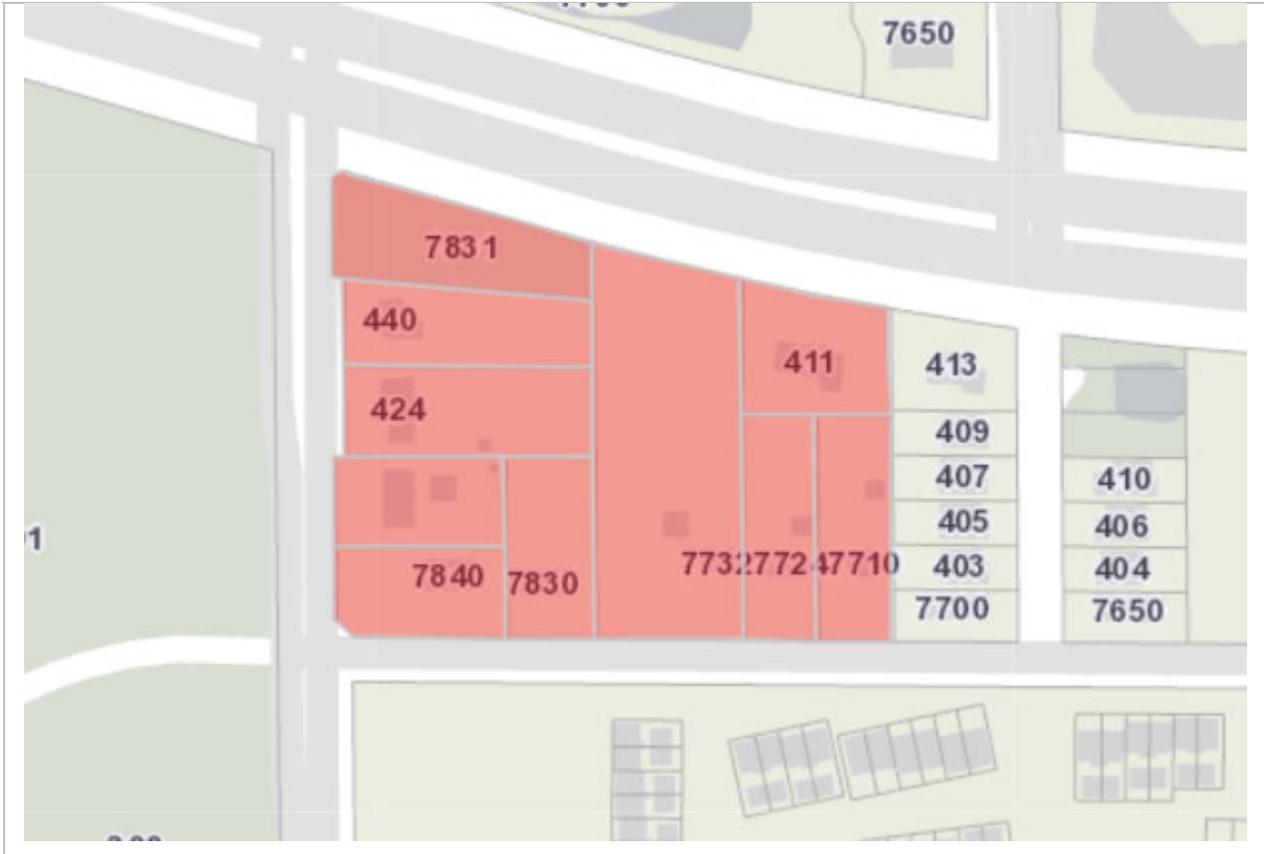
August 4, 2020	City Council approved the rezoning of properties south of Olson Memorial Highway
September 1, 2020	City Council to approved the rezoning of properties north of Olson Memorial Highway and east of Douglas Drive
September 15, 2020	City Council to consider the rezoning of properties north of Olson Memorial Highway and west of Douglas Drive

Analysis

The 16 properties under consideration represent two different areas within the city. They both demonstrate a fulfillment of previous land use changes by the City that were not followed by zoning changes. The 2040 Comprehensive Plan put forward these land use designations again as part of the Future Land Use Map.

No development proposals are pending with the City at either of these locations:

Address	Current Zoning	Proposed Zoning
Group 1		
<i>This group of residential properties in the southeast corner of Winnetka Ave and Hwy 55 was guided for higher density use in the 2030 Comprehensive Plan (adopted in 2010), but ultimately was not rezoned. As part of the land use analysis leading up to the adoption of the 2040 Comp Plan, the Planning Commission felt strongly that guiding these properties for medium density use would provide opportunities for the development of housing that would complement the efforts to strengthen the city's downtown.</i>		
7831 Olson Memorial Highway	R-1	R-3
440 Winnetka Ave N	R-1	R-3
424 Winnetka Ave N	R-1	R-3
400 Winnetka Ave N	R-1	R-3
7840 Harold Ave	R-1	R-3
7830 Harold Ave	R-1	R-3
7732 Harold Ave	R-1	R-3
7724 Harold Ave	R-1	R-3
7710 Harold Ave	R-1	R-3
411 Rhode Island Ave N	R-1	R-3



At its regular meeting on July 13, the Planning Commission discussed the proposed rezoning of this area and eventually tabled the item to allow for additional analysis, including the pending changes associated with a revised R-3 zoning district.

This corner (bounded by Highway 55, Winnetka Ave, and Harold Ave) was the subject of a rezoning proposal in 2011 from R-1 to R-3. This would have aligned the zoning map with the land use designation included in the adopted 2030 Comprehensive Plan. At a Planning Commission meeting in August of 2008, residents expressed concerns regarding building height, traffic congestion at the Winnetka/Hwy 55 intersection, cut through and speeding traffic on Harold Ave, and pedestrian safety (meeting minutes attached).

In anticipation of the rezoning, SEH conducted a traffic study based on the proposed land uses. It found that a senior development, as opposed to a typical multifamily project, would generate fewer trips in the AM and PM peak hours, even with a greater number of units. Potential improvements to Winnetka Ave south of Hwy 55 (additional turn lanes to clear the intersection more quickly) were recommended as a way to mitigate congestion. These changes were implemented in 2015, even without any new development occurring in the area.

At the conclusion of the public hearing, the Planning Commission recorded a split vote (3-3) regarding the rezoning. The City Council, however, denied the rezoning with the findings that traffic would not be supported by local streets and that the potential development would not be

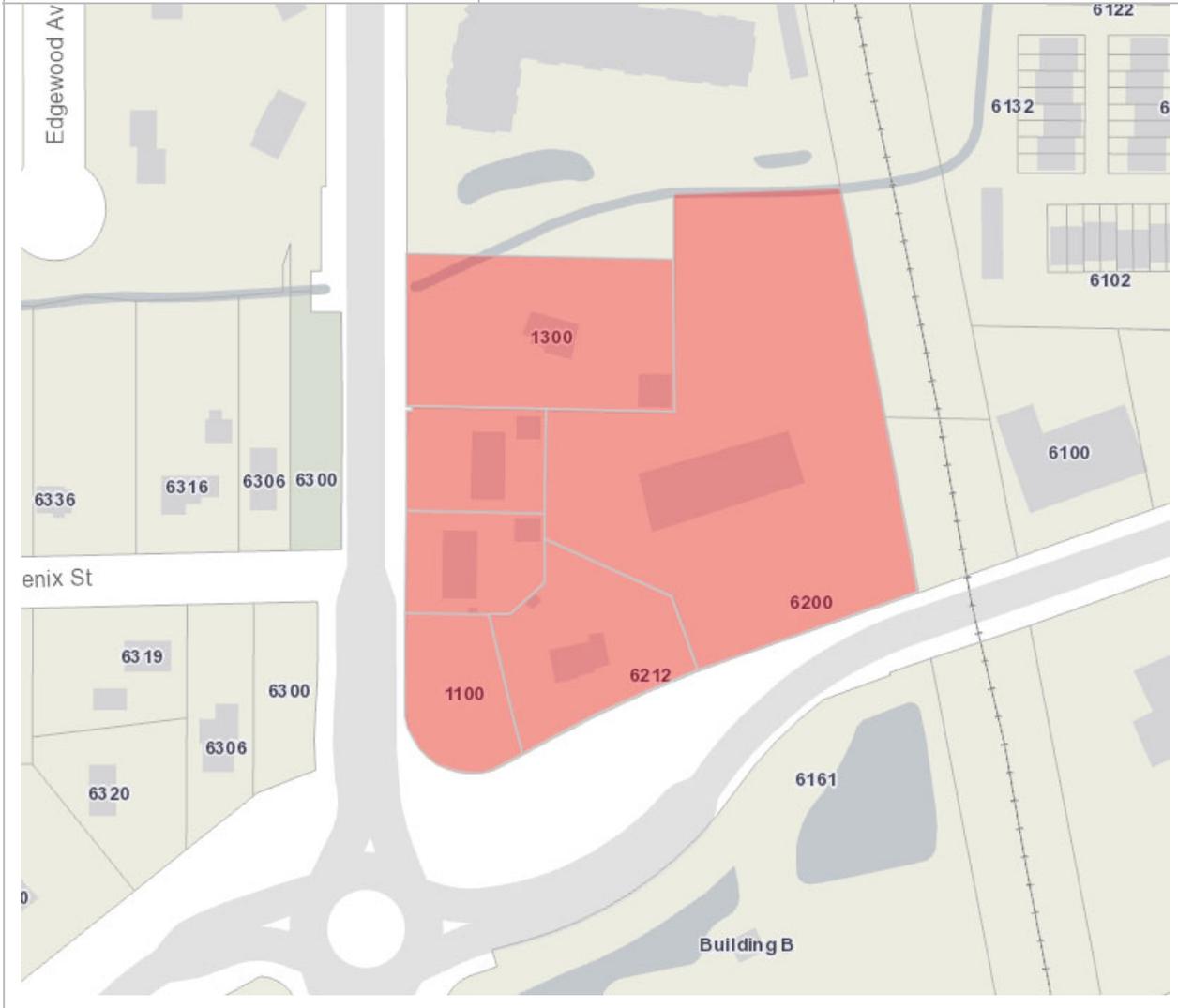
in keeping with the character of the community. Subsequently, the land use map in the 2030 Comprehensive Plan was amended and the area once more guided for Low Density Residential development.

In July of 2018, the Planning Commission examined the area while preparing the draft Future Land Use map for the 2040 Comprehensive Plan. At that time, staff recommended guiding the properties for Medium Density Residential, but the Commissioners debated guiding it for an even greater intensity as High Density Residential due to the location adjacent to the downtown and the likely future development of mass transit on Hwy 55 (meeting minutes attached).

Staff continues to recommend that the properties be rezoned to R-3 in order to conform to the guided land use approved by the City and the Met Council. The proximity to the downtown and Brookview would encourage greater bicycle and pedestrian activity, especially if a new bridge over Hwy 55 and Winnetka Ave were to be constructed. Pending changes to the R-3 zoning district would encourage sustainable amenities such as energy efficient buildings, renewable energy sources, support for electric vehicles, and innovative above-ground stormwater management facilities.

Any potential redevelopment of this area would likely result in the removal of direct access to Winnetka Ave and the use of a shared access point onto Harold Ave to the south. An additional improvement that would likely be required should redevelopment occur would be the construction of a right turn lane on westbound Harold Ave (potentially paired with a stoplight) in order to better facilitate the movement of vehicles onto Winnetka Ave and then to Hwy 55.

Address	Current Zoning	Proposed Zoning
Group 2		
<i>The northeast quadrant of Douglas Drive and Golden Valley Road has been guided for High Density Residential Use since the adoption of the 2020 Comprehensive Plan in 2000. Rezoning these properties for more intense residential use would encourage new development along a recently reconstructed corridor. Existing uses include a vacant property, a single-family property, two duplexes, and a medium density apartment.</i>		
1300 Douglas Drive North	R-3	R-4
1200 Douglas Drive North	R-3	R-4
1170 Douglas Drive North	R-3	R-4
1100 Douglas Drive North	R-3	R-4
6212 Golden Valley Road	R-3	R-4
6200 Golden Valley Road	R-3	R-4



At its regular meeting on August 10, the Planning Commission asked staff to conduct additional research on the history of these properties and previous considerations of zoning changes.

The 2020 Comprehensive Plan (adopted in 2000) designated the northeast quadrant of Douglas Drive and Golden Valley Road as High Density Residential. In 2008, the same area was targeted for a large senior development called Applewood Pointe. As a part of the Planned Unit Development (PUD), these parcels were petitioned for rezoning from R-1 and R-2 to R-4 (High Density Residential). This rezoning would have matched the guided land use and brought the two maps into conformance.

The Planning Commission recommended approval of the PUD and the rezoning to R-4, but the City Council voted to deny the Preliminary PUD Plan and the project was withdrawn. Accordingly, the rezoning did not move forward. Minutes from the Planning Commission in 2008 where the rezoning was discussed are attached. Residents expressed concern regarding building height, impacts to traffic, and the loss of trees.

Three years later, in 2011, staff brought forward a new proposal to rezone the same properties to R-3. Although this was an upzoning, it did not fully comply with the guided land use of the Comprehensive Plan. The Planning Commission recommended approval and the City Council rezoned those properties shortly afterwards. The minutes of the Planning Commission meeting from 2011 are also attached; only one resident spoke at the public hearing.

In 2020, the preceding actions have left a Future Land Use map that continues to guide this corner for High Density Residential use but with a zoning designation of Medium Density Residential (R-3). A change of one of the two maps is necessary to finally bring the two into alignment.

At a Planning Commission meeting in 2018, where a draft Future Land Use map was being discussed in advance of submission to the Metropolitan Council, Commissioners examined this area and agreed to leave it guided for High Density Residential use (meeting minutes attached). This guidance was then approved by the Met Council and adopted by the City Council along with the rest of the 2040 Comprehensive Plan.

Commissioners have since asked for clarification around potential traffic generated by a multi-family building. A traffic study conducted as part of the review of the Applewood Pointe proposal in 2008 found no concerns regarding the number of trips that would be generated by the use – an increase from 178 daily trips to 524 daily trips. Due to the residential nature, these trips would have been spread throughout the day instead of concentrated in an AM or PM peak period. It was determined there was sufficient capacity on Golden Valley Road and Douglas Drive to accommodate the additional trips.

