

**PLANNING & ZONING COMMISSION MINUTES**  
**July 27, 2021**

A regular meeting of the Hopkins Planning & Zoning Commission was held on July 27, 2021, at 6:30 p.m. in the Council Chambers at City Hall, 1010 1<sup>st</sup> Street South, Hopkins. Present were Commission Members Sam Stiele, Gerard Balan, Nathan White, Douglas Dyrland, and Andrew Wright. Also present was City Planner Jason Lindahl.

**CALL TO ORDER**

Chairperson Stiele called the meeting to order at 6:30 p.m.

**ADOPT AGENDA**

**Motion** by Balan. **Second** by Wright.

**Motion** to Adopt the Agenda.

**Ayes:** Balan, Dyrland, White, Wright, Stiele

**Absent:** Sedoff, Terrill

**Nays:** None. **Motion carried.**

**COMMUNITY COMMENT** – None.

**Commissioners Sedoff and Terrill joined the meeting at 6:34 p.m.**

**CONSENT AGENDA**

**Motion** by Terrill. **Second** by Balan.

**Motion** to Approve the Consent Agenda

1. Minutes of the May 25, 2021 Planning & Zoning Commission Meeting
2. 325 Blake Road Environmental Assessment Worksheet (EAW) Notification

**Ayes:** Dyrland, Sedoff, Terrill, White, Wright, Balan, Stiele

**Nays:** None. **Motion carried.**

**PUBLIC HEARINGS**

1. **Planning Application 2021-09 1409 & 1413 Mainstreet Site Plan Review (Atelier Academy of Beauty)**

City Planner Lindahl gave an overview presentation of this item. The applicant, Atelier Academy of Beauty, is requesting site plan approval and a setback exception to allow a 2,100 square foot addition to their existing building located at 1409/1413 Mainstreet. The addition will contain two meeting spaces and additional storage for Atelier Academy and the setback exception is necessary to maintain the historic character of the existing building. Staff did receive one comment prior to the

meeting from the neighboring business, Zeller Studio, who had concerns about parking. Mr. Lindahl responded that the applicant meets the required number of parking spaces. Staff recommends approval of the request. Commissioner Dyrland questioned the addition constructed across property lines. Mr. Lindahl replied that a condition of approval requires the applicant go through the administrative process to combine the two parcels.

Chairperson Stiele opened the public hearing. No one from the public came forward to speak.

**Motion** by Balan. **Second** by Sedoff.

**Motion** to close the Public Hearing.

**Ayes: Sedoff, Terrill, White, Wright, Balan, Dyrland, Stiele**

**Nays: None. Motion carried.**

**Motion** by Dyrland. **Second** by Balan.

**Motion** to adopt Resolution 2021-14 recommending the City Council approve the Site Plan application and setback exception requests from Atelier Academy of Beauty to allow an addition to their existing building located at 1409/1413 Mainstreet, subject to conditions.

**Ayes: Terrill, White, Wright, Balan, Dyrland, Sedoff, Stiele**

**Nays: None. Motion carried.**

## **2. Planning Application 2021-10 Hennepin County Regional Railroad Authority Preliminary and Final Plat Review**

City Planner Lindahl gave an overview presentation of this item. The applicant, Hennepin County Regional Rail Authority (HCRRA) is requesting preliminary and final plat approvals to dispose of excess right-of-way (ROW). HCRRA proposes to plat and dispose of the excess ROW at this time because this corridor segment is no longer needed for future transit or transportation. The applicant proposes to plat the properties as outlots and retain some parcels while conveying most to Hennepin County Transportation, the City of Hopkins or adjacent private property owners. Staff received one written comment from Norman Arthur and Pamela Deerwood (102 8<sup>th</sup> Avenue North) with concerns about the regional trail. Mr. Lindahl responded that the trail will not be impacted and Three Rivers Park District will continue to maintain the regional trail corridor. Staff recommends approval of this request.

Commissioner White questioned maintaining the outlots without combining with adjacent properties.

Chairperson Stiele opened the Public Hearing.

Michael Noonan with Hennepin County addressed Commissioner White's question regarding outlot maintenance and property combination. The purchase agreement contains language putting the obligation on the parties who will be sold the property by Hennepin County to combine the additional outlot with their adjacent property.

Andy Barker (117 10<sup>th</sup> Avenue North) had questioned if the gravel alleyway between 9<sup>th</sup> and 10<sup>th</sup> Avenues North adjacent to where the regional trail begins will be included and returned to the adjacent property or the City so that it could be paved. Mr. Noonan responded that the current application includes the area between Excelsior Boulevard and 9<sup>th</sup> Avenue North, but agreed to look into the issue of the gravel access way and work with the City and Three Rivers on a possible solution.

