

**PLANNING & ZONING COMMISSION MINUTES**  
**October 22, 2019**

A regular meeting of the Hopkins Planning & Zoning Commission was held on October 22, 2019, at 6:30 p.m. in the Council Chambers at Hopkins City Hall. Present were Commission Members Gerard Balan, Samuel Stiele, Nathan White, Emily Fiamova, Laura Daly and Kristen Hanneman. Commissioner Goeman was absent. Also present was City Planner Jason Lindahl.

**CALL TO ORDER**

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

**ADOPT AGENDA**

Commissioner Hanneman moved, Commissioner White seconded, to adopt the agenda. The motion was approved unanimously.

**OPEN AGENDA – PUBLIC COMMENTS/CONCERNS** – None.

**CONSENT AGENDA**

Commissioner Stiele moved, Commissioner Hanneman seconded, to approve the minutes of the September 24, 2019 special meeting. The motion was approved unanimously.

**PUBLIC HEARING**

1. Planning Application 2019-15-CUP 600 2<sup>nd</sup> Street Northeast (Two Men and a Truck)

Mr. Lindahl gave an overview of this item, stating that the applicant, Bill Beard of Hopkins Mainstreet II, LLC, requests approval of a conditional use permit (CUP) for the property located at 600 2<sup>nd</sup> Street Northeast to allow outdoor storage of up to 20 moving trucks. The outdoor storage of the trucks would be associated with the office and self-storage facility for Two Men and a Truck. The conditional use permit standards require outdoor storage to be screened from the public right-of-way through a combination of setback, landscaping and fencing. In this case, the applicant is proposing to add a 20' setback with a combination of fencing and landscaping. Staff recommends approval of the request with the conditions listed in the resolution.

Commissioner Fiamova noted that there is no sidewalk along Jackson Avenue between Excelsior Boulevard and 2<sup>nd</sup> Street NE and questioned if pedestrians could continue to safely walk along the street in the grass or if the proposed landscaping would fully cover the area. Mr. Lindahl replied that the current green space is around 8' and would be extended to 20' and the proposed landscaping would likely not make it more difficult to walk along the grass on Jackson.

With no additional questions from the Commission, Chairperson Balan opened the public hearing at 6:42 pm.

The applicant, Bill Beard, addressed the Commission and was available to answer any questions. With no one wishing to speak, Commissioner Daly moved and Commissioner Hanneman seconded to close the public hearing. The motion was approved unanimously at 6:43 pm.

Commissioner Hanneman moved and Commissioner Stiele seconded to adopt Planning Resolution 2019-11 recommending the City Council approve a conditional use permit for 600 2<sup>nd</sup> Street Northeast. The motion was approved unanimously.

Mr. Lindahl stated that this application will be presented to the City Council at their meeting on Monday, November 4 with the Planning Commission's recommendation of approval.

## 2. Planning Application 2019-16-CUP RZ 510 Blake Road North (Bank of America)

Mr. Lindahl gave an overview of this item, stating the applicant, Bank of America on behalf of the owner Frauenshuh Hospitality Group, requests zoning code text amendment, planned unit development (PUD) rezoning, site plan and conditional use permit approvals to redevelop the property at 510 Blake Road North. The site is currently a Dairy Queen fast food restaurant with a drive-thru. The zoning code text amendment is necessary to remove a dated requirement that banks be located in or adjacent to downtown. The remaining PUD, rezoning, site plan and conditional use permit (CUP) applications are necessary to allow redevelopment of the site into a retail bank with a drive-thru. Staff recommends approval of these requests.

After some general discussion from the Commission, Chairperson Balan opened the public hearing at 6:59 pm.

Coming forward were Brandon Garnett with Nelson Architecture, Pat Hassett representing Bank of America and Trent Mayberry with Told Development who made themselves available for any questions from the public or Commission members.

With no one wishing to speak, Commissioner Hanneman moved and Commissioner Daly seconded to close the public hearing at 7:01 pm. The motion was approved unanimously.

Commissioner Fiamova moved and Commissioner Hanneman seconded to adopt Planning Resolution 2019-14 recommending the City Council approve an ordinance amending section 538.03, subdivision 2(v) related to the location of banks and savings and loan institutions. The motion was approved unanimously.

Commissioner Stiele moved and Commissioner Fiamova seconded to adopt Planning Resolution 2019-15 recommending the City Council approve an ordinance rezoning the property at 510 Blake Road North from B-3, General Business to B-3, General Business with a planned unit development. The motion was approved unanimously.

