

**MINUTES
MINNETONKA CITY COUNCIL
REGULAR MEETING, MONDAY, July 28, 2003**

1. CALL TO ORDER.

Mayor Anderson called the meeting to order at 6:30 p.m.

2. PLEDGE OF ALLEGIANCE.

All joined in the Pledge of Allegiance.

3. ROLL CALL.

City Clerk Kathleen Magrew called the roll. Council members Terry Schneider, Al Thomas, Jan Callison, Dick Allendorf, Ken Tauer, Brad Wiersum and Karen Anderson were present.

4. APPROVAL OF AGENDA.

City Manager John Gunyou reviewed the two items in the addendum. The July 14, 2003 minutes were inadvertently left out of the packet, so action on them would be postponed until the August 11, 2003 council meeting. Staff's recommendation for item #10H, temporary banners for Minnetonka Lutheran Church, changed to grant the approval through December 31, 2003. Gunyou noted that a council study session would be scheduled to discuss the issue of temporary signs.

Callison moved, Wiersum seconded a motion to accept the agenda with the addendum. All voted "yes." Motion carried.

5. APPROVAL OF MINUTES.

No action was taken on this item.

6. SPECIAL MATTERS: None

7. REPORTS FROM CITY MANAGER & COUNCIL MEMBERS.

Gunyou reported that National Night Out will take place on August 5, 2003. There will not be a council meeting on August 4, and the next regular council meeting will be held on August 11.

8. CITIZENS WISHING TO DISCUSS MATTERS NOT ON THE AGENDA.

None.

9. BIDS AND PURCHASES**A. Consideration of bids for the Crestwood Circle Storm Sewer Project No. 4654.**

Gunyou provided a brief introduction to this item.

Allendorf moved, Callison seconded a motion to award the bid for the Crestwood Circle Storm Sewer Project No. 4654 to G.L. Contracting, Inc. in the amount of \$84,171.90.

In response to Anderson's question, Assistant City Engineer Jennifer Posma said that the curb cut at Muriel Road will close, but the riprap area will remain to provide for local drainage. She also said that the concerns of the neighbor at 2700 Crestwood Circle had been resolved.

All voted "yes." Motion carried.

B. Consideration of bids for Park Renewal Skate Park Equipment.

Gunyou provided an introduction to this item. He noted that there has been interest in more skateboard facilities. This project was unique because it would provide for portable equipment that could be moved to various locations within the city. He noted that the low bidder is a local firm, which saved on transportation costs.

Tauer moved, Schneider seconded a motion to award the bid for Park Renewal Skate Park Equipment to Custom Skatepark Concepts, Inc. in the amount of \$29,876.00.

In response to Anderson's question, Gunyou said that staff planned to have the equipment available this season.

All voted "yes." Motion carried.

10. CONSENT AGENDA (Items Requiring a Majority Vote):**A. Claims for council authorization.**

Tauer moved, Allendorf seconded a motion to approve the July 28, 2003 claims list, including checks numbered 175883 through 176231 totaling \$3,450,721.93. All voted "yes." Motion carried.

B. Resolution receiving petition, ordering improvements in, and authorizing the preparation of plans and specifications for the

Sunrise Farms Sewer and Water Improvement Project No. 5126.

Tauer moved, Allendorf seconded a motion to adopt Resolution No. 2003-057 receiving the petition, ordering improvements in, and authorizing the preparation of plans and specifications for the Sunrise Farms Sewer and Water Improvement Project No. 5126. All voted "yes." Motion carried.

C. Preliminary Plat time extension for Fairfield Rolling Estates at 801 Sunset Drive and 12701 Fairfield Road for Bert Gross.

Tauer moved, Allendorf seconded a motion to approve a time extension to file the preliminary plat for Fairfield Rolling Estates at 801 Sunset Drive and 12701 Fairfield Road for Bert Gross to December 31, 2003. All voted "yes." Motion carried.

D. Ordinance approving a major amendment of a master development plan with final site and building plan at 408 Parkers Lake Road for Yellowstone L.L.C.

Tauer moved, Allendorf seconded to adopt Ordinance No. 2003-18 approving an amendment to the master development plan for Yellowstone Trail at 408 Parkers Lake Road. The ordinance is based on the following findings:

- 1) The proposal would meet the required standards and ordinances for a site and building plan approval.
- 2) The proposal increases green space on the site.