Since that time, Douglas Drive has been reconstructed and a roundabout has been added to the intersection with Golden Valley Road. The City Engineer has confirmed that the traffic flow

associated with a roundabout should move more smoothly and efficiently, with fewer opportunities for serious crashes, as compared to the signalized intersection that was there previously. In addition, any proposal for future development in the NE quadrant would be subject to an updated traffic study to examine trip counts and access to either of the adjacent rights-of-way. When Hennepin County designed the new Douglas Drive, they planned for a full redevelopment scenario with the land uses shown in the Comprehensive Plan, so accounted for the possibility of High Density Residential development at this location.

Staff continues to recommend that the properties be rezoned to R-4 in order to conform to the guided land use approved by the City and the Met Council.

Zoning Requirements

The key aspects of the two zoning designations being considered are listed below:

Medium Density Residential (R-3) Zoning District (as proposed)	
Permitted Uses	<ul style="list-style-type: none"> • Duplexes • Townhouses • Multifamily buildings • Senior and physical disability housing
Conditional Uses	<ul style="list-style-type: none"> • Retail sales, restaurants, and professional offices on a ground floor with direct access to the street
Density Range	<ul style="list-style-type: none"> • 12 units per acre or 17 units per acre with a CUP (up to three additional units per acre available through density bonuses) • Senior/physical disability housing – 20 units per acre or 25 units per acre with a CUP (up to five additional units per acre available through density bonuses)
Height	<ul style="list-style-type: none"> • Four stories or 48 feet • Five stories or 60 feet for senior/physical disability housing with a CUP
High Density Residential (R-4) Zoning District	
Permitted Uses	<ul style="list-style-type: none"> • Multifamily buildings • Senior and physical disability housing
Conditional Uses	<ul style="list-style-type: none"> • Retail sales, restaurants, and professional offices on a ground floor with direct access to the street
Density Range	<ul style="list-style-type: none"> • 50 units per acre or 70 units per acre for senior/physical disability housing • 100 units per acre with a CUP
Height	<ul style="list-style-type: none"> • Five stories or 60 feet • In excess of five stories or 60 feet with a CUP

Should the City chose not to rezone any of these properties, an amendment to the Future Land Use Map would then be required with the Met Council – modifying the recently-adopted 2040 Comprehensive Plan – in order to maintain consistency between guided land use and zoning.

Recommended Action

Staff recommends approval of an amendment to the Zoning Map to rezone the 10 properties in Group 1 from Single-Family Residential (R-1) to Medium Density Residential (R-3).

Staff recommends approval of an amendment to the Zoning Map to rezone the six properties in Group 2 from Medium Density Residential (R-3) to High Density Residential (R-4).

Attachments

List of Affected Properties (1 page)

Maps of Future Land Use and Existing Zoning Designations (4 pages)

Planning Commission minutes of July 23, 2018 (3 pages)

Planning Commission minutes of August 22, 2011 – Harold and Winnetka (9 pages)

Email from Resident dated July 19, 2020 (2 pages)

Planning Commission minutes of August 11, 2008 – Douglas Drive and Golden Valley Road (8 pages)

Planning Commission minutes of November 4, 2011 – Douglas Drive and Golden Valley Road (3 pages)

Email from Resident dated September 9, 2020 (1 page)

List of Affected Properties

Address	Current Zoning	Proposed Zoning
7831 Olson Memorial Highway	R-1	R-3
440 Winnetka Ave N	R-1	R-3
424 Winnetka Ave N	R-1	R-3
400 Winnetka Ave N	R-1	R-3
7840 Harold Ave	R-1	R-3
7830 Harold Ave	R-1	R-3
7732 Harold Ave	R-1	R-3
7724 Harold Ave	R-1	R-3
7710 Harold Ave	R-1	R-3
411 Rhode Island Ave N	R-1	R-3
1300 Douglas Drive North	R-3	R-4
1200 Douglas Drive North	R-3	R-4
1170 Douglas Drive North	R-3	R-4
1100 Douglas Drive North	R-3	R-4
6212 Golden Valley Road	R-3	R-4
6200 Golden Valley Road	R-3	R-4

Group 1

Future Land Use

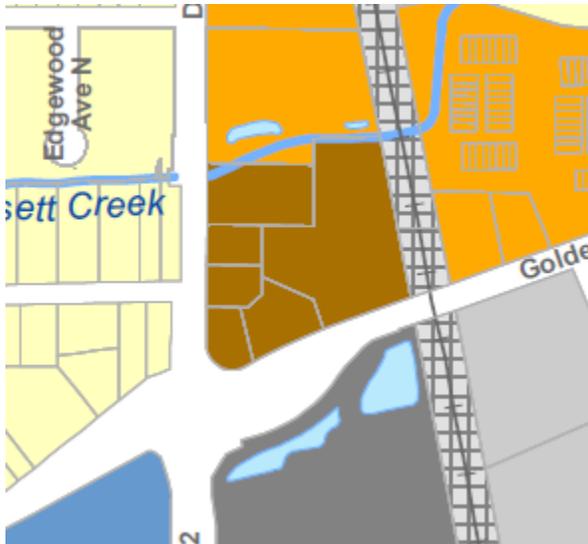


Current Zoning

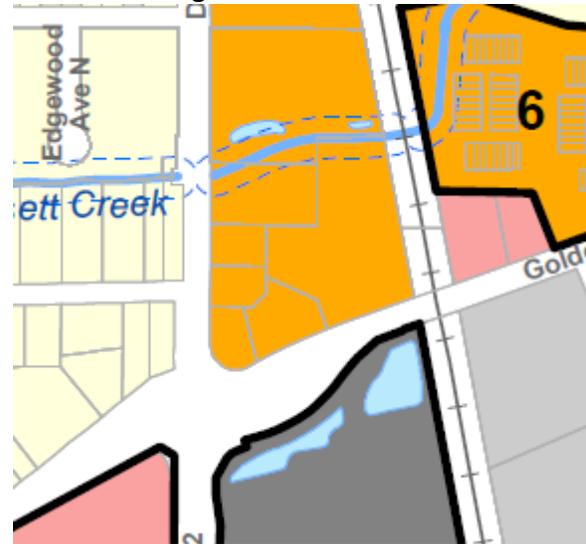


Group 2

Future Land Use



Current Zoning



Regular Meeting of the Golden Valley Planning Commission

July 23, 2018

A regular meeting of the Planning Commission was held at the Golden Valley City Hall, Council Chambers, 7800 Golden Valley Road, Golden Valley, Minnesota, on Monday, July 23, 2018. Chair Baker called the meeting to order at 7:03 pm.

Those present were Planning Commissioners Baker, Black, Blum, Brookins, and Pockl. Also present were Planning Manager Jason Zimmerman, Planning Intern Amy Morgan, and Administrative Assistant Lisa Wittman. Commissioners Angell, Johnson, and Segelbaum were absent.

1. Approval of Minutes

July 9, 2018, Regular Planning Commission Meeting

Black noted that the date was missing from the first paragraph.

MOVED by Brookins, seconded by Blum and motion carried unanimously to approve the July 9, 2018, minutes with the above noted correction.

2. Discussion – Future Land Use Map

Zimmerman stated that the City Manager would like the Planning Commission to review the proposed Future Land Use Map again to make sure they are comfortable with it going forward. He referred to the Map and said there are five areas that he would like the Commission to focus on.

The first area Zimmerman discussed is the MnDOT and State Highway Patrol site at Duluth Street and Highway 100. He stated that the proposed Future Land Use Map has this property guided for mixed use. He explained that the property owners are preparing a master plan to improve the site and have said they are not intending on leaving so staff is proposing to re-guide the property to match the current use instead of guiding it Mixed Use.

Baker questioned the access to the green area on the southwest corner of the site. Zimmerman stated that there is an office building located on that corner, but that there is an existing trail and public access to the green space.

Blum stated that he has been in this facility and that it is used mostly for storage for vehicles. He said he agrees that there is a lot of potential for this site and is happy they are preparing a master plan to improve it.

Brookins asked what uses could occur at this site based on the current zoning. Zimmerman stated that it would probably be zoned for a civic use and that a PUD could be needed as a part of their master plan.

Baker asked if a PUD would constrain them from selling off part of the property. Zimmerman said no, but there would need to be a PUD amendment done if that happened.

The next area Zimmerman discussed is the corner of Golden Valley Road and Lilac Drive. He stated that there is still an applicant considering a senior living facility for these properties and added that the applicant's proposal will be amended to include fewer units and less height/massing.

Black asked if the recommendation is to guide these properties Low Density Residential. Zimmerman said yes, staff is recommending that the properties remain Low Density.

The next area Zimmerman discussed is the northeast corner of Golden Valley Road and Douglas Drive. He stated that staff is not suggesting a change for this corner and that the vision for the area is the same, he is just looking for confirmation that it should remain guided for high density residential and if that is the right use of this corner. Baker asked if anyone has expressed concerns about this corner being designated for high density residential. Zimmerman stated that during the last Comp Plan update it was guided and rezoned to High Density Residential and some residents were opposed to that so the properties were rezoned to Medium Density.

Blum asked about the properties to the north of these. Zimmerman stated that the apartments and condos are staying.

Baker asked if High Density Residential fits with the Douglas Drive Study. Zimmerman said yes, it is consistent with the Douglas Drive Study to guide these properties High Density Residential.

Baker asked if public access along the creek is something that could be included with these properties. Zimmerman said yes because any development done here would probably require a PUD so there could be opportunities to include access along the creek.

Brookins said he is concerned that the parcels might not get developed if they are guided High Density Residential. Zimmerman noted the Medium Density might not work, but higher density encourages development in some ways.

The next area Zimmerman discussed is the southeast corner of Winnetka Avenue and Highway 55. He stated that the area is currently guided Low Density Residential and that the proposed Future Land Use Map guides it Medium Density Residential. He stated that there is the challenge of many separate property owners and there is concern about traffic among other things. He added that Medium Density would allow for a senior living facility and that a higher density use might be too much for some neighbors, but leaving it R-1, Low Density would be a disservice.

Baker asked how to go about building consensus about something being developed here. Zimmerman stated that a developer would build the narrative because the City isn't

proposing a project, but rather saying what the appropriate land use would be and helping address concerns.

Blum asked if the HRA could engage in buying the parcels to make a larger development and market it that way. Zimmerman noted that the City owns one of the lots, but the Golden Valley HRA does not have a levy like some other cities do. Baker said he thinks the City needs to be more active with this development. He asked if the parcels involved are owner occupied or if they are rentals. Zimmerman said there are some rental properties, but most of them are owner occupied.

Zimmerman asked the Commissioners how they feel about guiding these properties Medium Density and added that he'd rather be more conservative about the density rather than allowing for higher density right away. Brookins said he sees High Density as a better option. Baker said starting with Medium Density and going to High Density might seem incremental and he doesn't want it to look like the City is playing games. Zimmerman added that if these properties are rezoned to R-4 a developer could build an apartment building without any affordable housing because they wouldn't need to apply for a rezoning which would trigger the affordable housing requirements.

Brookins reiterated that he thinks this area should be high density especially with the amenities across Highway 55. Blum agreed and noted that when high density development has been discussed in the past they've talked about putting it on busier streets, highways, or major road intersections. Baker agreed that there are a lot of good reasons to zone these properties R-4. Zimmerman noted that if the intersection can't handle the traffic of a high density development that might bring the density of a development down and naturally solve some of issues.

Blum referred to the area by Wally Street to the west and said that is another island of single family homes surrounded by more industrial type uses and questioned if that area should also be designated for higher density. Zimmerman stated that one of the big challenges in that area is that there is only one entrance into the neighborhood off of General Mills Blvd.

Baker said he is supportive of higher density at the corner of Winnetka and Highway 55. Black asked if the City envisions higher density at this location. Zimmerman said yes, the City envisions some sort of higher density, but a traffic study will show better what type of use would work here. Pockl said she agrees with High Density Residential in this area and asked if there is a way to envelope the homes to the east across the street to Rhode Island Avenue. Zimmerman stated that the homes on Rhode Island Avenue are all brand new.

The last area Zimmerman discussed was the properties on the west side of Winnetka Avenue south of Medicine Lake Road. He stated that the properties he is referring to are currently an office and a single family home. He said that there is not a demand for office in this area and the owner thinks a commercial use might be better. The neighborhood did not like the idea of a commercial use in this area and staff thinks Medium Density Residential might work here.

8. Site layout shall be as indicated on the site sketch filed in the City Planning Office. The four-foot wide strip shown on the site sketch as running along the perimeter of the main building and extending into the setback area on the property's west side shall be a sidewalk only. In addition, there may be an overhanging roof line extending no more than 30 inches into the setback area.
9. The station is allowed to be open for public business 24 hours per day.
10. The dumpster area shall be fully shielded from view.
11. The site shall meet all other City and State requirements.
12. Failure to comply with any of the terms of this permit shall constitute grounds for revocation.

The Planning Commission bases its recommendation on the following findings:

- The significant neighborhood contributions that SuperAmerica is making
 - Agreement to the 12 conditions of approval especially the improvement in lighting and noise issues
- 3. Informal Public Hearing – Property Rezoning – Properties located north of Harold Avenue, south of Highway 55, west of Glenwood Avenue and east of Winnetka Avenue. The properties west of the Spirit of Hope United Methodist Church are proposed to be rezoned to “*Medium Density (R-3) Residential*” and the properties to the east of the Spirit of Hope United Methodist Church are proposed to be rezoned to “*Moderate Density (R-2) Residential*.”**

Applicant: City of Golden Valley

Addresses: Properties located north of Harold Avenue, south of Highway 55, west of Glenwood Avenue and east of Winnetka Avenue

Purpose: To bring the properties into conformance with the recently updated General Land Use Plan Map

Hogeboom explained that the City's updated Comprehensive Plan was adopted in 2010. As part of that process the City is required by the State to make sure the General Land Use Plan Map, which is part of the Comprehensive Plan, is compatible with the Zoning map.