Commissioner Daly moved and Commissioner Stiele seconded to adopt Planning Resolution 2019-16 recommending the City Council approve the site plan for 510 Blake Road North. The motion was approved unanimously.

Commissioner White moved and Commissioner Fiamova seconded to adopt Planning Resolution 2019-17 recommending the City Council approve the conditional use permit for 510 Blake Road North. The motion was approved unanimously.

### 3. Planning Application 2019-17-RZ PUD & SP Vista 44 (Beacon Multifamily Housing)

Mr. Lindahl gave an overview of this item, stating the applicant, Beacon Interfaith Housing Collaborative, requests rezoning and planned unit development (PUD) approvals to allow construction of a 4-story, 50-unit multifamily apartment building. As part of the necessary approvals, the applicant requests rezoning from R-5, High Density Multiple Family to Mixed Use with a planned unit development (PUD) to allow flexibility from some of the Mixed Use Standards in exchange for a higher quality development. Should the City approve these requests, the applicant will also need future subdivision and easement vacation approvals. Staff recommends approval of these requests subject to the conditions detailed in the resolutions.

After staff's presentation on the details of the applicant's proposals, Chairperson Balan opened the public hearing at 7:20 pm.

First to the Commission were members of the Beacon development Team. Kevin Walker of Beacon Interfaith Housing Collaborative, presented to the Commission additional background on Beacon and the proposal for Vista 44. Anna Petersmeyer, COO of Volunteers of America, shared information on Volunteers of America and the services that would be available to residents of Vista 44. Bart Nelson of Urban Works Architecture, discussed the floor to area ratio, parking requirements and design standards for the development.

Commissioner Hanneman questioned if Hopkins residents or those with ties to the community would have any advantage when applying to live in the development. Mr. Walker provided information on the coordinated entry application system administered by Hennepin County and confirmed previous history with a community does not give an advantage. Commissioner Daly asked for more information on the green space for the development. Mr. Nelson shared that there are plans for a playground area, rain garden and will retain as much of the surrounding green space as possible.

The following individuals then came forward to address the Commission:

- Rev. Zoe Kaester of Mizpah United Church of Christ in Hopkins spoke in support of the development.
- Judy Johnson, 32 11<sup>th</sup> Avenue South, spoke in support of the development.

- Alan Johnson, 32 11<sup>th</sup> Avenue South, spoke in support of the development.
- Rabbi Jill Crimmings of Bet Shalom Congregation in Minnetonka, spoke in support of the development.
- Tom Hudock, 325 13<sup>th</sup> Avenue North, spoke in support of the development.
- Michael Semsch, president of National Handicap Housing, spoke in support of the development.
- Charlie Flynn, 374 Althea Lane, spoke in support of the development.
- Tim Buckley, 18 12<sup>th</sup> Avenue North, is not opposed to the development, but commented on current road conditions on 12<sup>th</sup> Avenue North and questioned if there would be street improvements with the project. Mr. Lindahl replied that no street improvements are included in the proposal, but the City does have a Street Improvement Plan that designates sections of the community for improvements each year. Mr. Lindahl said he would reach out to the City Engineer for a timeline.
- Charles Claud, 32 11<sup>th</sup> Avenue South #109, shared concerns regarding the potential for unexpected expenses related to civil engineering, including parking, street conditions, and sewage and stormwater management.
- Gary McGlennen, 32 11<sup>th</sup> Avenue South #111, spoke in opposition of the development. Mr. McGlennen questioned the applicant paying for the traffic study. Mr. Lindahl clarified the process for traffic studies and that the City chooses the consultant, not the applicant. Noting a last minute change to the plans, Mr. McGlennen suggested the Planning Commission choose to continue for more information.
- Jim Shurley, 32 11<sup>th</sup> Avenue South, spoke in opposition of the development with concern for the change in zoning.
- Rep. Cheryl Youakim, 129 7<sup>th</sup> Avenue North, spoke in support of the development.
- Pastor Scott Searl of Shepard of the Hills in Edina, spoke in support of the development.
- Marie Trafas, 402 14<sup>th</sup> Avenue North, spoke in opposition of the development, instead preferring senior-owned condominiums.
- Jay Hornbacher, 10 7<sup>th</sup> Avenue North, spoke in support of the development.
- Terrie Winegar, 106 12<sup>th</sup> Avenue South, spoke in opposition of the development.
- Greg Zoidis, 201 Homedale Road and Beacon Interfaith board member, spoke in support of the development.
- Mark Muenchow, 1117 1<sup>st</sup> Street South, spoke in opposition of the development.
- Elaine Schweitzer, 1101 1<sup>st</sup> Street South, spoke in opposition of the development, citing concern with neighborhood safety, background checks and application requirements for tenants. Mr. Lindahl replied that City policy requires rental property owners to administer background checks on all future tenants and to have that information on file.
- William, a Hopkins resident, had questions about illegal drug use or excessive use of alcohol by residents of the development and if there will be support systems in place for those dealing specifically with addiction issues and the long-term plan for continuing all supportive services.
- Joan Schwartzbauer, 32 11<sup>th</sup> Avenue South, spoke in opposition of the development.