Approval is subject to the following conditions:

- 1) The site must be developed and maintained in substantial conformance with the following plans, unless modified by the conditions below:
 - Site plan dated June 2, 2003
 - Grading plan dated May 29, 2003
 - Landscaping plan date stamped June 2, 2003
 - Building elevations date stamped June 19, 2003
 - Wetland/wetland buffer summary dated May 29, 2003
 - Utility plan dated May 29, 2003
- 2) The following work must be completed before the city issues a grading permit or before starting any site work:
 - a. The installation and maintenance of a temporary rock driveway, erosion control, tree protection and wetland protection fencing for each lot must be installed,

- subject to review by the city's environmental resources coordinator.
- b. Submit final site, grading, drainage, utility and erosion control plans for staff approval. Final grading plans must include the following revisions:
- (1) Add a sump catch basin in the pavement area before discharging into the pond on the west side of the building.
 - (2) Add two catch basins at the entrance of the north driveway.
 - (3) A drainage and utility easement must be established over the wetland along Parkers Lake Road. The easement must be established over the 944.7 elevation.
 - (4) Utility plan must be revised so the connections do not encroach on the property to the north.
 - (5) Use benching, terracing, or other slope-stabilizing techniques for fill as determined appropriate by the city engineer.
- c. Submit a letter of credit or cash escrow for 150% of the estimated cost to comply with grading permit requirements and restore the site.
- d. Submit copies of the watershed district permit. The city may require revisions to the approved plans to meet the district's requirements.
- e. Submit a construction management plan for staff approval.
- f. A wetland certificate of no loss or exemption form must be completed and mailed to the appropriate parties.
- 3) The following must be submitted to the city before the city issues a building permit:
- a. The installation and maintenance of a temporary rock driveway, erosion control, tree protection and wetland protection fencing for each lot must be installed, subject to review and approval of the city's environmental resources coordinator.
 - b. An illumination plan for staff approval. Exterior lighting must be designed and arranged to limit direct illumination and glare upon or into any contiguous parcel. Reflected glare or spill light shall not exceed five-tenths (.5) foot-candles as measured on the property line when abutting a residential parcel.
 - c. All required hook-up fees.
 - d. Record this ordinance with the county.

- 4) The following must be submitted to the city before the city issues a certificate of occupancy for the building:
 - a. Conservation easements over the wetland and buffer areas, including a drawing of the easements for the approval of the city attorney. The easements and drawing must be recorded with the final plat.
 - b. Documents establishing a homeowners' association. The association must be responsible for maintaining any common areas, common drives, the required drainage pond and any other required drainage improvements approved by the city. Maintenance will include, but not be limited to, the periodic removal of sedimentation at the base of the pond and any adjacent drainage ditches, keeping a vegetative cover within the ditches and pond, and removing any blockage of the swale or culvert that may impede the drainage of the site, as approved with the building permits. Documents must also include a maintenance agreement for the wetland and buffer areas. This language shall be subject to review and approval of the city attorney and environmental resources coordinator.
 - c. A final landscape and irrigation plan for staff approval. Minimum planted tree sizes shall be 3-1/2 inch caliper for deciduous trees, 2-inch caliper for ornamental trees and 10 feet in height for coniferous trees; or the sizes must meet the minimum code requirement at the time of submittal of the final landscape plan.
 - d. The landscape plan must include a minimum investment of 2 percent of the total project value.
 - e. A letter of credit or cash escrow for 150% of the estimated cost of all required landscaping.
- 5) Revegetate disturbed slopes as soon as practical after grading to stabilize steep slopes and prevent erosion, as required by the city.
- 6) The property owner is responsible for replacing any required landscaping that dies.
- 7) The eight affordable housing units are to be priced at \$170,000 or less, and be subject to resale indexing covenants approved by the city council, after EDA review of the city's indexing policies.
- 8) All rooftop and ground-mounted mechanical equipment, and exterior trash and recycling storage areas, must be enclosed with materials compatible with the principal structure, subject to staff approval. Low profile, self-contained mechanical

- units that blend in with the building architecture are exempt from the screening requirement.
- 9) The building must be constructed with automatic fire sprinklers throughout.
 - 10) A wood chip trail must be constructed along the west side of the building to allow for pedestrian movement around the building and wetland area. Construction of this trail shall be subject to review and approval of the environmental resources coordinator and the fire marshal.
 - 11) Approval does not include the signs shown on the drawings. Separate permits are required from staff.
 - 12) The floor area ratio must not exceed 50 percent of the site above the wetland boundary.
 - 13) Construction must begin by December 31, 2004, unless the planning commission grants a time extension.

