

# Planning Commission

April 26, 2021 – 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.

### 1. Call to Order

The meeting was called to order at 7:00 by **Vice-Chair Pockl**.

#### Roll Call

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

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

Council Liaison present: Gillian Rosenquist

### 2. Approval of Agenda

**Vice-Chair Pockl** asked for a motion to approve the agenda.

**MOTION** made by **Commissioner Brookins**, seconded by **Commissioner Sadeghi**, to approve the agenda of April 26, 2021. Staff called a roll call vote and the motion carried unanimously.

### 3. Approval of Minutes

**Vice-Chair Pockl** asked for a motion to approve the minutes from April 12, 2021.

**Commissioner Baker** noted that he was listed in attendance and wasn't present.

**MOTION** made by **Commissioner Johnson**, seconded by **Commissioner Brookins**, to approve minutes. Staff called a roll call vote and the motion carried unanimously.

### 4. Public Hearing – Rezone Properties to Achieve Conformance with the 2040 Comprehensive Plan

**Applicant:** City of Golden Valley

**Jason Zimmerman, Planning Manager**, reminded Commissioners that there was a request to rezone 24 properties in order to come into conformance with the Future Land Use Map in the 2040 Comp. Plan. There are two groups to discuss and neither has current active development proposals.

**Zimmerman** compared the current zoning map and the future land use map.

Two Groups to Rezone:



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Group 1 – Douglas Drive	Group 2 – Winnetka Avenue North
Looked at briefly in 2020, but tabled until rowhouse discussion was completed	Other four properties would be rezoned from R-1 to R-2, similar to those in Group 1
Would primarily rezone from R-1 to R-2	Other four properties would be rezoned from R-1 to R-2, similar to those in Group 1
Single-family homes would still be a permitted use; would add duplexes and rowhouses as future possibilities	Other four properties would be rezoned from R-1 to R-2, similar to those in Group 1
One exception is 2120 Douglas Drive North – currently a six-unit affordable development zoned R-3	Other four properties would be rezoned from R-1 to R-2, similar to those in Group 1

For both groups, current and future land use maps were displayed and all the addresses impacted by these changes were listed. Staff also detailed R-2 and R-3 zoning designations for the group.

**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:

- Rezoning 17 of 18 identified properties in Group 1 from R-1 to R-2
- NOT rezoning 2120 Douglas Drive North (leave as R-3)
- Rezoning 2445 Winnetka Avenue North from Office to R-3 and 2415 Winnetka Ave North from R-1 to R-3
- Rezoning the remaining 4 properties in Group 2 from R-1 to R-2

**Commissioner Johnson** asked about 2120 Douglas Drive, and asked what that means for affordable housing if the property is an R-3 exception to the group R-2 rezoning. **Zimmerman** responded that if the property were “down-zoned” and one day redeveloped, the current 6-unit building would then max out as a 4-unit building. **Commissioner Baker** asked if staff received feedback from owners of the properties proposed to be re-zoned. **Zimmerman** said staff received one call and the owner was fine with the rezoning as the impact created future flexibility. **Commissioner Pockl** asked if the Veritec building was occupied. Staff responded it is partially and there’s a history of an unsupported petition for commercial re-zoning.

**Chair Blum** opened the public hearing at 7:20pm

**Zimmerman** stated that Jake Langer, 2480 Valdars Ave N, sent an email saying that he is worried about the height allowed under an R-3 zoning. This resident lives behind the northern portion of the Veritec site.

**Jake Langer**

*2480 Valders Ave N*

Staff just mentioned my email and I live behind the Veritec building and am opposed to the R-3 zoning because I don't want a 4-story building there. Staff mentioned before that maybe there could be a height cap at the current height of the building. I think that is a good compromise but a 4-story building would tower over me and my neighbors.

**Kathy Longer**

*2105 Aquila Ave N*

I looked at the Medicine Lake and Winnetka Ave flood information. This shows the plan was based on a flood depth of 1.5-2 ft at the low point on Medicine Lake during a 100-year design storm. They got there by planning to reduce the street width in the neighborhood. This month Hennepin Co. produced a document on climate action change, they're looking at changing the design standards from the 100-year plan. Any development may impact that flood area at Medicine Lake Road. This climate action plan includes where the most severe flooding could be and it's at that office building. I walk our neighborhood a lot and in spring there's constant water running out of sump-pump hoses and people say the water table is at their basements. The most alarming thing about this climate action plan is that it could jeopardize local infrastructure, sewage treatment systems, flood basements, and can impact water quality. Part of the reason for Medley Park stormwater project is to help with the flooding in our area. It seems incongruous that the City would develop Winnetka while taking parkland to reduce stormwater. It may be a good idea to see if new developments could cause a problem in our area.