**Motion** by Terrill. **Second** by Balan

**Motion** to close the Public Hearing.

**Ayes: White, Wright, Balan, Dyrland, Sedoff, Terrill, Stiele**

**Nays: None. Motion carried.**

**Motion** by White. **Second** by Wright.

**Motion** to adopt Resolution 2021-15 recommending the City Council approve the preliminary and final plats for HCCRA Downtown Addition.

**Ayes: Wright, Balan, Dyrland, Sedoff, Terrill, White, Stiele**

**Nays: None. Motion carried.**

Mr. Lindahl stated this item will be presented to the City Council at their August 2 meeting with the Planning & Zoning Commission's recommendation of approval.

### **3. Planning Application 2021-11 101 Interlachen Road Front Yard Setback Variance**

City Planner Lindahl gave an overview presentation of this item. The applicant, Richard and Shannon Rosati are requesting a 3.5 foot front yard setback variance to allow expansion of their existing front porch. The property is zoned R-1-C which requires a 20 foot front yard setback. The applicant's request will allow expansion of their existing front porch along the front of the house consistent with a previous variance granted in 2002. Staff finds the applicant has demonstrated a practical difficulty with meeting the City zoning standards consistent with State of Minnesota variance criteria and recommends approval.

Chairperson Stiele opened the Public Hearing. No one from the public came forward to speak.

**Motion** by Balan. **Second** by Wright.

**Motion** to close the Public Hearing.

**Ayes: Balan, Dyrland, Sedoff, Terrill, White, Wright, Stiele**

**Nays: None. Motion carried.**

**Motion** by Sedoff. **Second** by Balan.

**Motion** to adopt Resolution 2021-16 recommending the City Council approve a 3.5' front porch setback variance for the property located at 101 Interlachen Road.

**Ayes: Dyrland, Sedoff, Terrill, White, Wright, Balan, Stiele**

**Nays: None. Motion carried.**

Mr. Lindahl stated this item will be presented to the City Council at their August 2 meeting with the Planning & Zoning Commission's recommendation of approval.

#### **4. Planning Application 2021-12 819 Cambridge Street CUP and Site Plan Review (Take 5 Oil Change)**

City Planner Lindahl gave an overview presentation of this item. The applicant, Pocket Change, LLC is requesting site plan and conditional use permit (CUP) approvals to redevelop the vacant property at 819 Cambridge Street, which was previously a Taco Bell fast food restaurant. The building and site were cleared in 2015 after a new Taco Bell was built on the adjacent property to the east. The applicant plans to redevelop the site into a 3-bay, 1,600 square foot Take 5 quick-service oil change business. Generally, the proposal is consistent with site plan and CUP standards. Prior to the meeting, the applicant revised their application addressing two of the conditions of approval. The revised resolution provided to the Chairperson before the meeting removes the conditions related to exterior building materials and photometric plan. Staff recommends approval of these requests.

Commissioners Terrill and Sedoff had questions about the stormwater management plan. Mr. Lindahl responded that details of the plan were included in the agenda packet for the meeting and Resolution 2021-018 includes a condition that the Minnehaha Creek Watershed District review and sign off on those plans.

Take 5 Oil Change representatives Tim Eaton and Jeff Orosz addressed the questions regarding stormwater management and provided information on hazardous waste mitigation and disposal, treatment of storm water runoff, site design and details on general business operations.

Commissioner Dyrland questioned the conditional use permit review standard requiring stacking for gas pumps. Mr. Lindahl explained the service station conditional use includes language for the servicing or distribution of gasoline or oil. No gas pumps are included in this project. Commissioner Balan questioned the reason for building a Take 5 on the proposed site. Mr. Eaton stated the visibility from Highway 7 as the largest factor for the location choice.

Chairperson Stiele opened the Public Hearing.

Rachel Seurer (1316 Lake Street Northeast) commented on meeting notices. Mr. Lindahl replied that neighborhood meeting notices are required to be mailed to residents within a 350' radius and include the Planning and Zoning Commission members and City Council. Ms. Seurer acknowledged that she did not live within the required notification area. Ms. Seurer also shared concerns regarding potential contamination of the creek which were addressed by the applicant.

**Motion** by Sedoff. **Second** by Balan.

**Motion** to close the Public Hearing.

**Ayes: Sedoff, Terrill, White, Wright, Balan, Dyrland, Stiele**

**Nays: None. Motion carried.**

**Motion** by Balan. **Second** by Wright.

**Motion** to adopt Resolution 2021-17 recommending the City Council approve the site plan for the property at 819 Cambridge Street, subject to the conditions.