The above plans are hereby adopted as the master development plan and as final site and building plans.

Thomas, Callison, Allendorf, Tauer, Wiersum and Anderson voted "yes." Schneider abstained. Motion carried.

E. Resolution approving a conditional use permit for an oversized detached garage at 12201 Golden Acre Drive for Randy Gerard.

This item was pulled from the consent agenda by Anderson. She noted that the new garage would be oversized in square footage and height. She asked if the planning commission was concerned about the lack of windows and the broad expanse of materials. Planning Director Geoff Olson did not recall the commission discussing that issue. However, he said that three additional trees would provide screening for the only neighbor who could view the structure. He also said that an existing shed would be removed, and other items would be removed from the site as well.

Randy Gerard, 12201 Golden Acre Drive, said that he planned to have skylights, and did not want windows for security reasons. Anderson asked him to make the structure look as nice as possible. She also said that she had contacted the neighbors and they had no issues and were pleased that the property would be cleaned up.

Tauer moved, Wiersum seconded a motion to adopt Resolution No. 2003-058 approving a conditional use permit for construction of a 26-foot by 45-foot detached garage with a height of 15 feet. Approval is based on the finding that the proposal meets the

required conditional use permit standards and other city code. The permit is subject to the following conditions:

- 1) The applicant must plant three six-foot spruce trees as indicated on the Planner's Amended Site Plan in this report. (See page A10.) The applicant is responsible to replace any tree or shrub that dies within five years of planting.
- 2) The 12-foot by 20-foot, temporary storage building must be removed.
- 3) The building materials for the garage must match the color and style of the existing home.
- 4) Tree protection/erosion control fencing must be installed and maintained throughout the construction process.
- 5) The site must be graded to minimize impact to adjacent properties.
- 6) The structure may not be used for commercial activity, such as offpremise business or home occupation storage and activities.
- 7) The structure may not be converted to a residential dwelling.
- 8) This resolution must be recorded with the county before the city issues a building permit.
- 9) The existing sewer and water lines on the property must be located and protected during construction before the city issues a building permit.
- 10) The city council may reasonably add or revise conditions to address any future unforeseen problems.
- 11) Any change to the approved use that results in a significant increase in traffic or a significant change in character would require a revised conditional use permit.
- 12) The applicant must agree to the above conditions in writing.

All voted "yes." Motion carried.

F. Resolution authorizing acceptance of gift of real property (30 Westwood Circle).

Tauer moved, Allendorf seconded a motion to adopt Resolution No. 2003-059 authorizing the city to accept a deed conveying the property at 30 Westwood Circle to the city. All voted "yes." Motion carried.

G. Resolution prohibiting parking on both sides of the I-394 north frontage road between CSAH 61 (Plymouth Road) and CSAH 73 (Hopkins Crossroad).

Tauer moved, Allendorf seconded a motion to adopt Resolution No. 2003-060 prohibiting parking on both sides of the I-394 north

frontage road between Plymouth Road (CSAH 61) and Hopkins Crossroad (CSAH 73). All voted "yes." Motion carried.

H. Three temporary banners for the Minnetonka Lutheran Church at 16023 Minnetonka Boulevard (two for special events and one banner for their 50th Anniversary).

This item and items 10I and 10J were pulled from the consent agenda by Callison. She said that these three requests raised issues for her about the city's ordinance regarding temporary signs. She questioned if the requested signs were truly temporary, and noted that Adath Jeshurun plans to advertise service times, which she did not view as a special event.

Olson said that Adath viewed the summer schedule as a special event. However, he did not believe that it fell within the context of the ordinance, and felt that it went beyond what is normally approved. He said that Adath's sign would be in place until early September, and after that, other special events would be advertised on the same permanent structure. Olson thought that the service time sign would fill in between the special events.

Callison asked about the request for Minnetonka Lutheran, noting that they had requested one sign to be displayed for an entire year. Olson said that they asked for a one-year banner for their 50th anniversary, and also for banners for a number of monthly special events. These would be up for six months of the year. The church prefers not to have to take down and put up the anniversary sign.