He referred to a map of the subject properties and explained that area A is the property north of Harold Avenue, south of Highway 55, east of Winnetka Avenue and west of the Spirit of Hope Methodist Church. These properties are proposed to be rezoned to Medium Density (R-3) Residential. Area B on the map includes the properties located north of Harold Avenue, south of Highway 55, west of Glenwood Avenue and east of the Spirit of Hope Methodist Church and are proposed to be rezoned to Moderate Density (R-2) Residential. He added that the R-3 zoning district would allow a development with up to 4 stories and 12 units per acre if it is non-senior housing. Senior housing would be allowed by Conditional Use with no specific density and height up to 5 stories. The R-2 zoning district would allow development with up to 8 units per acre for single family homes, duplexes, twin homes or small townhouse developments.

Hogeboom stated that the City has been contacted by different developers regarding this property throughout the years but that no developer has ownership of all of the parcels in question.

Hogeboom noted that the City held an open house in June and some of the comments from people who attended the open house included concerns about the potential height of buildings, tree preservation and rising levels of traffic. He stated that Harold Avenue is planned to be reconstructed in 2012 and the zoning of these properties will help guide the design of Harold Avenue. Hogeboom reiterated that action must be taken by the City to either rezone the properties to match the General Land Use Plan Map or re-designate the General Land Use Plan Map to match the Zoning Map.

Waldhauser asked Kotila to explain proposed plans for Winnetka Avenue. Kotila explained that there is an existing operational issue on Winnetka as well as concern about increases in traffic demand as a result of future development, enough that the City has applied to MnDOT for some cost participation to improve Winnetka Avenue at the Highway 55 intersection. He referred to a map of the area and discussed the proposed intersection design and how it would help the intersection operate more safely and efficiently.

Cera asked if the proposed intersection changes are planned regardless of what happens to the future development of these properties. Kotila said the need for the improvements currently exist but parts of the plan could change depending on what type of development occurs.

Larry Kueny, 7303 Ridgeway Road, referred to a section in the Comprehensive Plan that states all owners shall jointly petition for rezoning. He asked how many people have asked for this rezoning and how the City knows what is best for these people and for property values.

Lee Brant, 7631 Harold Avenue, stated that she understood that the south bound lane on Winnetka would stop at the entrance of Brookview; now the lane seems to go south of the entrance of Brookview. She is also concerned about the removal of park land and trees. She asked if the properties were rezoned to R-3 how residents would know if something else, such as apartments or something other than senior housing would go there instead.

Kathy Welander, 440 Idaho Avenue N, asked if there is any definition of what level of housing would be built from luxury to low income. If there is low income housing she questioned the level of crime and said she doesn't want people to come into their area that might raise crime.

Gerry Deters, 7710 Harold Avenue, said he is concerned with how property taxes will be affected if the properties are rezoned. He added that most of the neighbors have no desire to move. He said he is under the impression that the proposed rezoning shouldn't affect their property values but he doesn't want his taxes to skyrocket as a result of this rezoning. He asked if there is a plan B or C if no developer comes in.

Brian Hillins, 340 Louisiana Avenue N, said that what the City is not telling property owners is that when the properties are rezoned, owners will not be allowed to make changes or additions to their homes and are being forced out. He asked about the definition of non-compatible and urged the Commission to think about the amount of traffic with the proposed lane expansion and the safety of pedestrians. He stated that there is currently a lot of inventory of medium and high density properties and asked why there is a need for more and what the purpose is for adding more. He asked who is asking for this rezoning and read from the City's vision guide and asked if this proposed rezoning matches the vision guide and if it is really the right thing to do.

Sally Levens, 7811 Ewald Terrace, said something needs to be done about the traffic that backs up on Winnetka and the people who don't stop. She said there are lilies in the boulevard area that she is supposed to maintain but she is unwilling to risk her life in the traffic. She said that Winnetka Avenue doesn't need to be enhanced to make Highway 55 better and asked how many units of housing could be built. She added that she doesn't think it is safe or responsible to have higher density at this corner.

Ed Chesen, 7507 Harold Avenue, said he agrees with his neighbors that rezoning these properties would be a big mistake. He said he didn't get a clear report on the comments from the June open house and there is no reference to what happens to property values and the whole make-up of the neighborhood. He said rezoning these properties is going to destroy a neighborhood and he gets the impression that no one is interested in hearing them.

Dale Berg, 7040 Western Avenue, said he agrees with everything that has been said. He said he has heard little from the City regarding the reasons for doing this. He said he is concerned about mass transit and that there is already enough traffic on Louisiana due to Lion's Park. There is also not enough parking at Lion's Park and he hasn't heard anything about any type of environmental assessments regarding flooding. He said there is a natural barrier and you can't see or hear Highway 55 from his neighborhood and now he is going to feel like he is living in downtown Minneapolis with multi-level housing. He suggested the City buy the properties and give low interest home loans to young families with kids.

Alan Ingber, 7360 Half Moon Drive, said he agrees with what has already been said. His concern is that Ridgeway Road will become more of a freeway with higher levels of traffic trying to get to I-394 and Laurel.

Les Heller, 7525 Harold Avenue, said there has been no talk about traffic on Harold Avenue. If these properties are developed the traffic will be like a funnel because there are constant problems at the corner of Harold and Winnetka. He asked if this rezoning is being done because of a developer. He added that the traffic really needs to be thought about because there are going to be massive problems. He said he thinks this is a really bad idea and maybe the City can work on getting the area fixed up and the homes occupied instead.

Erik Pedersen, 130 Louisiana Avenue N, said he did not buy his house with the intention of seeing a well-established neighborhood be overdeveloped with townhomes. He asked what City need this proposal serves and who asked for it because if there are actual people

involved who have asked for this, he deserves to know or if it is just a corporation pushing their agenda he deserves to know that too. He said if Winnetka is made wider it will only encourage more traffic on Winnetka because it is a thoroughfare and was made to be thoroughfare. He said the City is going in the wrong direction with these proposals and should be putting stop signs at every intersection to make it possible for families to cross the road and get into the park because cars don't stop. He added that everyone who is not a resident should be deterred from driving through this area and this proposal should not even be considered because it goes against everything in the vision guide for Golden Valley.

Fred Gross, who lives in Burnsville, and owns the property at 7200 Harold Avenue, asked if it was true that if the properties are rezoned homes can't be improved. He said somewhere, somebody thinks this is a good idea but he is not sure that it is. He asked if the City has considered ignoring what the non-elected Metropolitan Council has said or has considered changing the City's vision to match the current zoning instead. He added that no one is "chomping at the bit" to have more traffic on Harold, Ridgeway or Winnetka. He asked if the City would consider condemning these properties if the owners decide not to sell.

Julie Johnson, 300 Edgewood Avenue N, said she hasn't heard anything about the impact to Glenwood Avenue. She said she doesn't think this will only impact this small area it will impact the whole southern part of Golden Valley. She said she agrees with everything that has been said and she is totally against this proposal.

Beverly Weinberg, 7523 Harold Avenue, said she has a major concern about the left hand turn from Harold onto Winnetka. She said at this time it is difficult and dangerous and if the traffic is heavier it will be almost impossible and will be asking for accidents.

Schara Jesse, 743 Winnetka, said Ridgeway is a cut through thoroughfare and this development will escalate the problem. She said this issue comes up every decade and petitions have put a stop to it. She said the residents should get together and get a petition going. She suggested people call the City Council to find out who is asking for this and questioned if it is United Properties. She said she doesn't like this proposal.

Kluchka said he categorized the questions into traffic, property and legal and asked Grimes to talk about his experience on how values and taxes are impacted by rezoning and by redevelopment. Grimes explained that taxes are set by Hennepin County based on the value of the property and its use. He referred to Area A and stated that if that area is rezoned to R-3 the existing properties will become non-conforming which means the homes can remain and be maintained and improved but they can't be expanded. In Area B the existing homes would be considered a permitted use in the R-2 zoning district so they could be expanded. He said he doesn't feel that rezoning these properties would decrease their value because it would be in effect "up zoning" which means they could have a higher value.

Kluchka said the next issue is why there is a need for this rezoning. He said he is thinking about trends and how cities need to be responsible in meeting needs in appropriate ways such as providing senior housing. Grimes agreed there is a large aging population in

Golden Valley. He stated that the Planning Commission and City Council provided for additional types of housing opportunities during the Comprehensive Plan Amendment process. He added that Golden Valley is an attractive location as an inner ring suburb and unfortunately the Comprehensive Plan Amendment meetings and open houses don't draw large audiences because the entire City is being reviewed, not just certain areas.

Waldhauser stated that the vision for the City, including this area did come from the City's residents with direction from the Metropolitan Council. She agreed that Golden Valley is a changing community and the Comprehensive Plan update sought to find a balance between good change and preserving what's best of Golden Valley.

Grimes referred to the question regarding the General Land Use Plan Map being required to be compatible with the Zoning Map and explained that the City Attorney's opinion is that the two maps should be compatible. He stated that the City could re-designate the properties back to single family residential but the Metropolitan Council looks at the metropolitan area as a whole in regard to transit, sewer, highways, etc. so Golden Valley likes to work together with the Metropolitan Council because not working with them may affect things like grants. Kluchka added that the City and the broader community get a benefit from meeting Metropolitan Council's goals and objectives. Grimes explained that according to Metropolitan Council projections there needs to be room in the metro area for another million people and it saves taxpayer money to develop or redevelop property already served by sewer, water and transportation.

Kluchka asked if there is another plan in place for these properties if a development doesn't occur. Grimes stated that the development community is waiting to hear a decision from the City regarding the zoning of these properties. He added that the City Council has stated they will not use condemnation to develop these properties. It will have to be done by developers purchasing the properties at market rate. Waldhauser agreed that the City is not in the position to buy these properties.

Kluchka asked if the City can control the type of development on these properties. Grimes stated that more than likely the properties will be a senior housing type of development. He explained that the traffic patterns for senior housing could work well in this location and that the City has latitude in approving things like landscaping plans and traffic plans as part of the Conditional Use Permit or Planned Unit Development process.

Waldhauser said she appreciates that people who live in the area see things she doesn't, but it seems like there are some long-term traffic issues in this area that this particular rezoning may or may not impact.

Grimes referred to the question asked regarding environmental issues such as flooding and noted that those types of issues will be addressed at the time of development.

Kotila referred to the safety issues that have been discussed and explained that he recognizes the need for pedestrian improvements at Winnetka and Harold. He discussed how traffic backing-up on Highway 55 makes every movement more difficult so fixing those issues should help alleviate some of the concerns. Kisch asked if increasing capacity would

also increase demand. He also asked about implementing other safety and speed control measures. Kotila explained the approach is to try and serve the existing traffic demand and that he realizes some of the traffic will be dispersed to other locations. He stated that part of the Harold Avenue reconstruction project includes constructing a fairly narrow two-lane roadway which should help moderate the speed at which people drive.

Grimes referred to the question regarding what type housing could be built this location. He stated that the City has no control over housing being low-income versus market rate. Waldhauser noted that the City tries to disperse its housing types.

Ed Chesen, 7507 Harold Avenue, asked why both areas couldn't be rezoned to R-2. Waldhauser stated that that Area A is at an intersection that faces a commercial district and a highway which provides a better opportunity for additional housing. She said her opinion is that Golden Valley is a fairly urban community and is a part of the City and in order to be a vibrant community and attract people who want to live here there needs to be community services, convenience, walkability and transit. Chesen said the way the properties are going to be developed isn't going to attract those types of people because senior housing is what has been proposed. Hogeboom showed a map illustrating the ownership of each parcel in Area A. Chesen stated that United Properties has attended meetings and questioned why they have been allowed to speak if the issue really is whether or not to rezone the properties. He said it sounds to him like a deal has already been done. Kluchka stated that developers are a part of the community and are welcome to attend City meetings. He said he wants it made clear that there is no malfeasance or arrangement happening outside the law. Chesen said he has stated nothing but the facts. Hogeboom stated that United Properties has made no official application submittal to the City.

Fred Gross, 7200 Harold Avenue, asked if the City has considered selling part or all of Brookview Park to satisfy the Metropolitan Council and to meet its vision. Kluchka said it has been discussed in the past. Grimes added that a large portion of Brookview is in a flood plain.

Brian Hillins, 340 Louisiana Avenue N, said the Commission still needs to answer the question of who is asking for this rezoning. He said he hasn't heard anything discussed but trends and told the Commission not to believe everything they read. He asked if these properties are bank owned why there aren't for sale signs on them. He said he thinks there is opportunity for developers and personal homeowners, himself included, to consider doing a "flip" and asked why that opportunity is only available to the private community and not the public community. He stated there are currently 190 homes, condos, townhomes and twin homes for sale in Golden Valley and told the Commission to think about the tax revenue of those 190 homes versus throwing somebody into an 800 square foot apartment. The "bigger bang" would be to encourage people to buy these properties, increase the value and get more property taxes rather than building a 5-story building with minimal property taxes which would drive everybody else's values down. Grimes referred to the question of who is asking for this and reiterated that the Planning Commission and City Council chose to re-designate this area on the General Land Use Plan Map.

Diane Stelow, 7335 Ridgeway Road, asked if these properties could have driveways entering and exiting on Highway 55 to get the traffic out of the neighborhood. Grimes said that MnDOT has said no.

Kluchka said it is not hearsay that the population is changing so when they are asked who is asking for this rezoning the City Council has to look long-term at the broader needs of the community. McCarty added that the Metropolitan Council is asking for it because there needs to be more room to accommodate additional people so the Planning Commission's charge was to figure out the best way to utilize the property the City has.

Erik Pedersen, 130 Louisiana Avenue N, asked if Golden Valley has any 5-story buildings next to residential property. Grimes said yes and mentioned Calvary, Covenant Manor and Laurel Terrace Apartments as examples. He asked how many empty buildings there are downtown and asked the Commission if they really believe it is in Golden Valley's best interest to solve the senior housing problem. He said Golden Valley is a small suburb in a big metro area and people will go where the housing opportunities are. He said he doesn't hear a single tax payer/voter asking for this. He added that if the City goes ahead and does this they are doing it without any regard to what the people who live in the neighborhood think.