**Ayes: Terrill, White, Wright, Balan, Dyrland, Sedoff, Stiele**

**Nays: None. Motion carried.**

**Motion** by Balan. **Second** by Terrill.

**Motion** to adopt Resolution 2021-18 recommending the City Council approve a conditional use permit allowing a Service Station for the property located at 819 Cambridge Street, subject to the conditions.

**Ayes: Terrill, White, Wright, Balan, Dyrland, Sedoff, Stiele**

**Nays: None. Motion carried.**

Mr. Lindahl stated this item will be presented to the City Council at their August 2 meeting with the Planning & Zoning Commission's recommendation of approval.

## **5. 2021-07 Blake Road Station PUD, Rezoning & Site Plan Review**

City Planner Lindahl gave an overview presentation of this item. Trilogy Real Estate Group requests rezoning and planned unit development (PUD) approvals for Blake Road Station, a 3 phase mixed use residential and commercial development proposed for the northwest quadrant of Excelsior Boulevard and Blake Road, just south of the future Blake Road light rail transit station. The project will redevelop the existing Hopkins Commerce Center strip commercial center into three separate 7-story buildings totaling 770 residential units and approximately 11,000 square feet of commercial space. The applicant is also requesting site plan approval for Site A, the first phase of the

redevelopment, which includes a 7-story building with 220 apartment units and approximately 2,100 square feet of commercial space. Staff recommends approval of these requests, subject to conditions.

The applicant was required to host a neighborhood meeting. This meeting took place on July 14, 2021 at 1002 – 2<sup>nd</sup> Street Northeast (43 Hoops). The meeting included Trilogy staff and eight participants. Trilogy staff presented their proposal and took questions related to: development site selection process and project timeline, types of units and potential rents, displacement of existing businesses, public financial participation in the project and environmental issues. Prior to the Planning & Zoning Commission meeting the City received 19 email comments. The comments were mostly opposed to the project with some voicing support. The comments in opposition were generally related to the same concerns shared during the neighborhood meeting.

In response to Commissioner Sedoff's question on possible financial requests by the developer, Josh Peters with Trilogy Real Estate Group stated that they have refined the financial ask for the development. There is no request for tax increment financing but instead a 10-year forgivable loan for 1.8 million dollars for the first phase and the City is considering assistance for approximately \$685,000, which will be used to cover environmental costs associated with the site.

Josh Peters and Jesse Karasik with Trilogy Real Estate Group provided an overview presentation of the proposed development including project phasing, communication with current tenants, construction timeline, state funding for remediating some of the environmental issues with the site, housing market trends, housing supply in Hopkins and the financial feasibility of including affordable rents in the development.

Trish Sieh, engineer with Kimley Horn and resident of Hopkins at 227 Homedale Road, provided additional details of the site plan including an improved stormwater management plan. Jacob Rojer with Kimley Horn discussed the traffic analysis findings and recommendations for the redevelopment site. Alyssa Jagdfeld with ESG focused on the site plan, design, building materials and sustainability aspects of Site A. Jesse Symynkywicz with Damon Farber Landscape Associates added additional information about landscape design and streetscape of the project.

Commissioner Terrill questioned if Trilogy has explored funding from the County in addition to the State. Mr. Peters replied that DEED was the only grant Trilogy was successful in obtaining for environmental cleanup. Commissioner Terrill also referenced some of the concerns from the comments submitted to the City regarding affordability. Commissioner Balan voiced concern for the businesses that would be displaced by the redevelopment and the appearance of gentrification. Mr. Peters responded that Trilogy held a meeting with the tenants of the businesses prior to the July 27 Planning and Zoning Commission meeting and are committed to working with those business owners to try and lessen the impact of the redevelopment and stated their intent to lease the retail space to local businesses.

Commissioner Sedoff questioned if the City has any resources that could be utilized to assist the businesses. Planning and Economic Development Director Kersten Elverum provided additional

background information on affordable housing and the existing housing stock, property rights and landlord/tenant communications, free consultations for business owners through the Open to Business organization and the overall benefits of the redevelopment to the community.

Commissioner White questioned if the pocket park proposed for the development would be public or private for tenants only. Mr. Symynkywicz responded that it would not be a public city park, however, it will be accessible to the general public.

Commissioner Terrill questioned if Trilogy has any diversity requirements for selecting contractors for projects. Mr. Peters stated that contractor selection for this development was merit based but agreed this is something Trilogy could look into incorporating for future projects.

Chairperson Stiele opened the Public Hearing.

Abdi Muse (439 Blake Road North), works with many immigrant community members in Hopkins who have found it difficult to find affordable housing. Mr. Muse shared concerns over the development being only market-rate with no affordability, and that this will open the door for large companies to buy existing affordable buildings and redevelop them.

Jane Tomczik (10525 South Shore Drive, Plymouth), owner of Blake Cleaners shared that her family has owned a business in this location for over 50 years. Ms. Tomczik stated that they have tried to renew their lease but were denied by the current property owner and concerned over the difficulty of moving their business.