- Michelle Poirier, 102 Wayside Road W, discussed value in ownership vs rental as well as lack of parking in the area.
- Judy Slayton, 1005 1<sup>st</sup> Street South, asked the Commission to envision long term.

With no one else wishing to speak, Commissioner Daly moved and Commissioner Stiele seconded to close the public hearing at 8:56 pm. The motion was approved unanimously.

The following questions were addressed after the public hearing:

- Unexpected expenses related to civil engineering including street conditions, parking, and sewage and stormwater management. Mr. Lindahl replied that the traffic study showed the development would not create a need for improvements to the surrounding streets. The City Engineer reviewed the plans and did not identify the current water and sewer capacity as an issue. With regard to stormwater management, there is a condition of approval from the Nine Mile Creek Watershed District.
- Mr. Lindahl presented clarification on staff recommendations provided in the reports and the legal authority of the City in reviewing proposals.
- Commissioner Daly questioned the density change that would occur with the zoning change from R-5 to Mixed Use. Mr. Lindahl did not have exact numbers at the time, but replied that they would be similar.
- Commissioner Hanneman asked about the contract for the development as supportive housing and the possibility for it to change in the future. Chris Dettling of Beacon Interfaith replied that a requirement by one of the financing sources (Minnesota Housing Finance Agency) is that supportive services be provided to the residents of the building for the duration of the loan agreement, typically 30-45 years.
- Concern over safety and background check requirements. Mr. Walker of Beacon Interfaith commented that the application process is thorough and noted that those whom could adversely affect the well-being or pose a risk to the safety of the other tenants and the surrounding community will not be allowed to rent in the development.

After some general discussion from the Planning Commission, Commissioner Hanneman moved and Commissioner Daly seconded to adopt Planning Resolution 2019-12 recommending the City Council approve an ordinance rezoning the south 1 acre of the St. Joseph's Church Parking Lot from R-5 High Density Multiple Family to Mixed Use – Planned Unit Development, subject to conditions. The motion was approved 4-2 with Commissioners Balan and Stiele voting against the motion.

Commissioner Fiamova moved and Commissioner Daly seconded to adopt Planning Resolution 2019-13 recommending the City Council approve the site plan for the Beacon Multiple Family apartment building, subject to conditions. The motion was approved 4-2 with Commissioners Balan and Stiele voting against the motion citing a desire for more time to review the recently revised site plan.

Mr. Lindahl stated that this application will be presented to the City Council at their meeting on Monday, November 4 with the Planning Commission's recommendation of approval.

**OLD BUSINESS** – None.

**NEW BUSINESS**

1. Downtown Overlay District Standards Appeal

Mr. Lindahl gave an overview of this item, stating that the applicant Tom Dewitz, contractor for the owner of 1209 Mainstreet, requests the Planning & Zoning Commission review of staff's interpretation of the Downtown Overlay district's Materials and Detailing standards. Staff finds the applicant's proposed exterior material is not allowed in the Downtown Overlay district while the applicant states the proposed product looks like brick or stone and should be allowed.

Tom Dewitz, representative for the building owner, presented to the Commission details on the Nichiha product the owner wishes to use on the façade of the building.

After some general discussion on the proposed material and the downtown design standards, Commissioner White moved and Commissioner Hanneman seconded to recommend the City Council affirm staff's interpretation that the applicant's proposed material is not allowed under the Materials and Detailing Section of the Downtown Overlay District. The motion was approved unanimously.

**ANNOUNCEMENTS** – None.

**ADJOURN**

Commissioner Daly moved, Commissioner Stiele seconded, to adjourn the meeting. The motion was approved unanimously. The meeting was adjourned at 9:42 p.m.

Respectfully submitted,

Courtney Pearsall  
Administrative Assistant