Fred Gross, 7200 Harold Avenue, asked if it is possible that Central Bank does not have these properties marketed for sale because it is in their best interest to hold onto them for a developer interested in buying them. He asked why there are not any developers at this meeting and why there aren't any neighbors in attendance saying that this is a wonderful idea. Grimes agreed that Central Bank is more than likely waiting for the outcome of this rezoning proposal before they put the properties on the market.

Les Heller, 7525 Harold Avenue, said people don't come to public hearings because they feel they don't have a voice in their government. That what they say goes in one ear and out the other. He said if something is this important it should be front page news and every resident should get a letter.

Seeing and hearing no one else wishing to comment. Waldhauser closed the public hearing.

Cera proposed to split the areas into two votes. Waldhauser started with Area B. She stated that having worked on the Comprehensive Plan update process she really does feel that the Plan was aired in many ways. She feels the City is changing and people need to change with it. She said that for commercial development to survive there needs to be density around it. She feels this area is a great place for a more dense development that will help get better transit and will help get some of the traffic off the local streets. She said she thinks there has been forward thinking and this proposed rezoning has the best interest of the community at heart.

Kisch said he is concerned about the rights of home owners being able to improve their properties in Area A. He said that rezoning Area B to R-2 doesn't change property owners' rights at all and won't impact what is there right now and will only be changed as the

market dictates. He added that the traffic concerns are valid and need to be addressed. Cera agreed.

Schmidgall said he is in favor of recommending approval of the proposed rezoning for both areas. He said this is all long term planning and the homes in Area A could stay forever. He said they've talked a long time about providing a variety of housing types in Golden Valley including higher density for an aging population and there could be a very attractive development built in this area. He said he really tries to sort out the concerns he hears during public hearing and thinks the traffic issues are a legitimate concern but people worry about change and prefer the evil they know to the evil they don't. He said he really doesn't think there is an incentive for a developer to build something undesirable at this location.

Kluchka said this meeting was a great opportunity to hear from the residents in the area. He said he is conflicted on how he feels about rezoning these properties and he wants the traffic concerns further studied before he can support the rezoning.

McCarty agreed that traffic does need further study. He said there is a problem with houses sitting vacant and people shouldn't be pushed into single family homes because that is part of the reason the economy is how it is today. He said he also agrees with the need for increased density and even though it's difficult to hear from the neighbors, rezoning this property is for the overall good of the City so he is inclined to support the proposal.

Kluchka asked about the opportunity to hear more about the traffic and safety concerns before the rezoning is considered by the City Council. Grimes stated that when the Comprehensive Plan was updated and re-designated to a higher density category, the traffic was studied using various development scenarios. Kotila noted that the City Council has received the forecasting report and specifics related to the proposed density. Grimes added that the transportation section of the updated Comprehensive Plan was done after the land use section so the City could be sure that traffic issues were managed.

MOVED by Cera, seconded by Kisch and motion carried 5 to 1 to recommend approval of rezoning Area B from Single Family (R-1) Residential to Moderate Density (R-2) Residential. Cera, Kisch, McCarty and Waldhauser voted yes. Kluchka voted no.

Kisch said the issue in Area A lies in the rights of the property owners' ability to make changes and add value to their homes and rezoning to R-3 limits what can be done. He said he agrees that the City needs a diverse group of housing choices because it makes for a more solid and vibrant community, but he also needs to see what the traffic impacts are really going to be. McCarty noted that until it is decided what kind of development is going to be built, the traffic impacts are unknown. He added that he doesn't see these properties being used long-term for single family housing.

Kluchka said his concerns are also about the traffic. He said he would like to look at rezoning the properties to Mixed Use instead of R-3 because he wants this area to contribute more to the neighborhood. Cera agreed that the idea of Mixed Use is intriguing in this area. He said properties zoned R-3 could sit for a while and go downhill. He said R-2 might be a better choice. He added that there is a roomful of citizens who have concerns

that should be listened to and he can't support R-3 at this location. He could support R-2 or discussing Mixed Use. Kisch said a Mixed Use zoning designation would cause a bigger issue with traffic. He said this is a stab at planning for the future and it can be rezoned or re-designated in the future if needed.

Waldhauser said she is torn between rezoning Area A to R-3 or R-2 because R-2 doesn't provide the opportunity for potential senior housing. She said she is not optimistic that a developer will want to develop these properties as single family or two-family homes. Grimes suggested studying the possibility of allowing senior housing in an R-2 zoning district with a Conditional Use Permit. Kisch asked if the City could issue a Conditional Use Permit to allow a non-conforming use to be expanded. Grimes said he would talk to the City Attorney.

MOVED by Schmidgall, seconded by McCarty and motion tied to recommend rezoning Area A from Single Family (R-1) Residential to Medium Density (R-3). Commissioners McCarty, Schmidgall and Waldhauser voted yes. Commissioners Cera, Kisch and Kluchka voted no.

--Short Recess--

4. Reports on Meetings of the Housing and Redevelopment Authority, City Council, Board of Zoning Appeals and other Meetings

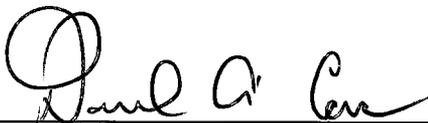
Waldhauser stated that the Board of Zoning Appeals would like to Planning Commission to address the issue of covered and uncovered porches and landings. Hogeboom said he would discuss the issue with the Board at their next meeting.

5. Other Business

No other business was discussed.

6. Adjournment

The meeting was adjourned at 10:03 pm.



David A. Cera, Secretary

July 19, 2020

Hi,

I attended the Planning Commissions Informal Hearing regarding the Amendments to Zoning Map. As it became apparent during the meeting there are concerns over the rezoning of Group 3 (aka area between Hwy 55 and Harold Ave + Winnetka and close to Rhode Island).

I was the party that had asked about if R-2 Zoning had been considered. After the discussion by the parties on the commission on my question, I had some additional thoughts/questions on the Zoning change:

1. One commission member had advised R-2 was no considered as this zoning allows for Duplex's. Why would a duplex be worse than a 4-5 story building with 100+ units? Couldn't a Homeowners Association build duplexes (twin homes) where the exterior would be maintained, as I have seen in many other suburb's? Plus there is already on twin-home/duplex in the area of consideration.
2. Why was R-3 zoning considered for this area, as there is no other zoning of this type along Hwy 55 from Brookview Park to Hwy 100? There is only a small R-3 condo complex (older apartments turned condo?) from Brookview to Hwy 169. This does not seem to be in line with the area's current ascetics. The closest R-3 is much closer to 394 and in an area much more aligned with easy access to the freeway system and larger concentration of public transportation.
3. Would an R-3 zoning realistically bring in an age group that would be interested in using the city's downtown? This area seems to be much more family or couple orientated, while the R-3 would likely bring units for younger singles or senior residents. The young single person would likely want to live were there is walking to groceries, night life, and close to major public transportation line. Other than the night life, these are what senior residents would want too. Currently there is minimal public transportation on Winnetka.
4. Based on use I have seen in the GV downtown, wouldn't an R-2 bring in more of the demographic that actually has interest in utilizing our Downtown and a larger portion of Brookview?
5. R-2 would retain more green space and be more in line with the immediate neighborhood (Vallee D'Or and Rhode Island single family homes)? The remainder of the neighborhood, until close to 394, is R-1 single family homes.
6. If R-3 zoning increased to larger proposed density (20 units per acre or 30 units per acre – senior):
 - a. Would this area be able to reasonably support this? As the corners of Winnetka/Hwy 55 and Glenwood/Hwy 55 are already backed up during rush hours (in a "regular" world).
 - b. Would the units for an R-3 zoning be of a size that would bring in people that would be interested in living in this area?

7. Is there a Developer interested in building a Senior Residence? As this area was repeatedly referenced as being used for this purpose. Advising a walk bridge over Hwy 55 would be created to aid Seniors in utilizing the Senior Center and Downtown GV.
 - a. If there is a developer: Could a rendering of the proposed development be provided?
 - b. If there is not a developer, why was there discussion assuming the area of discussion would be developed into a Senior Residence? As R-3 allows for Apartments, Condos, townhouses, etc. to be built.
8. Would Seniors actually use a walkway over Hwy 55 to GV downtown?
9. Another thought on R-3 density adjustments: As R-3 density has increased, has there been any discussion on adjusting R-2 density? Should R-2 be adjusted to allow for 10 or 12 units per acre (I believe I read this is currently 8 units per acre) and, maybe, townhomes that would align with this density? Then R-3 could have a density starting at 11 or 13 units to 20 units per acre density allowing for larger density townhomes, condos, apartments, and senior residences.

Thank you for your time,
Tina Prokosch (7601 Harold Ave)

**Regular Meeting of the
Golden Valley Planning Commission**

August 11, 2008

A regular meeting of the Planning Commission was held at the Golden Valley City Hall, Council Chambers, 7800 Golden Valley Road, Golden Valley, Minnesota, on Monday, August 11, 2008. Chair Keysser called the meeting to order at 7 pm.

Those present were Planning Commissioners Cera, Eck, Keysser, Kluchka, McCarty, Schmidgall and Waldhauser. Also present was Director of Planning and Development Mark Grimes, City Planner Joe Hogeboom and Administrative Assistant Lisa Wittman.

1. Approval of Minutes

June 23, 2008 Regular Planning Commission Meeting

MOVED by Eck, seconded by Cera and motion carried unanimously to approve the June 23, 2008 minutes as submitted.

2. Informal Public Hearing – Property Rezoning – ZO12-16

Applicant: City of Golden Valley

Address: Northeast Corner of Douglas Drive and Golden Valley Road

Purpose: To make the zoning designation consistent with the General Land Use Plan map designation

Grimes referred to a location map and explained that this is a proposal to rezone 5.6 acres on the northeast corner of Douglas Drive and Golden Valley Road to the R-4 High Density Residential zoning district in order to make it consistent with the current General Land Use Plan map. He stated that the properties are currently zoned R-1 Single Family Residential and R-3 Medium Density Residential.

Grimes explained that in 1999 the City adopted the current General Land Use Plan which designated these properties high density. Since that time staff has not recommended rezoning the properties even though state statute requires that zoning maps and general land use plan maps be consistent. He explained that staff is now recommending these properties be rezoned because there has been a request to construct 175 units of housing which is approximately 30 units per acre. He stated that staff is recommending approval of this rezoning because it is consistent with the General Land Use Plan map dating back to 1999.

Kluchka asked why the City is proposing this rezoning now. Grimes stated that the City is proposing this rezoning now because United Properties is proposing to build 175 units of senior housing and the City's General Land Use Plan map and Zoning map have to match. He stated that this rezoning probably should have been done sooner.

Schmidgall asked if it would be an option to make the General Land Use Plan map match the Zoning map instead of the other way around. Grimes stated that the City Council has the right to change the General Land Use Plan map how they want. The current policy of the City as shown on the General Land Use Plan map is high density residential. Within the past year, the Planning Commission has suggested as part of the Comprehensive Plan update that these properties remain designated high density because this is a logical location for higher density development in Golden Valley.

Keysser opened the public hearing.

Eleanore Kolar, 6186 Golden Valley Road, said she is appalled and angry that she is even at this meeting. She said she is amazed that the Planning Commission hasn't heard of global warming because removing the trees from these properties amounts to deforestation. She said this shows the ignorance of governing bodies and asked what the sense is in using this property for someone's monetary gain.

Jamie Fitzgerald, 1400 Florida Avenue North, said the notification process for this meeting was very lax and the only way she found out about it was from a neighbor who said this proposal was already a done deal. She referred to the housing stock in the area and said "the GV Ghetto" is at the top of the hill and the rest of the area is small starter family homes with the majority being long time, highly-educated residents. She expressed concern over the size of the proposed buildings because four-story buildings will tower over the neighborhood. She said her other concerns include ambulances constantly driving by and the loss of green space and trees located on these properties. She said she is worried that this area will change too much and the City needs to consider the impact on the neighborhood because she is afraid it won't be community friendly. She said she would like the proposal to include a park or an area open to the public. She questioned the impacts to the creek and questioned what type of residents the proposed senior housing would have including violent people or people with dementia. She said she would be happy if a smaller assisted living home were built but the City needs to consider the impact to the smaller single family homes in the area.

Dale Bates, 6140 Golden Valley Road, said he is concerned that a four-story building will be aesthetically displeasing. He is also concerned about what the building will look like and how higher density will affect the traffic. He said this proposal will cause a lot of change and it may be difficult getting on and off Golden Valley Road during the construction.

Patty Burrets, 6414 Golden Valley Road, said she did not receive a hearing notice for this meeting or for the meeting held by the applicant last Wednesday. She said at the applicant's meeting they were told that the Comprehensive Plan is calling for high density on these properties and that is what the City wants. She said she doesn't see how the City can pre-approve things without getting citizen input. She said she was also told by the applicant that they will not make any money from the 74-unit co-op building. She said that the proposed buildings will be too dense and questioned how many acres the project includes. Keysser stated that the project will be on 4.7 acres. Burrets expressed concern about how many people would be allowed to live on an acre.

Grimes explained that the R-4 zoning district allows housing in buildings up to 8 stories or 96 feet in height before requiring a Conditional Use Permit. He said in terms of density generally 30 to 35 units per acre is considered to be pretty high density. He referred to the Calvary apartments and co-op property and stated that that has approximately 35 to 40 units per acre and is 10 or 11 stories in height and is the tallest development in Golden Valley.

Burrets questioned why the applicant wouldn't just build a little bit bigger assisted living building and forget about the co-op building if they are not going to make any money from it anyway. She stated people are very unhappy and this is disturbing their lives. She added that it isn't that people don't want this type of use it's the size, scope, height and design that are the issues. She said the City should be looking for something other than assisted living buildings. They should be providing affordable housing for young people to move into this neighborhood.