Callison also questioned whether the signs for the Community Theater would be temporary. She was concerned about approving any of the three requests before the council had a discussion about temporary signs.

Schneider said that the council should discuss what is temporary, but he was reluctant to try to define special events. He would rather focus on the number of signs on one site, the duration, and the number of times each year signs could be posted.

Tauer thought that this issue was more controlled in the past. Most temporary signs were for single events, such as Vacation Bible School. He thought that there was now overkill, with repetitious signage. He noted that the city doesn't dictate the content of the message on signs. Tauer said that organizations usually have weekly bulletins to convey information to their members, so

banners were used to invite outsiders. He did not want to deny the requests on the agenda.

Wiersum said that clarity is needed on the definition of what constitutes a temporary sign, and also what qualifies as a special event. He suggested that temporary might be defined by a fixed period of time, or a defined period between when signs can be posted.

Anderson asked about the impact of the revised staff recommendation. Gunyou said that Adath and the theater would not be affected by the revised recommendation, because their requests would expire prior to the end of the year.

Gunyou provided background about this issue. He said that staff shared the council's concerns, because the use of temporary signs has become more aggressive, and the requests are pushing the spirit of the ordinance. He proposed that the council discuss the issue at its September 22 study session to determine whether any changes to the ordinance might be appropriate. Staff also suggested that these and any other subsequent requests be accommodated prior to any ordinance amendments.

Anderson also noted that the council could decide to put a hold on new requests.

Callison preferred an approval through September 22, 2003, and would not support approving the three requests through December 31, 2003.

Schneider disagreed. He said that the requests are in compliance with the existing language of the ordinance. If the council decided on September 22 to amend the ordinance, the process to adopt an ordinance would take time. He supported uniformity in the city's response to these types of requests, and said he would support the staff recommendation.

Tauer agreed with Schneider. He did not support extending the approvals only to September 22. He did not think there would be much impact to the city by allowing the temporary signs to remain for a few more months.

Allendorf agreed. However, he was concerned with the monument built to display temporary signs at Adath. He did not think their signage was in keeping with what the council had envisioned.

Gunyou provided a history about the signage at Adath. He explained they had received a size variance for their initial sign, but subsequently decided it was inadequate. They requested a larger sign for the opposite side of the entrance street, but this was denied. Staff suggested a similarly sized sign as the original, but Adath argued it would not be large enough to both recognize their major donor and advertise special events. The city subsequently approved a new variance for a sign the same size as the original, and indicated that Adath could choose to display whatever content they wished, since the city does not regulate content.

Adath decided not to include a message board on their permanent sign, but subsequently erected an adjacent monument without any markings. They advised staff that they planned to use the second permanent monument to display temporary signs. Staff felt that since there was no wording on the monument, it did not constitute a sign, and temporary signs could only be posted with council approval. Gunyou said that this was a good case study of what happens when the city attempts to make reasonable accommodations, but some people aggressively use loopholes to skirt the intent of the ordinance.

Allendorf supported staff's recommendation for the theater and the Lutheran church signs. It would be difficult for him to approve the synagogue's request because he felt they had pushed the envelope beyond where it should have been pushed.

Thomas supported staff's recommendation, and would not support granting approvals through 2008. He agreed with Wiersum that the council needs to define temporary signs and the length of time they can be displayed. Thomas felt that some of the signs have not been temporary. He thought the Adath monument to display temporary signs was pushing the boundaries. He felt it was time to re-look at the sign ordinance and tighten it up, or change the goals. Thomas noted the proliferation of signs on weekends when there is less enforcement. He supported taking the time to make the right decisions.

Schneider noted that the synagogue structure is set back from the road, so he did not think a monument for temporary banners would be inappropriate. The appearance was better than if metal stakes were used. However, he would be concerned if the monument was a mechanism to circumvent the ordinance.

Allendorf left at 7:13 p.m.

Anderson supported the staff recommendation. She agreed that the council needed to discuss timing and location. She raised concerns about banners hung from fences, such as those at the high school where a reader board is nearby. She said that the council's action would put the public on notice. Callison noted that the banners at the school had already been up for four to six weeks.

Anderson said that something needs to be done. She said that the city was in a similar place as it was years ago when the sign ordinance was updated. At that time, the council had been granting small variances until ultimately there was no standard left. She said that regardless of the limits placed on signs, people will always try to push those limits.