Brent Kummer with Mach1 Auto, shared frustration in trying to renew his lease with the property owner, lack of communication about the project and the short time frame to move his business to a new location.

Lee Gilbertson with Mac's Liquor, expressed concern over the timeline and finding a new location and moving his type of business. Mr. Gilbertson questioned Trilogy on the financial assistance request and also shared concerns over using TIF funds to demolish these businesses. He continued, questioning if this is the best development for the space, if there could be additional retail space, and if this project could be postponed for further discussion.

Larry Hiscock (302 7<sup>th</sup> Street South), shared his experience living in Hopkins and participating in various community groups and organizations. Mr. Hiscock expressed concerns about the overall development process, alignment with the goals of the comprehensive plan, equity and community engagement. He requested decision making on the project be delayed.

Andrew Reinhardt with CW Healthcare, shared concerns regarding communication about the project, Trilogy's investment history and the impact of this development on the existing businesses.

Owners of Shanghai Market, stated that their store is the only Asian market in the west metro area and serves a large, dedicated community. They continued, expressing frustration with lack of

communication about the development, the financial burden and difficulty in finding a new location for their business and requesting more thought be given to the tenants of the businesses.

**Motion** by Balan. **Second** by Terrill.

**Motion** to close the Public Hearing.

**Ayes: Balan, Dyrland, Sedoff, Terrill, White, Wright, Stiele**

**Nays: None. Motion carried.**

Commissioner Sedoff questioned why the businesses did not receive any communication about the project when this development has been in discussion for two years and has gone through the concept review process. Ms. Elverum responded that the City has developed an additional mailing list that included the affected businesses, also reached out to the Westside Village apartments and requested that the notices be passed out door to door to their residents. Mr. Lindahl detailed the City's public hearing notification requirements and explained that the neighborhood meeting process is an extra step the City takes to give the community the opportunity to learn more about potential development projects, ask questions and provide comment directly to developers. Mr. Lindahl stated that the City is open to discussing increasing the notification distance and other ways of better informing residents.

Commissioner Terrill questioned the implications of taking additional time to try to make the businesses whole. Commissioner Sedoff asked Trilogy if a delay in the timeline would significantly affect the project. Mr. Karasik explained that contractually, Trilogy had not been able to reach out to individual tenants and could not say if delaying the project for any significant amount would completely kill the project and also expressed sympathy for the business owners.

Commissioner Terrill questioned if the City reached out to the current landlord of the property. Ms. Elverum stated that planning work around the future light rail transit line has been ongoing for 10 years which has included numerous plans and community engagement events. She continued, stating that the seller has legal rights as a property owner and the City cannot impose lease terms on to a private property owner. The City has approached the development from a land use perspective, but if there are opportunities the City can get involved in other ways, it is something that can be discussed for future developments.

Further discussion included the notification process and communication, affordability and diversity of housing stock, project timeline and the 60-day rule for land use applications, delaying or tabling the application, focusing on the zoning request, the comprehensive plan, equitable development policy and the zoning ordinance update.

**Motion** by White. **Second** by Dyrland.

**Motion** to adopt Resolution 2021-12 recommending the City Council approve an ordinance rezoning the subject properties to Mixed Used with a Planned Unit Development (PUD), subject to conditions.

**Ayes: Balan, Dyrland, Sedoff, Stiele**

**Nays: Wright**

**Abstain: Terrill. Motion carried.**

**Motion** by White. **Second** by Dyrland.

**Motion** to adopt Resolution 2021-13 recommending the City Council approve the site plan for the Blake Road Station Site A, subject to conditions.

**Ayes: Wright, Balan, Dyrland, Sedoff, Terrill, Stiele**

**Nays: None. Motion carried.**

Mr. Lindahl stated this item will be presented to the City Council at their August 2 meeting with the Planning & Zoning Commission's recommendation of approval and will include the comments from both the public and Planning Commission.

**OLD BUSINESS** – None.

**NEW BUSINESS** – None.

**ANNOUNCEMENTS** –

City Planner Lindahl updated the Commission on the following items.

- The zoning update working group met in June to review module 1 of the zoning text. The process will continue with review of modules 2 and 3 and an update will be provided to the City Council at a future meeting.
- The City Council approved the changes to the massage therapy ordinance.

**ADJOURN**

Commissioner Balan moved, Commissioner White seconded, to adjourn the meeting.

**Ayes: Balan, Dyrland, Sedoff, Terrill, White, Wright, Stiele**

**Nays: None. Motion carried.**

The meeting was adjourned at 10:30 p.m.

Respectfully submitted,  
Courtney Pearsall  
Administrative Assistant