Stacy Hoschka, 6400 Golden Valley Road, said she agreed that there is a problem with the notification process and she spent hours distributing literature up and down Golden Valley Road. She said she doesn't object to the proposed use and she would prefer assisted living or senior housing versus another apartment building. She said this is going to be the highest density area in Golden Valley and questioned how the City wanted the area to look. She said it sounds to her like the Planning Commissioners don't even agree on the amount of density that should be in this area. She stated that the City has made promises with the *Envision* study, adopting the "Kyoto Protocol" and the new Douglas Drive Corridor Study and she is going to hold the City to these promises. She said she is nervous that this property will become low income housing 10 years from now if this project doesn't succeed. She questioned if other senior housing properties are at capacity and stated that the design of the proposed new buildings looks very institutional and they will tower over the neighborhood. She asked that the applicant work with the neighborhood regarding landscaping and open space and said there are a lot of opportunities to be creative and unique. She said residential properties have a big impact on the environment and she is concerned about storm water issues and landscape maintenance and fertilizers being used so close to the creek. She said she is also concerned about the traffic and hearing loud ambulance sirens all day long. She urged the City to listen to both sides.

Roxanne Sienko, 5800 Golden Valley Road, said she is opposed to rezoning this area. She stated that 14 years ago Covenant Manor approached her because they wanted to expand. She said they were not interested in her family, they only wanted money. She suggested building nice single family homes and stated that the proposed project will change the neighborhood and the tall buildings won't fit in with the rest of the area.

Janice Laulainen, 6040 Golden Valley Road, said she loves this area and what the City is doing is uncalled for. She said the gorgeous trees will be gone and she can't understand with all of the senior housing in the area why they need more. She asked why this project isn't being built where the Douglas Drive Apartments or the Copacabana Apartments are located because there is a lot of crime in those areas. She said she's been told that the older people who would be living in the proposed new buildings won't

drive and that is "baloney". She said the City is really asking for problems and referred to all the buildings that are for currently for lease. She said the proposed buildings are too high and will block the sun and wreck the view. She asked why this corner and why this is a "cut and dry" deal. She added that if the Planning Commission wants to beautify Golden Valley they should do it with something else.

Jeanne Nyatz, 1350 Douglas Drive, said she lives in the condominium building to the north and will look directly at the proposed buildings. She said she thinks the project is well planned and will be meticulously maintained and beautifully landscaped. She stated that she has never had a problem getting in and out her driveway on Douglas Drive and she doesn't think that the density of the proposed new buildings will be a problem.

Fredric Lager, 6306 Golden Valley Road, suggested that people in the neighborhood sit through another presentation by United Properties because everyone that has spoken at this meeting has been misinformed and is misrepresenting the proposal. He stated that United Properties is a local company which has been around for 89 years and this is their sixth or seventh similar proposal. They are not coming from out of town and pillaging Golden Valley. He said they will be a good neighbor and a good addition to the area and he is in support of this proposal if they follow all of the City's guidelines. He questioned if rezoning these properties is just fixing a technicality on the zoning map.

Keysser explained that the City's General Land Use Plan map has been designated high density for at least the last nine years. In order to make the Zoning map consistent with the existing General Land Use Plan map these properties need to be rezoned to the High Density Residential R-4 zoning district.

Lager asked about the current Comprehensive Plan update. Grimes explained that the Planning Commission has recommended, as part of the Comprehensive Plan update process, keeping these properties designated high density.

Jamie Fitzgerald, 1400 Florida Avenue North, said she wants to reiterate that she is not against the proposal and suggested that a mass mailing be done to a 10-block radius and that the Planning Commission consider tabling this proposal.

Patty Burrets, 6414 Golden Valley Road, referred to Mr. Lager's comment that there has been a lot of misunderstanding regarding this proposal and said she wants to know what has been misunderstood or misrepresented.

Fredric Lager, 6306 Golden Valley Road, stated that he assumes the notification process followed all of the requirements. Grimes explained that the City of Golden Valley mails hearing notices to all property owners within 500 feet. He added that the state statute requires hearing notices be mailed to property owners within 250 feet.

Eleanore Kolar, 6186 Golden Valley Road, said she doesn't believe there has been any misrepresentation; people are just expressing their opinions.

Mary Carson, 1601 Kelly Drive, said she drives by this area constantly and if something is going to be done it should be done tastefully because it impacts a lot of people in Golden Valley. She said from what she has heard this project is not well planned. They are going to come in, build, then leave because it is business to them. She said she is concerned about the loss of trees and added that there has to be a way to fit the architecture into the land.

Dale Bates, 6140 Golden Valley Road suggested the developers build green roofs in order to release oxygen and save money on heating costs.

Seeing and hearing no one else wishing to comment, Keysser closed the public hearing.

Keysser clarified that this proposed project is not a "done deal" until the City Council makes their decision. He also clarified that the City is not the developer of this proposed project so it is not up to the City to tell the developer to build single family homes versus the proposed senior housing.

Kluchka stated that the zoning map says the property is zoned R-3, but Grimes' memo says R-4 and asked for clarification. Grimes stated that the properties are currently zoned R-1 and R-3, and the proposal is to rezone them to R-4.

Kluchka said he is concerned about going from R-3 to R-4. Grimes explained that the R-3 zoning district allows for townhomes and multi-family buildings if they are 12 units or less per acre. The R-4 zoning district is for multi-family buildings with 12 or more units per acre. He stated that the City needed to create a zoning district to match the density requirements on the General Land Use Plan map because the two maps were not consistent.

Keysser asked if the property is rezoned to R-4 High Density Residential and the proposed project doesn't happen if the property would remain R-4. Grimes reiterated that the General Land Use Plan map shows these properties should be high density housing. He explained that if the Planning Commission and the City Council believe that the properties should not be used for high density then the General Land Use Plan map needs to be changed because the High Density designation is the current policy of the City.

Waldhauser asked about the density of the condominiums to the north. Grimes said there are approximately 50 units in the condominium which is approximately 25 to 30 units per acre in density.

Schmidgall stated that the City wasn't thinking when it designated these properties high density on the General Land Use Plan map because he can't imagine a 96-foot tall building in this location. He said he thinks medium density would be better in this location particularly because the zoning to the west is R-1 Single Family. He said it looks like this proposal is being squeezed on to these properties and he thinks the General Land Use Plan map needs to be corrected not the Zoning map.

McCarty said he is concerned that if this property is rezoned to R-4 and this project doesn't go through then someone could build a 96-foot tall building. He suggested reconsidering the General Land Use Plan map designation.

Eck said the issue to consider is if R-4 is appropriate in this location because if the land use is changed to R-3 it would shoot this project down.

Kluchka questioned if rezoning the properties to R-3 would make the apartments "not developable".

Eck stated that if the property is rezoned to R-4 it doesn't necessarily mean that a much taller or higher density project would be approved. Keysser questioned how a project could be denied if it were to meet all the zoning code requirements. Grimes explained that a PUD Permit requires a developer to stick to an approved plan.

Cera asked if the PUD stays with the land. Grimes said yes and explained that if a developer in the future wanted to change an approved PUD Permit the City would have to rescind or amend the existing PUD Permit. Keysser asked for clarification that if someone in the future wanted to build something higher or something different they would have to amend the PUD. Grimes said yes.

Schmidgall noted that the properties north of the creek are in the same situation. Grimes agreed and stated that the properties north of the creek are considered non-conforming and if the apartments to the north are re-developed they will more than likely be higher density because of the facts of the economy.

Cera asked if the City could approve the rezoning request, but deny the PUD request. Grimes reiterated that the City Council has designated this area high density. If the Planning Commission doesn't agree that this area should be high density they could table the rezoning request and ask the City Council to reconsider the comprehensive plan designation. He stated that Golden Valley is currently 70% single family homes. The City has looked far and wide in Golden Valley for areas that could be designated higher density because the Planning Commission and City Council felt there needed to be areas designated for higher density uses and it was felt that this was a good area for higher density development.

Waldhauser said they need to look at the City and see if there is a better location for this type of development and she doesn't think there is.

Keysser said he is comfortable with rezoning the property knowing the City has the PUD process for protection.

McCarty said he is curious as to what the Douglas Drive Corridor study will find because this project will set the tone for the rest of the corridor if this project goes forward.

Keysser stated that the Douglas Drive Corridor study committee has looked at maps to see if change was wanted or not. Hogeboom added that the consensus of the Douglas Drive Corridor study committee was to change these properties to high density.

Kluchka said this is one of the better places the City has to do this type of development and he is inclined to support the rezoning. However, he is concerned about traffic because nobody yields at the corner of Golden Valley Road and Douglas Drive, which needs to be thought about as a part of the Douglas Drive Corridor study. He said they also need to address traffic and impacts to the area.

Cera said he agrees that there is a need for higher density housing.

Eck said this is a NIMBY issue and it is fair to say that higher density housing like this is never desirable for the neighbors living in the area. He said he wants to be sensitive to the neighbor's feelings but if the City was totally sensitive there would never be any change.

Waldhauser said she supports the rezoning request with some reservations. She said Golden Valley needs more senior housing opportunities and this project is an attractive option for seniors.

McCarty said he understands that Golden Valley needs higher density but he is concerned that if these properties were rezoned, someone could propose a 96-foot tall building and if it meets all of the zoning code requirements they wouldn't need a PUD.

Kluchka asked if there is any way to place some type of overlay or control on future development. Grimes said he doesn't think so. He explained that if the concern is the height of the structures then the Planning Commission could consider changing the Zoning Code requirements. He added that if the City holds off on the rezoning of the properties until the Final PUD procedure it would hold the zoning of the land in the state it is in currently. Kluchka said he doesn't want to play a procedural game he would like something more like an overlay.

Schmidgall said he would like to rezone the properties to R-3 Medium Density Residential, not R-4 High Density Residential. He said he would rather have a developer beg the City to be allowed to build taller than have the City beg a developer to build something shorter.

McCarty asked if the rezoning and PUD are approved and the developer decides not to build this project what the limitations are to the next developer. Grimes stated that the City Council can eliminate or rescind a PUD and go back to what the property is zoned and a future developer would probably have to replat the properties or a PUD can be amended to allow for something else. He reiterated that the PUD takes the plans submitted and holds the developer to them. He stated that from a staff perspective this proposal is consistent with what the City is calling for. He referred to the City's housing plan and noted that it also calls for providing an alternate form of housing. He stated that

other cities have built this type of product and have proved that this type of housing causes turnover and frees up single family homes for younger families to purchase.

Waldhauser said he thinks the City should be looking at all the properties at the same time and needs to be thinking about the whole area. Grimes reiterated that state law requires that General Land Use Plan maps and Zoning maps are consistent with each other.

MOVED by Waldhauser, seconded by Cera and motion carried 6 to 1 to recommend rezoning the following properties from their current zoning designation to the R-4 High Density Residential Zoning District. Commissioner Schmidgall voted no.

- 1100, 1170, 1200 and 1300 Douglas Drive North from R-1 Single Family Zoning District to R-4 High Density Residential Zoning District
- 6200 and 6212 Golden Valley Road from R-3 Medium Density Residential Zoning District to R-4 High Density Residential Zoning District.

3. Informal Public Hearing – Preliminary Plan Review – Planned Unit Development – Applewood Pointe – PUD 106

Applicant: United Properties

Address: Northeast Corner of Douglas Drive and Golden Valley Road

Purpose: To allow for the construction of a 4-story, 74-unit senior cooperative building and 4-story, 105-unit assisted living building.

Grimes referred to a location map and stated that the properties involved in this request are located at the northeast corner of Douglas Drive and Golden Valley Road and are the same properties involved in the previous rezoning request. He stated that United Properties is proposing to build two buildings on these properties and create one lot for each building. One will be a 74-unit senior cooperative housing building and the other will be a 105-unit assisted living building. The proposed buildings will be three and four stories in height. He stated that the City Engineer and Hennepin County have reviewed this proposal extensively and Hennepin County has said they do not want access to the site from Douglas Drive. Therefore there will only be one access located on Golden Valley Road. He said he feels comfortable with only one access because of the population of the buildings. He stated that both buildings will have underground and surface parking and that the amount of parking provided exceeds the City's parking requirements.

He stated that one of staff's concerns was the additional 17 feet of right-of-way along Douglas Drive that the County is requesting to accommodate future road changes, turn lanes or sidewalks. He stated that United Properties is providing additional sidewalks and is improving sidewalk connections as a part of their proposal. He referred to the

Schmidgall said he is in favor of the proposed PUD amendment because it will be an improvement to the area. However, he would like to see more green space on the site. Kisch agreed and stated that he would like to add as a condition of approval that the area between the handicap parking stalls and the front area be striped. Segelbaum also agreed and said he thinks the proposal meets the criteria in the PUD ordinance.

MOVED by Cera, seconded by Segelbaum and motion carried unanimously to recommend approval of PUD #66, Amendment #4 to allow for the expansion of the showroom and entry of the Infiniti dealership plus a car wash addition to the north end of the building subject to the following conditions:

1. The plans submitted with the application shall become a part of this approval. These plans were prepared for Lupient Automotive Group and include the following: existing and demolition site plan, proposed site plan, existing floor plans, orientation plans floor plans – building A, floor plans – building B and exterior elevations.
2. All recommendations and requirements outlined in the memorandum from Deputy Fire Marshal Ed Anderson to Mark Grimes, Director of Planning and Development dated September 27, 2011 shall become a part of this approval.
3. A landscape plan showing some restored green space shall be submitted before the Preliminary Plan goes to the City Council for consideration.
4. The walkway between the handicap parking stalls and the front entry shall be striped.
5. Staff will review the condition of the private roadway along the south property line to determine if any maintenance is required.
6. All signs on the property must meet the requirements of the City's Sign Code.
7. This approval is subject to all other state, federal, and local ordinances, regulations, or laws with authority over this development.

3. Informal Public Hearing – Property Rezoning – 1100, 1170, 1200 and 1300 Douglas Drive North – Rezoning from Single Family (R-1) Residential to Medium Density (R-3) Residential - ZO12-17

Applicant: City of Golden Valley

Address: 1100, 1170, 1200 and 1300 Douglas Drive North

Purpose: To consider rezoning the properties from Single Family (R-1) Residential to Medium Density (R-3) Residential in order to bring the Zoning Map into conformance with the General Land Use Plan Map.

Hogeboom referred to a map of the properties and explained the proposal to rezone them to Medium Density (R-3) Residential in order to bring the Zoning Map into Conformance with the General Land Use Plan Map. The land use designation on the General Land Use Plan Map for these properties is High Density Residential.

Kluchka asked about the mailing list for the public hearing notifications. Hogeboom stated that the property owners received individual letters and property owners within 500 feet of the subject properties received notification for this public hearing.