Wiersum said that in addition to defining temporary and special events, the council might also need to define what constitutes a sign. He was troubled that a monument with nothing on it would not be considered a sign, and could be used to circumvent the ordinance.

Tauer agreed with reviewing the definition of a sign. He questioned the two signs at the school. Callison said that one provides the phone number to call, and the other banner displays the name of the play. She noted that the reader board also references the play.

Schneider moved, Tauer seconded a motion to approve the following temporary banners for Minnetonka Lutheran Church at 16023 Minnetonka Boulevard:

- 1) One 3 x 8 foot banner on the bell tower near the main entry for special events in August, September, October, and December. These banners would be allowed during these months through December 31, 2003.
- 2) One 3 x 8 foot banner over the rear entry for special events in August, September, October, and December. This banner would be allowed during these months through December 31, 2003.
- 3) One 3 x 8 foot banner on the bell tower that would be posted only from August 2003 through December 31, 2003 for the 50th Anniversary.

Schneider, Thomas, Tauer, Wiersum and Anderson voted "yes." Callison voted "no." Allendorf was excused from this vote and the remainder of the meeting. Motion carried.

- I. **Temporary banners for the Minnetonka Community Theater for their second summer production at 18306 State Highway 7 (Minnetonka High School).**

Schneider moved, Tauer seconded a motion to approve temporary banners as proposed for the Minnetonka Community Theater at 18306 State Highway 7 (Minnetonka High School) for their summer production, "Joseph and the Amazing Technicolor Dreamcoat" running from July 29, 2003 through August 9, 2003. Schneider, Thomas, Tauer, Wiersum and Anderson voted "yes." Callison voted "no." Motion carried.

- J. **Temporary banner for the Adath Jeshurun Congregation to post special events at 10500 Hillside Lane West.**

Schneider moved, Tauer seconded a motion to approve the installation of one temporary banner (4.5 feet x 6 feet) on a monument near the entrance sign for Adath Jeshurun Congregation at 10500 Hillside Lane West to advertise events at the synagogue. The banner may be in place from August 1, 2003 through September 15, 2003. Schneider, Thomas, Tauer, Wiersum and Anderson voted "yes." Callison voted "no." Motion carried.

11. **CONSENT AGENDA (Items requiring Five Votes).** None.

12. **INTRODUCTION OF ORDINANCES.** None.

13. **PUBLIC HEARINGS.**

- A. **Public hearing to consider an application by Barrel Wine & Spirits, L.L.C., for an off-sale intoxicating liquor license for Barrel Wine and Spirits, 15400 State Highway 7.**

Community Development Director Ron Rankin introduced the item.

Anderson opened the public hearing at 7:20 p.m.

Steve Summers, 4824 Vine Hill Road, Deephaven, introduced himself as the owner of the business. Anderson asked him about the planned improvements that had been approved for that building. He referred the question to the building owner.

Curt Fretham, 4934 Baker Road, said that he plans to remodel the building, but is not certain when he will complete the upper portion. In response to Anderson's question, Olson said that the approval

would need to be completed by December 31, 2004 unless an extension was requested.

Terry Mulhern, 5900 Stoneybrook, spoke as the General Manager of Sidney's Restaurant. He welcomed a new business at that location, noting the difficulty in finding the service road in the dark.

Callison asked about the possibility of installing a streetlight at the frontage road. Posma said she would check with the Minnesota Department of Transportation to see if a streetlight at that location would fall within their guidelines.

Schneider moved, Tauer seconded a motion to continue the public hearing to consider an application by Barrel Wine & Spirits, L.L.C., for an off-sale intoxicating liquor license for Barrel Wine and Spirits, 154500 State Highway 7 to August 25, 2003. All voted "yes." Motion carried.

14. OTHER BUSINESS:

A. Items concerning a West Oaks Community Church expansion at 11901 Excelsior Boulevard and 11815 Pioneer Road for Miller Architects & Builders:

- 1) Resolution approving a conditional use permit; and**
- 2) Building and site plan review.**

Olson introduced the item.

Callison questioned the need to increase the number of parking spaces from 64 to 130. She said that 64 spaces would be sufficient for the sanctuary use, and the other uses would likely occur at other times.

Olson said that the church believed they needed the extra spaces. He said that the code used the sanctuary to calculate the need, but the church indicated the extra spaces would be needed when the fellowship hall was used. Callison asked if proof of parking had been considered.