**Mike Faber**

*2325 Winnetka*

I don't see the need for group 3 [R-3] for the area of group 2. I think it should all be number 2 [R-2] for density group all along Winnetka. If you want to achieve your density goals it should all be the same grouping in an area. The lots at 2445 are very shallow for R-3, the whole area should be row-housing instead of R-3. Across the street there's a development, the changes are subtle but the transitions are natural. Developing the area should be done all at once or not at all for this reason and there will be a traffic control issue too. On Douglas Drive, that's great it's R-3 now but if it's torn down, there should be a clause that it returns to R-2 because it'll be an odd structure in the middle of consistent façade. To the previous caller's flood comment, that area is pretty high so I don't know that it's a flood area. The lot on the corner of 23<sup>rd</sup> and Winnetka is in a floodplain and it's for sale. I'm not sure how it can be for sale since its location is why there isn't any development there. It would be nice if the city purchased that lot and correct the standing water that occurs there. Overall, I think R-2 should be standard for both groups.

**Joan Evans**

*7940 Valders Court*

I would like to encourage Commissioners to consider leaving the property that's being considered for R-3 to stay R-2. This will help the direct neighbors but also the feeling of the neighborhood as we've been quite oppressed by the townhouses that are so close to the street. I'm also concerned

about the water table and drainage issue. As buildings and parking are added, a decrease in greenspace, will only add to water issues in an already fragile area.

**Chair Blum** mentioned the height difference between the neighboring properties. **Zimmerman** stated that R-3 height is 48ft by right, or up to 60ft for senior housing. R-2 building height max is 28ft by right, or 35ft high for rowhouses. Showing a grading map, staff displayed the difference in building heights per zoning designations when considering the grading of the area.

The discussion moved on to CUPs and how the City could potentially address height caps.

**Commissioner Baker** asked about the presence of affordable housing in R-2 vs R-3 currently and in the future. **Zimmerman** responded that it depends on the developer and interest. It seems most likely there would be subsidized housing in an apartment building. This is easier in a larger building than a smaller. If the project is by right, there's no guarantee any build would create affordable housing.

The conversation moved on to downzoning and if the current R-3 designation was rezoned to R-2, the current building could stay as is. However, because the zoning changed, if there was redevelopment, then new developments would be R-2. Renovations are not impacted by this, only expansions.

Commissioners and staff addressed the concerns around flooding. Staff displayed the current flood map and discussed stormwater ponds, flood mitigation, and DeCola ponds. Regardless of floodplain information, any new build will be required to meet whatever standards are in place.

**Mike Faber**

*2325 Winnetka*

I'd like to add R-3 information to 2445. Staff stated the hillside is 30-35 ft high and the building may vary. The site would require a parking garage underneath as that would change total height and I suspect the building would be 2-3 ft higher than assumed ground to peak. That lot is too small for R-3 and a R-2 is the best solution.

**Chair Blum** closed the hearing at 7:52 pm.

Staff responded that zoning code states height caps are measured from grade, regardless of if there's underground parking or where the first floor starts.

**Commissioner Johnson** commented that in previous meetings the group decided to hold off on rezoning some properties from R-3 to R-2 until an R-2 zoning designation was defined. Being that the group seemed to be interested in R-2, he asked why the Commission was entertaining R-3. **Baker** echoed this statement. **Zimmerman** stated this discussion occurs as part of the potential re-designation process and added rowhouses weren't part of previous conversations. **Pockl** asked to discuss the two groups separately otherwise she agrees with Johnson and Baker. Commissioners discussed neighboring property values, property enjoyment, marketability, and road capacity.

**Commissioner Brookins** added that he's comfortable with R-2 or R-3 but was never comfortable with R-1. Commissioners asked Johnson to expand previous comments. **Johnson** discussed his thought

process prior to the R-2 discussion and that now he believes this section of property should be R-2. **Commissioner Orloff** asked why staff recommended R-3 instead of R-2. **Zimmerman** responded that the recommendation was due to compliance with the Comprehensive Plan.

**Commissioner Segelbaum** asked Baker if duplexes were concerning. **Baker** added that a duplex would be ok but without rowhouses as an option he stated he'd be less likely to endorse an R-2.

**MOTION** made by **Commissioner Brookins**, seconded by **Commissioner Pockl** to recommend rezoning Group 2 (Winnetka) to all R-2 zoning.