Segelbaum asked about the impact to the existing homes and if their use would be restricted. Hogeboom said the properties, if rezoned, would be considered to be non-conforming due to either the zoning or setback requirements. He explained that the homes can be maintained and improved but they could not expand.

Kisch clarified the Zoning Map designations that would work in each the General Land Use Plan Map categories as follows: properties zoned R-1 and R-2 would be allowed in the Low Density land use category, properties zoned R-2 and R-3 would be allowed in the Medium-Low Density land use category, properties zoned R-3 & R-4 would be allowed in the Medium-High Density land use category and properties zoned R-3 and R-4 would be allowed in the High Density land use category.

Kisch asked about the rationale in not allowing single family homes in the R-3 Zoning District. Grimes explained that allowing single family homes in the R-3 Zoning District would make long-term development more difficult. Hogeboom added that zoning districts help define where long-term higher density can be located versus long-term lower density.

Waldhauser opened the public hearing.

Mark Schulte, 6336 Phoenix Street, stated he would like to know how this proposed rezoning impacts his neighborhood and his property value. He said there are a lot of neighbors who are concerned about how close they will be to high density housing and how property values will be affected.

Seeing and hearing no one else wishing to comment, Waldhauser closed the public hearing.

Kluchka asked which properties have been acquired for the Douglas Drive Corridor Project. Hogeboom said there will be some properties acquired north of Golden Valley Road.

Kisch referred to the Metropolitan Council's demographics regarding the rise in population and asked if this proposed rezoning with help the City plan for higher density especially since the corner of Harold Avenue and Winnetka Avenue is no longer being proposed for higher density. Hogeboom said the Metropolitan Council gives estimates based on regional levels and each City has to plan long-term for the increased population.

Grimes stated that he feels a well-maintained and landscaped higher density development would fit in well in this area. McCarty asked why it is being limited to such low density. Hogeboom stated that a developer could petition the City in the future to rezone it to a higher density zoning category.

Schmidgall said he is in favor of the proposed rezoning to R-3 residential, but he would not support a 60-foot high, vinyl sided building like what was proposed previously for this area.

Kluchka asked what uses would be considered Conditional Uses are in the R-3 Zoning District. Grimes read the following list of Conditional Uses found in the R-3 Zoning District in the City Code: Residential facilities serving 25 or more persons, Group Foster Homes, Senior and physical disability housing to a density in excess of 12 units per acre or up to 5 stories or 60 feet in height and retail sales, Class I and II restaurant establishments, and professional offices within principal structures containing 20 or more dwelling units when located upon any minor or major arterial street. Any such sales establishment or office shall be located only on the ground floor and have direct access to the street.

MOVED by Segelbaum, seconded by Schmidgall and motion carried unanimously to recommend approval of rezoning the properties located at 1100, 1170, 1200 and 1300 Douglas Drive North from Single Family (R-1) Residential to Medium Density (R-3) Residential in order to bring the Zoning Map into conformance with the General Land Use Plan Map.

--Short Recess--

4. Reports on Meetings of the Housing and Redevelopment Authority, City Council, Board of Zoning Appeals and other Meetings

No reports were given.

5. Other Business

The Commission discussed possible dates for the annual holiday party. The consensus was to have the party on December 7 at the Brookview Grill.

6. Adjournment

The meeting was adjourned at 8:15 pm.



David A. Cera, Secretary

September 9, 2020

In reference to your letter dated September 3, 2020, I am extremely concerned about the rezoning of this area. I live at the Villa at 1350 Douglas Drive. Having Bassett Creek flowing through our back yard and having the south view beyond the creek is a beautiful amenity. I am sure placing a multi level complex at some time on the proposed area will only decrease property values at the Villa. I will be terribly disappointed should this happen. Golden Valley has erected several multi-level buildings in the last few years. I would hope the tax revenue from these buildings should supplement the city of Golden Valley very well. Please do not ruin the esthetics is this community.

Respectfully,
Marlene Witucki



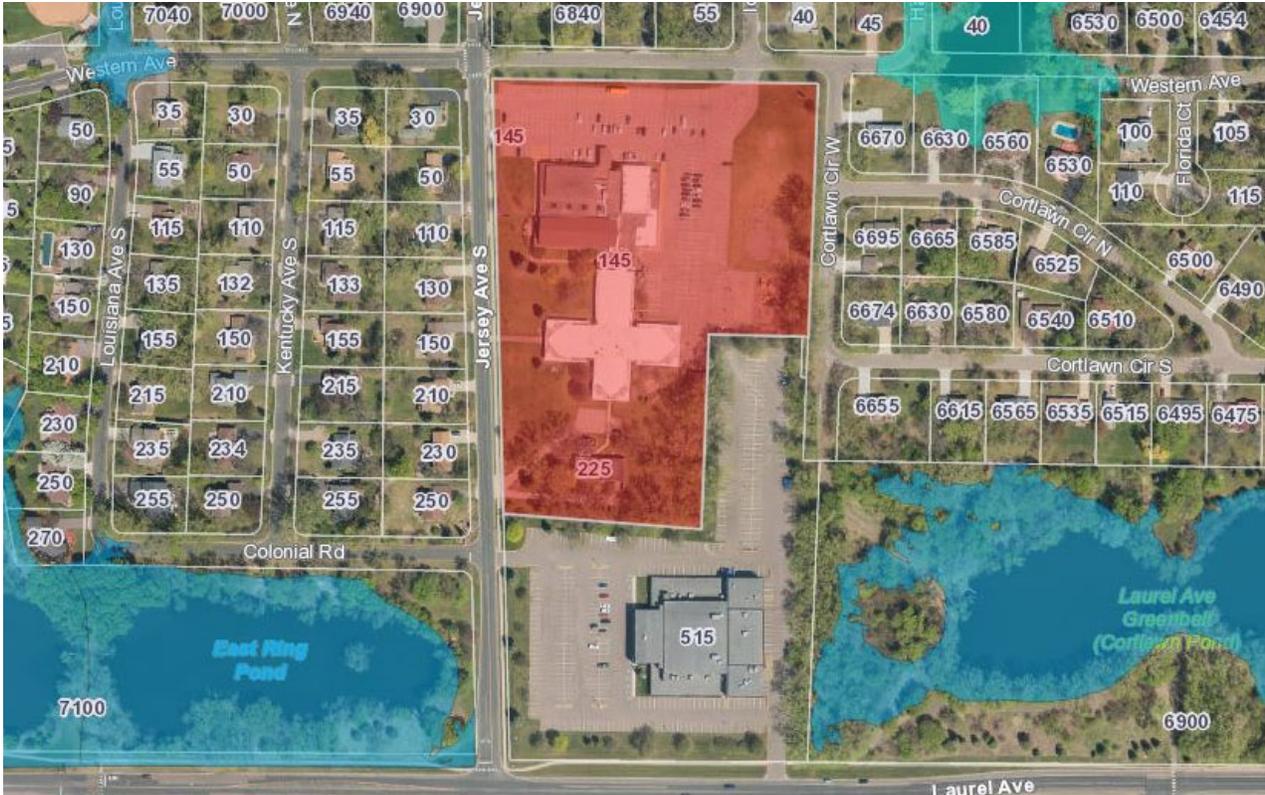
MEMORANDUM

Planning Department

763-593-8095 / 763-593-8109 (fax)

Date: September 14, 2020
To: Golden Valley Planning Commission
From: Myles Campbell
Subject: Informal Public Hearing – Conditional Use Permit (CUP-168) Amendment 1, to allow for the expansion of a Child Care Center in an Institutional Zoning District

Property address: 145 Jersey Avenue South **Property owner:** same as applicant
Applicant: Good Shepherd School **Lot size:** 8.9 acres
Zoning District: Institutional I-1 **Future land use:** Institutional – Assembly
Current use: Place of Worship, School and Child Care Center
Adjacent uses: Residential uses (west, north, east); Institutional (south)



2018 aerial photo (Hennepin County)

Summary

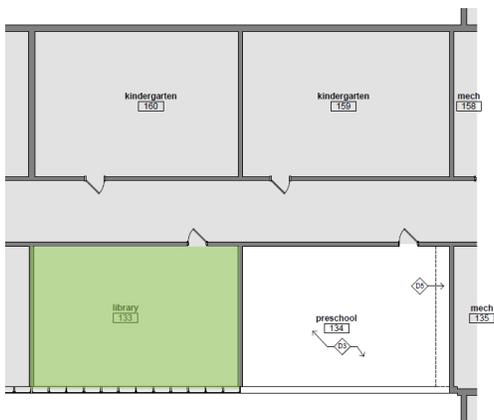
The principal of Good Shepherd School, Stevi Evans, is requesting an amendment to an existing CUP in order to allow for the expansion of the school's child care center. The original CUP from 2019 had a condition that capped the number of child care participants, "The child care center shall be limited to 20 students, or the amount specified by the Minnesota Department of Human Services, whichever is less."

Child care centers in Minnesota must operate under a Child Care Center License issued by the Minnesota Department of Human Services. Good Shepherd School has contacted DHS about expanding their child care program, from one classroom to two. Because of the condition of the original CUP, this action requires an amendment to the permit.

The original CUP was applied for and completed in 2019. This amendment would not require any changes to the building footprint or exterior of the building. Many of the existing conditions at the site have not changed since that original approval.

Existing Conditions

The principal structure on the lot is a one-story building totaling 59,101 square feet. It currently operates as the Good Shepherd Catholic Church and School. The north half of the structure includes the church, gym, and social hall. The south half of the building includes the school of 15 classrooms, the school library, and a computer lab. Administrative offices are located in between the church and the school. The principal structure conforms to setback and height regulations. The main entrance for the school is on the east side of the building, adjacent to the parking lot. The parking lot surrounds the building to the north and east.



Proposed Uses

Good Shepherd Catholic School is proposing to convert another existing classroom in the building to serve as a second child care center for up to an additional 20 children (highlighted in green to the left). The room is located directly west of the existing pre-k classroom and has previously functioned as a library and music room at the school. No further changes are being proposed at this time to the building layout or use.

Zoning Analysis

Parking

Use	Requirement	Calculation	Minimum Parking Spaces
Child Care	1 per 6 participants	40 participants	7
School	2 per classroom	14 classrooms	28
Place of Worship	1 per 3 seats in main assembly area (where the number of required parking spaces is measured by maximum seating capacity)	450 occupant load in Church + 300 occupant load in Social Hall = 750	250
Total			285
Existing			263
Difference			-22

Potential Parking Reduction

Under Section 113-151. *Off-Street Parking and Loading. (b)(23) Potential Reduction.*

The City makes an allowance for circumstances where the required minimum parking may be reduced:

The City may allow up to 50 percent reduction when joint use or combined parking is provided for uses which have substantially different parking demands and peak parking needs such as a daytime use with a nighttime use (e.g., office and movie theater) or a week day use with a weekend use (e.g., office and a church). Such reduction may require an agreement between the uses and an agreement between the owners and City. Such agreement may also be subject to proof of parking.

The church operates primarily on the weekends and requires a minimum of 250 parking spaces. The school/child care center operates on the weekdays and requires a minimum of 35 parking spaces. Since the parking lot is sized to accommodate the larger demand for parking on the weekends (263 spaces) and there have been no issues with parking shortages on the property on weekdays, staff is comfortable allowing a parking reduction for this site. Any future expansions of the campus may trigger the need for a formal parking agreement between the owner and the City, depending on a future parking analysis.

Bicycle Parking

The site is required to provide 15 bicycle parking spaces and there are currently 16 on site.

Employees, Visitors, and Hours of Operation

There are currently 29 school staff members, which includes 21 teachers, 5 teaching aides, and 3 administrative employees. The hours of operation for the child care center would remain the

same for the existing program and for the school overall, 7 am to 6 pm, Monday through Friday. Good Shepherd Catholic Church hosts mass on Saturdays at 5 pm and Sundays at 8:30 am and 10:30 am. Each session of mass has an average attendance of 300 people.

All drop-offs and pick-ups currently occur on site. The school has received some feedback and advice from police on how to minimize congestion and traffic on both Jersey and Western, although staff have not received complaints or heard of issues with queueing in the public right-of-way at this time. Preschool drop-off and pick-up enters the site from Jersey, while school age families enter from Western. Drop-off typically occurs between 7:45-8:10 a.m., while pick-up occurs between 2:40-3:00 p.m.

Evaluation

The findings and recommendations for a CUP are based upon any or all of the following factors (which need not be weighed equally):

Factor	Finding
<p>1. Demonstrated Need for Proposed Use</p>	<p>Standard met. Child care is a necessary service for many members of the community. A child care center was previously requested by parents in the K-6 school. The expansion from 20 to 40 children is a reasonable increase so long as the building is able to adequately serve the students, which it appears to be.</p>
<p>2. Consistency with the Comprehensive Plan</p>	<p>Standard met. The proposed use is consistent with the Institutional designation in the Comprehensive Plan, which allows for child care centers.</p>
<p>3. Effect upon Property Values</p>	<p>Standard met. The proposed use is not anticipated to affect property values in a substantial way.</p>
<p>4. Effect on Traffic Flow and Congestion</p>	<p>Standard conditionally met. Traffic flows are not anticipated to be substantially different from those that currently exist. The peak hours have been identified by the school and they have worked with the Police Department in order to minimize congestion. The amount of additional cars coming through the parking lot because of the added number of children is not expected to significantly impact traffic flow. While there is not currently a problem with overflow into the streets, city staff</p>

Factor	Finding
	suggest that the applicant complete a circulation plan for the site, in order to maximize the effective use of its large parking lot and queuing area and to preempt any potential issues down the road.
5. Effect of Increases in Population and Density	Standard met. The School currently has 29 employees. The amendment would allow for an increase of 20 children in the preschool program, however the site is able to accommodate this growth in population without negatively affecting neighboring property owners.
6. Compliance with the City's Mixed-Income Housing Policy	Not applicable.
7. Increase in Noise Levels	Standard met. The proposed use is not anticipated to generate excessive noise. Other than afterschool meetings and activities, no regular night-time activities are expected.
8. Generation of Odors, Dust, Smoke, Gas, or Vibration	Standard met. The proposed use is not anticipated to generate excessive odors, dust, smoke, gas, or vibrations.
9. Any Increase in Pests or Vermin	Standard met. The proposed use is not anticipated to attract pests.
10. Visual Appearance	Standard met. No exterior improvements are associated with this proposal. Future improvements to the parking lot will need to incorporate minimum standards in City Code.
11. Other Effects upon the General Public Health, Safety, and Welfare	Standard met. The proposed use is not anticipated to have any other impacts on the surrounding area.