Tauer asked for an explanation of infiltration basins and the impact if they malfunction. Posma said that there are sandy soils at this location, so infiltration of water into the soil was expected to be good. The basins and holding pond would hold enough water to cover two 100-year events, and they are typical when an outside

outlet is not available. She said that there was adequate capacity in the area should they fail.

Michelle Cowen of RLK, spoke as the project engineer. She said that the church requested the number of parking spaces based on their activity expectations. They did not want to consider proof of parking.

Schneider said that their request complied with the ordinance and provided for green space, so he had no problem with the additional parking. He noted that the neighbors were concerned about parking on Pioneer Road, and the additional spaces should reduce the likelihood of on-street parking.

Anderson said that she had been most concerned with the drainage. She said that there are two well-kept properties behind the church that have been bearing the brunt of the drainage. She hoped that the drainage conditions would improve. She appreciated staff's extra efforts with the drainage, and also appreciated the church reducing the size of their sign so it was in keeping with the neighborhood and other churches in that area.

Tauer moved, Callison seconded a motion to:

- 1) Adopt Resolution No. 2003-061 approving a conditional use permit for a religious facility at 11901 Excelsior Boulevard and 11815 Pioneer Road. Approval is based on the finding that the proposal meets the required conditional use permit standards and is subject to the following conditions:
 - a. The two properties, 11901 Excelsior Boulevard and 11815 Pioneer Road, must be combined.
 - b. Record this resolution with the county before the city issues a building permit.
 - c. The city council may reasonably add or revise conditions to address any future unforeseen problems.
 - d. Any change to the approved use that results in a significant increase in traffic or a significant change in character would require a revised conditional use permit.
 - e. The applicant must agree to the above conditions in writing.
- 2) Approve the site and building plans for West Oaks Community Church at 11901 Excelsior Boulevard and 11815 Pioneer Road, subject to the following conditions:

- a. The site must be developed and maintained in substantial conformance with the following plans, unless modified by the conditions below:
- (1) Grading plan dated May 16, 2003.
 - (2) Landscaping plan dated May 16, 2003; Black Hills spruce must be planted rather than Colorado spruce.
 - (3) Building elevations dated May 16, 2003.
- b. The following work must be completed before the city issues a grading permit or before starting any site work:
- (1) Submit for staff review and approval drainage calculations.
 - (2) Submit for staff review and approval a revised site plan eliminating parking stalls near the large basswood tree on the east side of the proposed parking lot.
 - (3) Curb and gutter must be extended to the garage currently located on the south side of the west parking lot.
 - (4) Install for staff approval erosion control and tree protection fencing. The fencing must be maintained throughout the construction process.
 - (5) Submit a letter of credit or cash escrow for 150% of the estimated cost to comply with grading permit requirements and restore the site.
 - (6) Submit copies of the Nine-Mile Creek Watershed District permit. The city may require revisions to the approved plans to meet the district's requirements.
 - (7) Submit a construction management plan for staff approval. This plan should include a timeline for work on the site. The infiltration basin must be constructed before any other work occurs on the property.
- c. The following must be submitted to the city before the city issues a building permit:
- (1) A letter of credit or cash escrow for 150% of the estimated cost of all required landscaping
 - (2) An illumination plan for staff approval
 - (3) All required hook-up fees
- d. Remove existing water and sanitary service to the main line per the requirements of the public works department if applicable.

- e. Install a new 6-inch water line where the existing water service is located to prevent further road cuts.
- f. The property owner is responsible for replacing any required landscaping that dies.
- g. All rooftop and ground-mounted mechanical equipment, and exterior trash and recycling storage areas, must be enclosed with materials compatible with the principal structure, subject to staff approval. Low profile, self-contained mechanical units that blend in with the building architecture are exempt from the screening requirement.
- h. Install automatic fire sprinklers throughout the church building.
- i. Install fire hydrant at the northeast entrance of parking lot.
- j. A separate sign permit is required prior to installation of the sign.
- k. Within the electronic display area, flashing and/or scrolling messages are not permitted.
- l. Construction must begin by December 31, 2004, unless the planning commission grants a time extension.

All voted "yes." Motion carried.

B. Review of Park Renewal Master Plan for GroTonka Park.

Gunyou noted that this park project followed the standard format that encouraged neighborhood involvement. He said that this project had initially been confused with the Sanctuary development, and emphasized that the outcome for the park would have been the same regardless of that project.