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

**Orloff** stated support for staff's recommendation of group 1 and **Segelbaum** echoed this statement. **Brookins** stated that zoning the property in a way similar to the adjacent properties makes sense for future flexibility. **Segelbaum** added the building on the lot is narrow so building options are limited and new builds are not cheap and supports leaving it as is. A discussion on affordable housing occurred around the Douglas Drive lot and **Baker** expressed desire that this lot be left in a condition to allow continuing affordable housing.

**MOTION** made by **Commissioner Baker**, seconded by **Commissioner Segelbaum** to recommend approval of staff recommendation of Group 1 (Douglas).

Staff took a roll call vote.

Aye: Baker, Blum, Johnson, Pockl, Segelbaum

Nay: Brookins

**Motion passes 5-1**

**5. Public Hearings** – Amendments to Future Land Use and Zoning Maps; Major Amendment to PUD 90

**Applicant:** ISD #270 - Hopkins School District

**Address:** 5430 and 5300 Glenwood Ave, Golden Valley, MN 55422

**Jason Zimmerman, Planner**, summarized that the applicant is making three requests as part of one proposal:

1. Future Land Use Map amendment for 5300 Glenwood Avenue
2. Zoning Map amendment for 5300 Glenwood Avenue
3. Major PUD Amendment for PUD 90

**Zimmerman** discussed the history of the proposal, starting in 2000. Throughout the presentation, a number of maps were displayed to illustrate the PUD as well as amendments.

1. The first request is to change the Future Land Use Map so this lot will be rezoned from *Office* to *Institutional – Assembly*. This zoning is better fit for school offices or educational planning. Potential traffic impacts are being evaluated and the rezoning with the Comprehensive Plan.

Recommendation

Staff recommends approval of the Future Land Use Map amendment to re-guide 5300 Glenwood Avenue from Office to Institutional – Assembly.

2. The second request regarding the Zoning Map amendment is to rezone from Office to Institutional. This is consistent with proposed changes to the land use in the Comp Plan. The use is compatible with surrounding uses, there is a church and a daycare down the street. This rezoning is not inconsistent with the neighborhood and it allows Meadowbrook to expand its campus and meet the goals and objectives of the Comp Plan.

Recommendation

Staff recommends approval of the Zoning Map amendment to rezone 5300 Glenwood Avenue from Office to Institutional (I-1).

3. The third request is to expand the PUD into Amendment #5; this will then include 5300 Glenwood Ave. This amendment will then improve existing parking lots, construct new stormwater treatment infrastructure, replace lighting, and add landscaping. **Zimmerman** displayed the site plan and proposed elements to illustrate these changes.

**Zimmerman** went into more detail regarding the evaluations of land use and zoning, traffic impacts, stormwater, landscaping, and platting.

Recommendation

Staff recommends approval of Amendment #5 to Meadowbrook School PUD No. 90, subject to the following conditions:

1. The photometric plans must be updated to conform to City standards for lighting levels.
2. Information on enrollment, staffing, and program activities shall be provided to the City annually by October 1<sup>st</sup>.
3. The City reserves the right to curtail certain uses or hours of operation at the 5300 Glenwood Avenue building pending results of the ongoing traffic study.
4. A financial guarantee shall be submitted to ensure all title work is completed and the final plat is recorded with Hennepin County.
5. Walkway easements along Glenwood Avenue shall be recorded as separate documents.
6. The City will vacate any interest in the MnDOT turnback area with the exception of certain easements over City utilities; the school district will own and maintain all other infrastructure.
7. The existing stormwater maintenance agreement shall be updated, including the district's existing chloride management plan.

**Commissioner Segelbaum** asked about a greenspace reduction during the amendment in 2018. **Zimmerman** responded that the percentage of greenspace will stay similar with this proposed amendment because new greenspace is being included and protected on the property. **Commissioner Johnson** asked about the building use, **Zimmerman** responded that district offices can move there but

classes may not take place in 5300 Glenwood. The discussion continued around parking, efficiency of traffic queuing in the lot, and accuracy of traffic study data.

**Chair Blum** invited the applicant to speak.

Neil Tessier, Civil Engineering Consultant for the school district, introduced himself. There was a traffic study done prior to the addition on Meadowbrook, at any given time there were no more than 40 cars in que at one time, this didn't pose a negative impact. With the addition of the 5300 Glenwood building, the study shows the lot can easily handle a que of 83 vehicles at one time.

The discussion continued around parking spots, vehicles on the lot compared to number of vehicles in que, logistics, and timing for vehicle traffic. The discussion moved on to the current use of the 5300 Glenwood building, what the current parking lot impacts are, and how that may change as the use of that building changes.