Engineering Staff has reviewed the application and only raised the point that a circulation plan or study may be a good idea given that the applicant has received some direction on queuing from the Police, they otherwise have not had any reports of significant parking or congestion issues around the site. Engineering staff supports approval of the CUP. The Fire Department has

reviewed the application and has no additional concerns. Fire staff support the approval of the CUP.

Recommended Action

Based on the findings above, staff recommends approval of Conditional Use Permit 168, Amendment 1, allowing for a Child Care Center in an Institutional I-1 Zoning District at 145 Jersey Avenue South. Consistent with State statute, a certified copy of the CUP must be recorded with Hennepin County. The approval of this Conditional Use Permit Amendment is subject to the following conditions:

1. The child care center shall be limited to 40 students, or the amount specified by the Minnesota Department of Human Services, whichever is less.
2. A proposal to increase the capacity of the child care center will require an amendment to the CUP.
3. All necessary licenses shall be obtained and remain active with the Minnesota Department of Human Services.
4. The hours of normal operation for the Child Care Center shall be Monday through Friday from 7 am to 6 pm.
5. The applicant will produce a traffic circulation plan for the site regarding drop-off and pick-up procedures, to be reviewed by the City’s Engineering Staff.

Attachments

- CUP Amendment Application (3 pages)
- Capacity Notification from MNDHS (1 page)
- Original CUP Memo to PC –June 10, 2019 (6 pages)
- Minutes from Planning Commission – June 10, 2019 (4 pages)
- Site Plan (5 pages)

PLANNING APPLICATION

Conditional Use Permit

Street address of properties in this application:

APPLICANT INFORMATION

Name (individual, or corporate entity):

Good Shepherd Church and School

Address:

145 Jersey Ave S, Golden Valley, MN 55426

Phone number:

763-545-4285

Email address:

stevieans@gsgvschool.org

Authorized Representative (if other than applicant):

Name:

Stephanie Evans, Good Shepherd Principal

Address:

145 Jersey Ave S, Golden Valley, MN 55426

Phone number:

763-545-4285

Email address:

stevieans@gsgvschool.org

Property Owner (if other than applicant):

Name:

The Church of Good Shepherd

Address:

145 Jersey Ave S, Golden Valley, MN 55426

Phone number:

763-545-4285

Email address:

stevieans@gsgvschool.org

SITE INFORMATION

Total area of property (in acres):

8.9 Acres

Current zoning of property:

(I-1) Institutional Sub-District

Proposed conditional use(s) requiring permit:

Good Shepherd would like to add a second Preschool classroom for the Fall of 2020. This would consist of (1) preschool classroom within the existing building footprint. Minor modifications will be completed to provide this additional classroom.

Provide a brief description of all proposed uses for this property:

See attached.

PROPOSED

Number of off-street car parking spaces: 263

Number of bicycle parking spaces: 16

Percent impervious surface: Existing to Remain

Percent building coverage: Existing to Remain

Percent open space: Existing to Remain

Number of residential units: N/A

Number of employees: 22

Hours of operation: _____ M-F 7:30am-4:30pm

Building height: 1 story Sat 4:30pm-6:30pm

Gross floor area: 59,101 SF Sun 8:00am-12:30pm

Conditional Use Permit (cont.)

REQUIRED ATTACHMENTS

- Narrative outlining how the proposed plan meets the 10 factors of evaluation** listed in the Conditional Use Permit Section of Golden Valley Zoning Code, Section 113-30. List all proposed uses of the property and how much space (in square feet) will be devoted to each use, the number of employees, the number of potential customers or visitors, hours of operation, how well this type of use has been accepted at other locations, what the site will look like, and any special measures to be taken by the applicant to address any impacts to surrounding properties.
- I/I compliance:** Before application submittal, the property must be in compliance with the City's Inflow/Infiltration (I/I) requirements. Contact the Public Works Division at 763-593-8030 for I/I inspection and compliance information. An application will not be accepted until the property receives an I/I compliance certificate.
- Legal description of property**
- Copies of all documents**, including covenants, by-laws of owners association, and Abstract of Title or Registered Property Certificate, submitted to City Attorney for examination
- Application fee:** \$400
- Application fee for Home Occupation:** \$75
- Resubmission if CUP previously denied:** \$50
- 25 copies** (five large-sized plans, 20 11"x17"-sized plans) and one CD of each of the following:
 - Exterior site plan**, drawn to a scale of 1"=20' or larger, with all use areas, access points, and special features or equipment clearly indicated
 - Interior floor plan**, draw to a scale of 1"=20' or larger, with all use areas, access points, and special features or equipment clearly indicated
 - Other documents may be required** or encouraged for City staff to make a complete evaluation of the proposal. Please consult with City Planning staff by calling 763-593-8095, or email planning@goldenvalleymn.gov before submitting this application.

SIGNATURES

To the best of my knowledge, the statements contained in this application and its attachments are true and correct. Please include printed name, signature, and date for applicant, authorized representative (if other than applicant), or property owner (if other than applicant). The property owner(s) signature is required for this application.

Name of Applicant (please print): Stephanie Evans

Signature: [Signature]

Date: 8-12-2020

Authorized Representative (if other than applicant)

Name (please print): Stephanie Evans

Signature: [Signature]

Date: 8-12-2020

Property Owner (if other than applicant—required)

Name (please print): LUKE MARQUARD

Signature: [Signature]

Date: 8-12-2020



The current existing uses of the building consist of a Preschool through 6th grade education and a Catholic church. The second preschool classroom would be in addition to an existing preschool classroom. It will be located in a current classroom, next door to the other preschool classroom.

Adding the second preschool classroom will bring 21 new families to our school. Our total Preschool through 6th grade enrollment for 2020-21 is 313 students. The possible maximum enrollment for our school is 400. From 2008 to 2014 we had between 320 and 337 students.

Our parking lot allows for a flow of cars to create a drop-off line that does not run into the street. We also run busses that transport many students to school.



Date: 6/5/20

Zoning Administrator
City of Golden Valley

7800 Golden Valley Road
Golden Valley, MN 55427

Re: Zoning notification for increased license capacity for Department of Human Services program.
Child care center licensed under Minnesota Rules, part 9503.0005 to 9503.0170.

Issuance of this license is subject to compliance with the provisions of Minnesota Statutes, Chapter 245A.

Center Information:		License #: 1099738		
Center Name/Address: Faithful Beginnings 145 Jersey Ave. S. Golden Valley, MN 1099738	Center Contact Person: Mike McGinty	Center Phone Number: 763-545-4285		
Licensors Name: Ashley Stentz	Licensors Contact Number: 651-431-6619	Change in Capacity		
		20	To	40

If you do not contact the Division of Licensing within 30 days of receipt of this letter, we will consider this facility to be in compliance with your local zoning code.

If you have any questions regarding this letter, contact the licenser listed above or fax information to 651-431-7673.

Sincerely,

Donna Gauror

Donna Gainor, Unit Supervisor
Licensing Division
Office of Inspector General



MEMORANDUM

Planning Department

763-593-8095 / 763-593-8109 (fax)

Date: June 10, 2019
To: Golden Valley Planning Commission
From: Emily Goellner, Senior Planner/Grant Writer
Emily Anderson, Planning Intern
Subject: Informal Public Hearing – Conditional Use Permit (CUP-168) to Allow for a Child Care Center in an Institutional Zoning District

Property address: 145 Jersey Avenue South

Applicant: Good Shepherd School

Zoning District: Institutional I-1

Current use: Place of Worship and School

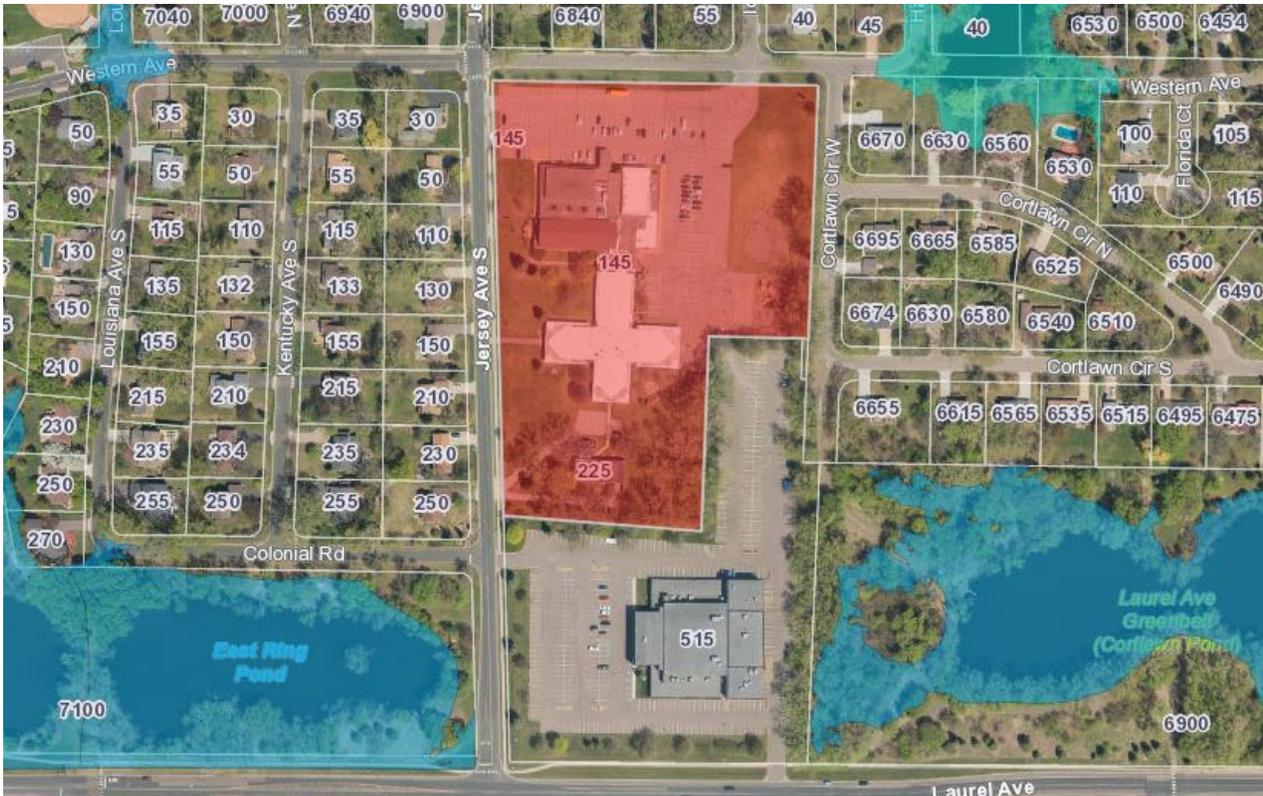
Adjacent uses: Residential uses (west, north, east); Institutional (south)

Property owner: same as applicant

Lot size: 8.9 acres

Future land use: Institutional – Assembly

Proposed use: Child Care Center (Preschool)



2018 aerial photo (Hennepin County)

Summary

The principal of Good Shepherd School, Mike McGinty, is requesting a CUP in order to allow for the operation of a one-room child care center for up to 20 children. Child care centers in Minnesota must operate under a Child Care Center License issued by the Minnesota Department of Human Services.

Existing Conditions

The principal structure on the lot is a one-story building totaling 59,101 square feet. It currently operates as the Good Shepherd Catholic Church and School. The north half of the structure includes the church, gym, and social hall. The south half of the building includes the school of 15 classrooms, the school library, and a computer lab. Administrative offices are located in between the church and the school. The principal structure conforms to setback and height regulations. The main entrance for the school is on the east side of the building, adjacent to the parking lot. The parking lot surrounds the building to the north and east. A parking analysis is also provided in this memo. There is an accessory structure located on the same property, addressed at 225 Jersey Avenue South.

Proposed Uses

Good Shepherd Catholic School is proposing to convert one classroom to a child care center for up to 20 children. The applicant notes that for fall 2019, all 20 spots are filled, with 50% of the children enrolled in the preschool coming from families with older children who attend the grade school. The church and K-6 classrooms would continue operating as they do today. More details about daily operations are provided in the zoning analysis.

Zoning Analysis

Parking

Use	Requirement	Calculation	Minimum Parking Spaces
Child Care	1 per 6 participants	20 participants	4
School	2 per classroom	15 classrooms	30
Place of Worship	1 per 3 seats in main assembly area (where the number of required parking spaces is measured by maximum seating capacity)	450 occupant load in Church + 300 occupant load in Social Hall = 750	250
Total			284
Existing			263
Difference			-21

Potential Parking Reduction

The City may allow up to 50% reduction in the minimum parking requirement for a property when combined parking is provided for uses that have substantially different parking demands and peak parking needs. Examples listed in the City Code include a combination of daytime use with a nighttime use (e.g., office and movie theater) or a week day use with a weekend use (e.g., office and a church).

The church operates primarily on the weekends and requires a minimum of 250 parking spaces. The school operates on the weekdays and requires a minimum of 30 parking spaces. The addition of the child care room on weekdays would only require 4 additional parking spaces. Since the parking lot is sized to accommodate the larger demand for parking on the weekends (263 spaces) and there have been no issues with parking shortages on the property on weekdays, staff is comfortable allowing a parking reduction for this site. Any future expansions of the campus may trigger the need for a formal parking agreement between the owner and the City, depending on a future parking analysis.

Bicycle Parking

The site is required to provide 15 bicycle parking spaces and there are currently 16 on site.

Employees, Visitors, and Hours of Operation

There are currently 27 school staff members, which includes 22 teachers, 2 teaching aides, and 3 administrative employees. The applicant intends to hire 2 to 3 additional employees for the child care center. The hours of operation for the proposed child care center are anticipated to be 7 am to 6 pm, Monday through Friday. The K-6 school has a current enrollment of 265 students from 193 families. The child care center would provide for 20 additional children. The general hours of operation for the child care center would be 7 am to 6 pm on weekdays.