Perry Vetter, Project and Events Manager, reviewed the plans for GroTonka Park.

Anderson was grateful that the park board had reacted to the issues raised by the neighbors. She was concerned about losing vegetation at the northwest corner of the park. She felt that it was important to buffer the neighbors, since the primary activities of the park were moving to that area.

Vetter said that the plans were conceptual, and that landscape plans would be prepared to include a buffer at Prospect Place and Woodlawn Avenue.

In response to Anderson's questions, Vetter clarified that there would be 25 spaces in the new main parking lot, where there are currently 30 spaces. However, additional parking would be provided in other areas.

Anderson noted that the tennis courts in this park continue to see good use, while the use at other courts in the city has waned.

Vetter said that the backstop would remain in its current location, and would not interfere with sledding. He said that the city would not prohibit sliding.

In response to Tauer's question, Parks Superintendent Craig Sinclair said that the trail through the wooded area would have a rock surface. The trails near the tennis court and leading to the tot lot would be paved with asphalt. He said those trails would not be plowed in the winter. Sinclair said that informal cross-country skiing and snowshoeing could also take place in that area.

Callison asked if the planned open space area was sufficient. Vetter said that some open space area was needed to accommodate the drainage, and moving the rink will open up some additional space.

In response to Thomas' question, Vetter explained the charting of neighborhood responses. Schneider suggested that the 'missing' category could be eliminated from the information given to the council.

Callison was pleased that the property at Woodlawn and Prospect, which was purchased several years ago, was incorporated into the design.

Wiersum agreed, and said that this park is the one his family uses the most. He said that the project would increase the value of, and be a great improvement to, the park.

Anderson said that her family has used GroTonka Park through the years. She noted that developers often deeded low areas to the city for parks in the early days, so drainage problems are not uncommon. She noted the problems in Spring Hill Park where kids bring boats in the spring. She also said that toddlers roll down the hill in GroTonka in the summer, and children sled there in the winter. She said that the city doesn't encourage or discourage the sledding, it just happens naturally. Due to the activities on the hill, she would support not building a trail at that area. She was pleased

that the backstop would remain in its present location. Anderson said that of all the park renewals, with the exception of Ford Park, this park will see the most dramatic changes. She was pleased with the use of the additional land.

Eric Larson, 17411 Bay Lane, said that his children have used the park a great deal. He was concerned about the impact of the drainage on open space. He provided the history of the alignment of Minnetonka Boulevard. When the road was realigned, it separated the two ponding areas on either side of the current roadway. He suggested a pipe between those two ponds to increase the dry land available in the park.

Anderson noted that there are years when both of those ponds are dry, and said that they seem to fluctuate at the same rate. She also noted that the holding area would serve other purposes.

Posma said that the city's Water Resources Management Plan shows an outlet connection between the north and south ponds, but that was not within the scope of this project. It would be considered as part of the upgrading of Minnetonka Boulevard. She said that city crews have noted that the northerly pond has a higher level than the southerly pond, so the outlet option would need further study to determine the downstream impact. She said that an outlet would not eliminate the water, but would control it.

Posma said that the holding area could be a shallow pond or a rain garden, and it would pre-treat the drainage to filter out sediments before the water gets to the wetland to the south. It would improve the water quality and provide more useable space. She said that more thorough study was planned.

Callison asked how often the general skating area would be wet in the summer. Posma said that area is flat, and does not drain well now. Staff would work on improving drainage through grading. Because the land is in the floodplain, Vetter said that excavation at a one to one ratio would be needed.

Callison suggested a sign to note the historical route of Minnetonka Boulevard. Vetter said that could be done.

In response to Anderson's question, Posma said that Hennepin County declined to extend the CSAH 101/CSAH 5 improvement project to GroTonka Park, because of possible impacts to the wetland.

Sue Woodrich of the Minnetonka Park Board stated the board's support for the project.

Callison moved, Wiersum seconded a motion to direct staff to proceed with Phase 2 of the renewal of GroTonka Park. All voted "yes." Motion carried.

15. APPOINTMENTS AND REAPPONTMENTS. - None

16. ADJOURNMENT.

Thomas moved, Wiersum seconded a motion to adjourn the meeting at 8:15 p.m. All voted "yes." Motion carried.

Respectfully submitted,

Kathleen Magrew
City Clerk