**Chair Blum** opened the public hearing at 9:17pm

**Commissioner Segelbaum** stated that as a whole, the proposal is good and there are many positive changes, however he's concerned about the 2018 reduction in greenspace and would like to have seen more greenspace and fewer parking spaces; especially for an elementary school. **Blum** echoed this statement. **Johnson** added by saying this amendment is a good thing but getting traffic impacts mitigated should have already happened within the PUD. He added that there should be a plan for the new building prior to approval of this amendment. **Brookins** asked if any of the lighting was updated in 2018, staff responded there were not updates but portions will be updated with this amendment. **Brookins** asked about the enrollment cap and staff responded that the 890-enrollment cap stays in place. **Brookins** added that when use for the 5300 Glenwood building was decided, that the applicant come back with another PUD Amendment for intended use and today there are limitations put in place until then. **Zimmerman** added that when completing the 2018 amendment process, staff goal was to wrap everything in to one final amendment and not return for two more amendments. Language in the amendment clarifies some of this but it can be changed or the amendment approval can be delayed until use of the newly acquired building can be defined. **Commissioner Pockl** suggested that tabling this amendment until use for the new building and its impact on the parking lot can be defined. **Johnson** noted on memo page 52, Item 2b where it states that planning staff will distribute the number of students and staff in the building to whom they deem necessary, and he added that it seemed strange that would be controlled information. **Johnson** asked staff about stormwater management and why the city opted for underground when they generally prefer above ground. **Zimmerman** stated wasn't sure as that was a determination made by City Engineers when collaborating with the applicant's engineers. **Applicant** responded the decision was made because there wasn't enough space to create an above ground stormwater pond and there is a danger having above ground stormwater storage near or on a school campus. Applicant added that enrollment details are not being withheld but thought it was better for the City to distribute as needed instead of the district sending it to every address in the City. **Baker** stated he understands the need to know the use of 5300 Glenwood before approving the amendment but supports staff comments about getting traffic impacts off the street sooner than later. The discussion continued on this topic and then returned to greenspace

amount and building use. Tabling this item would greatly impact the construction timeline. Commissioners discussed the applicant's application process, application timeline, and the delay in construction if this item were to be tabled. **Johnson** added that the Planning Commission's role is to interpret the rules, think about in the context of the City, and help elected officials make the best decision they can. He continued that details around building use and related traffic impacts are missing and that's too big to leave ambiguous. **Brookins** reminded the group there are three votes ahead of them and he's comfortable with moving ahead with Items 1 and 2 and not 3.

**Chair Blum** closed the hearing at 9:44pm

**MOTION** made by **Commissioner Brookins** and seconded by **Commissioner Pockl** to recommend approval of the Future Land Use Map amendment to re-guide 5300 Glenwood Avenue from Office to Institutional – Assembly.

**Johnson** added he disagrees with this motion until use for the building is defined. **Brookins** responded that he sees the land-use as being appropriate for school use. **Segelbaum** noted support for the motion.

Staff took a roll call vote.

Aye: Baker, Brookins, Pockl, Segelbaum

Nay: Johnson, Blum

**Motion passes 4-2**

**MOTION** made by **Commissioner Brookins** and seconded by **Commissioner Pockl** to recommend approval of the Zoning Map amendment to rezone 5300 Glenwood Ave. from Office to Institutional.

Staff took a roll call vote:

Aye: Baker, Brookins, Pockl, Segelbaum

Nay: Johnson, Blum

**Motion passes 4-2**

Discussion on denying, approving, or tabling the final voting item continued and the elements for each.

**MOTION** made by **Commissioner Brookins** and seconded by **Commissioner Johnson** to recommend denial of PUD 90 Amendment 5.

**Chair Blum** stated that based on elements of findings, the application is incomplete. **Segelbaum** echoed this statement.

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

**Televised portion of the meeting concluded at 10:20 pm**

**6. Council Liaison Report**

**Council Member Rosenquist** reported on the recent Council/Manager meeting where the Emergency Management Plan was discussed and the Open Space and Recreation and the Environmental Commission annual reports were presented. A conversation took place regarding using fund to pay down a portion of the City's debt. Finally, the Facility Task Force is introducing an online engagement effort and the Commissioners were encouraged to take part.

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

**8. Other Business**

**9. Adjournment**

**MOTION** by **Commissioner Pockl** to adjourn, seconded by **Commissioner Brookins**, and approved unanimously. Meeting adjourned at 10:34 pm.

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Adam Brookins, Secretary

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Amie Kolesar, Planning Assistant