All drop-offs and pick-ups currently occur on the east side of the building at the doors near the proposed preschool and near the existing kindergarten rooms, administrative offices, and handicapped parking spaces. The applicant notes that because of the L-shaped parking lot, car stacking for parents has never extended out into the nearby streets. The applicant notes that parents have the choice of having children bussed to school as well. It is also noted that some after school events are held at the church, such as sports practices and games, Cub Scouts meetings, Girl Scout meetings, and various church meetings and events.

Deliveries to the property are also made on the east side of the building near the administrative offices. There is not expected to be a noticeable difference in deliveries to the site. Currently, there is one daily delivery to the lunchroom at approximately 6:45 each morning, prior to child drop-off. The property does not accept deliveries during child drop-off and pick-up times. Linens are delivered once a month.

Good Shepherd Catholic Church hosts mass on Saturdays at 5 pm and Sundays at 8:30 am and 10:30 am. Each session of mass has an average attendance of 300 people. There are 4 regular

employees, 2 administrative employees, and 3 maintenance employees at the Church. Some employees work on a part-time basis.

Future Expansions

No exterior changes are anticipated at this time, but Good Shepherd Catholic Church and School are working with an architecture firm to begin a master planning process. The firm will conduct a feasibility analysis to assess the ability to expand the building and its program offerings in the future. CUP 168 is focused on the current proposal for one child care room to serve up to 20 children. Public hearings through a CUP Amendment process would be required for additional expansions of the Child Care Center. Any future additions will have to conform to all City Code regulations. Any potential need for a formal parking agreement between the owner and the City will be analyzed at that time.

Neighborhood Notification

Property owners within 500 feet of this proposal were notified by mail. To date, staff has not been contacted regarding any questions or concerns.

Evaluation

The findings and recommendations for a CUP are based upon any or all of the following factors (which need not be weighed equally):

Factor	Finding
1. Demonstrated Need for Proposed Use	Standard met. Child care is a necessary service for many members of the community. The applicant notes that families attending the K-6 school on site have requested a child care center for several years. Additionally, the applicant notes that the spaces for up to 20 children have been reserved. It is also noted that expansion may occur in the future.
2. Consistency with the Comprehensive Plan	Standard met. The proposed use is consistent with the Institutional designation in the Comprehensive Plan, which allows for child care centers.
3. Effect upon Property Values	Standard met. The proposed use is not anticipated to affect property values in a substantial way.
4. Effect on Traffic Flow and Congestion	Standard met. Traffic flows are not anticipated to be substantially different from those that currently exist. Employees of the child care center would arrive between 7 and 8 am and

Factor	Finding
	depart between 3 and 6 pm on weekdays. The amount of additional cars coming through the parking lot because of the added number of children is not expected to significantly impact traffic flow. The church does not currently have a problem with overflow into the streets and city staff do not anticipate this issue to begin to occur because of the added child care center for up to 20 children.
5. Effect of Increases in Population and Density	Standard met. The School currently has 27 employees, which would grow by 2 to 3 new employees. The Church currently has 9 employees and that would not increase with this proposal. There are currently 265 students enrolled at the K-6 school. The preschool (childcare center) would allow for 20 additional children in the building. The site is able to accommodate this growth in population without negatively affecting neighboring property owners.
6. Compliance with the City's Mixed-Income Housing Policy	Not applicable.
7. Increase in Noise Levels	Standard met. The proposed use is not anticipated to generate excessive noise.
8. Generation of Odors, Dust, Smoke, Gas, or Vibration	Standard met. The proposed use is not anticipated to generate excessive odors, dust, smoke, gas, or vibrations.
9. Any Increase in Pests or Vermin	Standard met. The proposed use is not anticipated to attract pests.
10. Visual Appearance	Standard met. No exterior improvements are associated with this proposal. Future improvements to the parking lot will need to incorporate minimum standards in City Code.
11. Other Effects upon the General Public Health, Safety, and Welfare	Standard met. The proposed use is not anticipated to have any other impacts on the surrounding area.

The Engineering Division has reviewed the application and has no additional concerns. The property is currently non-compliant with the City's Inflow and Infiltration requirements, but a deposit has been made to conduct the sanitary sewer corrections. Engineering staff supports approval of the CUP. The Fire Department has reviewed the application and has no additional concerns. Fire staff support the approval of the CUP.

Recommended Action

Based on the findings above, staff recommends approval of Conditional Use Permit 168 allowing for a Child Care Center in an Institutional I-1 Zoning District at 145 Jersey Avenue South. Consistent with State statute, a certified copy of the CUP must be recorded with Hennepin County. The approval of a Conditional Use Permit is subject to the following conditions:

1. The child care center shall be limited to 20 students, or the amount specified by the Minnesota Department of Human Services, whichever is less.
2. A proposal to increase the capacity of the child care center will require an amendment to the CUP.
3. All necessary licenses shall be obtained and remain active with the Minnesota Department of Human Services.
4. The hours of normal operation for the Child Care Center shall be Monday through Friday from 7 am to 6 pm.

Attachments

Location Map (1 page)

Applicant Narrative (2 pages)

Plans submitted May 16, 2019 (5 pages)

Planning Commission

June 10, 2019 – 7 pm

Council Chambers

Golden Valley City Hall

7800 Golden Valley Road

REGULAR MEETING MINUTES

Call to Order

The meeting was called to order at 7 pm by Chair Blum.

Roll Call

Commissioners present: Rich Baker, Ron Blum, Adam Brookins, Andy Johnson, Chuck Segelbaum

Commissioners absent: Lauren Pockl, Ryan Sadeghi

Staff present: Planning Manager Jason Zimmerman, Senior Planner/Grant Writer Emily Goellner

Council Liaison present: Steve Schmidgall

Approval of Agenda

MOTION made by Baker, seconded by Brookins to approve the agenda of June 10, 2019, as submitted and the motion carried unanimously.

Approval of Minutes

MOTION made by Brookins, seconded by Johnson to approve the May 29, 2019, minutes as submitted and the motion carried unanimously.

Public Hearing – Conditional Use Permit

Applicant: Good Shepherd School

Address: 145 Jersey Avenue South

Purpose: Child Care Center in the Institutional (I-1) Zoning District

Goellner referred to a location map and explained the applicant's request for a Conditional Use Permit to allow for a Child Care Center (preschool) for up to 20 children. She stated that the applicant plans to remodel an existing classroom to use for a preschool that will be licensed as a Child Care Center by MN Department of Human Services. She added that there are no exterior changes planned and the proposed Child Care Center would share parking spaces with the church and school.

She referred to an aerial photo of the property and discussed the points of entry and exit to the site and the pickup and drop off location for the students.

Goellner stated that Good Shepherd church and school are 59,101 square feet in size on an 8.9 acre site surrounded by residential and institutional uses and that the school includes 15 classrooms for grades K through 6.



This document is available in alternate formats upon a 72-hour request. Please call 763-593-8006 (TTY: 763-593-3968) to make a request. Examples of alternate formats may include large print, electronic, Braille, audiocassette, etc.



Goellner discussed the parking requirements for this site and explained that the Child Care Center requires four parking spaces. She stated that the entire site currently has 263 parking spaces and that they are required to have 284. However, the Zoning Code allows for a reduction in parking when uses are shared or operate on different days or at different times which is the case with this proposal so staff is comfortable with the number of parking spaces on the site at this time.

Goellner discussed other zoning considerations and stated that the school currently has 27 employees, the church has 7 employees, and an additional 2 or 3 employees would be added for the Child Care Center. She added that there are currently 265 students and that the child care hours would be 7 am to 6 pm Monday through Friday. She referred to drop offs and pickups and said they would occur at the east entrance and queue in the L-shaped parked lot with no overflow into the streets, and that no deliveries would be made during this time. Goellner added that there is a feasibility analysis and master planning underway for future expansion and if that occurs a CUP Amendment would be required.

Goellner stated that staff is recommending approval of the proposed Conditional Use Permit as it meets all of the requirements of the Zoning Code.

Baker questioned if there is a permitted maximum number of students allowed at the school. Goellner said there would be a permitted maximum number of students allowed as defined by the Building Code. Baker asked if the physical capacity and permitted capacity would be the same. Goellner said there could be a slight difference between the two. Zimmerman referred to the architectural plans and noted that the educational occupancy is limited to 704 occupants. Baker said he was thinking about the implications to the parking. Goellner explained that for parking regulations staff used the occupant loads that were noted on the site plans.

Johnson asked if the parking needs to be formally reevaluated. Goellner said staff is happy to accept input about parking but doesn't feel that a parking study is needed at this point. If the applicant were to come back in the future with plans to expand staff would likely ask for a parking study then.

Johnson referred to the floor plans that specifically call out the rooms being used and asked if that information was required with the application or if that was above and beyond. Goellner said the City requires an interior floor plan but that the plans submitted were more detailed than what the Planning Commission typically reviews.

Blum said he sees several positive things in this application including the independent licensing through another government agency because it gives him reassurance in regards to appropriate capacity. He said the L-shaped parking lot is particularly conducive toward managing traffic flows, and there have been no complaints about the present uses which are very similar to what is proposed. He said the proposed parking allowance is consistent with past decisions in terms of the quantity and the rationale for the uses which is that they are uses at different times and days of the week at the same facility and he is glad to see a proposed condition about future expansion of the use.

Mike McGinty, Principal of Good Shepherd School, said that for many years their enrollment has been approximately 330 kids and that has been declining by 10 to 15 per year for the last five years so even with the addition of the proposed preschool they will be well below what they have had for many years. He said the proposed preschool is needed and healthy, and parents have been asking for it for a long time.

Baker asked if the addition of the preschool would bring enrollment back. McGinty said they think it might help maintain enrollment where it is at.

Blum opened the public hearing. Seeing and hearing no one wishing to comment Blum closed the public hearing.

Baker said he thinks it is a quirk of the Institutional Zoning Districts that schools are a by-right use but preschools are not. He said they seem to be the same thing with different names and he is supportive of approving this proposal. Segelbaum agreed.

MOTION made by Baker, seconded by Johnson and motion carried unanimously to recommend approval of Conditional Use Permit 168 allowing for a Child Care Center in the Institutional (I-1) Zoning District at 145 Jersey Ave S subject to the findings and conditions listed below.

Findings:

1. **Demonstrated Need for Proposed Use:** Standard met. Child care is a necessary service for many members of the community. The applicant notes that families attending the K-6 school on site have requested a child care center for several years. Additionally, the applicant notes that the spaces for up to 20 children have been reserved. It is also noted that expansion may occur in the future.
2. **Consistency with the Comprehensive Plan:** Standard met. The proposed use is consistent with the Institutional designation in the Comprehensive Plan, which allows for child care centers.
3. **Effect upon Property Values:** Standard met. The proposed use is not anticipated to affect property values in a substantial way.
4. **Effect on Traffic Flow and Congestion:** Standard met. Traffic flows are not anticipated to be substantially different from those that currently exist. Employees of the child care center would arrive between 7 and 8 am and depart between 3 and 6 pm on weekdays. The amount of additional cars coming through the parking lot because of the added number of children is not expected to significantly impact traffic flow. The church does not currently have a problem with overflow into the streets and city staff do not anticipate this issue to begin to occur because of the added child care center for up to 20 children.
5. **Effect of Increases in Population and Density:** Standard met. The School currently has 27 employees, which would grow by 2 to 3 new employees. The Church currently has 9 employees and that would not increase with this proposal. There are currently 265 students enrolled at the K-6 school. The preschool (child care center) would allow for 20 additional children in the building. The site is able to accommodate this growth in population without negatively affecting neighboring property owners.
6. **Compliance with the City's Mixed-Income Housing Policy:** Not applicable.

7. **Increase in Noise Levels:** Standard met. The proposed use is not anticipated to generate excessive noise.
8. **Generation of Odors, Dust, Smoke, Gas, or Vibration:** Standard met. The proposed use is not anticipated to generate excessive odors, dust, smoke, gas, or vibrations.
9. **Any Increase in Pests or Vermin:** Standard met. The proposed use is not anticipated to attract pests.
10. **Visual Appearance:** Standard met. No exterior improvements are associated with this proposal. Future improvements to the parking lot will need to incorporate minimum standards in City Code.
11. **Other Effects upon the General Public Health, Safety, and Welfare:** Standard met. The proposed use is not anticipated to have any other impacts on the surrounding area.

Conditions:

1. The Child Care Center shall be limited to 20 students, or the amount specified by the Minnesota Department of Human Services, whichever is less.
2. A proposal to increase the capacity of the Child Care Center will require an amendment to the CUP.
3. All necessary licenses shall be obtained and remain active with the Minnesota Department of Human Services.
4. The hours of normal operation for the Child Care Center shall be Monday through Friday from 7 am to 6 pm.

Discussion – Mixed Use Zoning District

Zimmerman reminded the Commission that they've had several discussions about the proposed new Mixed Use Zoning District. He said he would now like to discuss setback regulations for when a Mixed Use property is adjacent to or across the street from an R-1 or R-2 Zoning District, height regulations including minimum height requirements, and height limits when a Mixed Use property is within a certain distance of R-1 or R-2 properties. He added that he would also like to discuss transparency regulations.

Zimmerman referred to previous discussions which included the pros and cons of having smaller setbacks which promote walkability and larger setbacks that provide more open space. He referred to some of the pros and cons of having a minimum height requirement and stated that requiring a second story may help spur more activity, density, and diverse uses, but may preclude one story retail or restaurants without a variance.

Zimmerman referred to the 2040 Land Use Plan, pointed out all of the Mixed Use areas, and discussed the current and the proposed front, side and rear yard setbacks for each of the subdistricts.

Zimmerman referred to the existing I-394 Mixed Use District height regulations and explained that it states that buildings located within 75 feet of a residential zoning district can't exceed the maximum height permitted in that residential district and that buildings occupying 5,000 square feet or more must be two stories in height. It also states that a one-story wing of a taller building may be permitted if it comprises no more than 25% of the length of the facade. He stated that these current regulations are complicated for developers and for staff to evaluate. He said staff is proposing language that says buildings must match the height of adjacent single family districts within 50 feet of a residential parcel

