

ADDENDUM
Minnetonka City Council
Meeting of March 28, 2011

14A. Resolution approving site and building plan for Toys R' Us and Babies R' Us; Resolution amending the master development plan for Ridgedale Festival located at 14200 Wayzata Blvd

The city planner received the attached correspondence from a resident after the council packet had been sent out.



Memorandum

To: City Council

From: Loren Gordon, AICP, City Planner

Date: March 28, 2011

Subject: Change Memo for the March 28, 2011 City Council Agenda

14A. Resolution approving site and building plan for Toys R' Us and Babies R' Us; Resolution amending the master development plan for Ridgedale Festival located at 14200Wayzata Blvd.

The attached correspondence was received today from a neighboring resident.

Dear Mayor Schneider and Council Members,

I would like to thank you, again, for allowing us more time to work with the city staff on the neighborhood issues with the Toy R Us / Babies R Us development. Richard and I met with the city staff March 14, 2011, and were able to clarify and communicate all items of concern at that time. In reviewing the staff report for Monday, March 28, 2011, Council Meeting, I would like to affirm and comment on the items listed. Please refer to the staff report for the specific language.

- 1) and 2) Garbage / recycling containers will be enclosed.
- 3) Snow removal this year was contained on the Ridgedale Festival property and not in the drainage ditch or pond, therefore this problem was not a concern.
- 4) We have received a copy of the contract and will contact Kimco if there is an issue beyond the quarterly cleanup.
- 5) Gate to be closed from 9:30 p.m. to 7:00 a.m..

PLEASE NOTE: We were informed by city staff that some employees of the tenants have access cards to open the gate during the closed hours. This could create a problem and ask to have Kimco comment on how they handle this matter.

PLEASE NOTE: The staff report says "daily" for gate closing. The PID Agreement 88085 states on page 13 Stipulation 5. a. "Delivery / service hours shall be limited to 7:00 a.m. to 9:30 p.m. Monday through Saturday with no exception: ...". The posted sign at the delivery driveway states no Sunday deliveries also. This matter needs to be clarified. The neighbors would like that stipulation to stand.

6) Tenants will comply with the Minnetonka City Noise ordinance and violations will be reported by the neighbors to the Minnetonka Police Dept. for response.

7) Trucks over 50 ft. will be allowed in delivery area / loading docks and Master Development Plan will be amended as such.

PLEASE NOTE: The developer (Trammel Crow) and the anchor tenant (Toys R Us) MADE THE REQUEST for the truck size restrictions so that they could build according to THEIR desired square footage and meet the Minnetonka City requirements for parking. The City Staff agreed, the Planning Commission agreed and the City Council approved this restriction. This compromise was not logical or enforceable considering the problems the neighborhood has had for 20 years, yet the physical area is not designed for truck longer than 50 ft..

8) The plan for the "... addition of surmountable curbing between the fence and existing curb ..." would be INSTALLED and COMPLETED "... prior to the issuance of a Certificated of Occupancy" not JUST provided to the staff.

9) Other

Pond flooding information has been updated

Stop sign for the middle driveway was confirmed missing and replacement would be installed before the Certificate of Occupancy is issued. The three stop signs are a REQUIREMENT of the PID, p. 14, #8.

Parking information has been updated

The discussion with staff included the confirmation that the refrigerator trailer was in violation of the city ordinance. If the trailer appears again at upcoming holiday seasons, the neighbors will contact the staff.

I was unable to obtain the Planning Commission Meeting Minutes from March 3, 2011 on the web site so I am not able to include any comments on their reactions and recommendations before this council meeting.

The City Staff and the Minnetonka Police Department have provided the neighborhood with improved communication and actions to the above issues that have affected the Knollway Neighborhood for over 20 years. We anticipate these items will be resolved before the Certificate of Occupancy and that communication will continue in this positive manner in the future.

Thank you,
Linda Stewart