

**MINUTES  
MINNETONKA CITY COUNCIL  
REGULAR MEETING, MONDAY, JANUARY 31, 2011**

**1. CALL TO ORDER.**

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

**2. PLEDGE OF ALLEGIANCE.**

All joined in the Pledge of Allegiance.

**3. ROLL CALL**

Council members Dick Allendorf, Amber Greves, Brad Wiersum, James Hiller, Tony Wagner, Bob Ellingson, and Terry Schneider were present.

**4. APPROVAL OF AGENDA**

Wiersum moved, Greves seconded a motion to accept the agenda with the addendum to item 10E. All voted "yes." Motion carried.

**5. APPROVAL OF MINUTES:**

**A. December 20, 2010 regular meeting**

Wagner moved, Greves seconded a motion to approve the minutes of the December 20, 2010 Minnetonka City Council regular meeting. All voted "yes." Motion carried.

**B. January 10, 2011 regular meeting**

Wagner moved, Greves seconded a motion to approve the minutes of the January 11, 2011 Minnetonka City Council regular meeting. All voted "yes." Motion carried.

**6. SPECIAL MATTERS:**

**A. Recognition of former state representative Maria Ruud for her years of community service**

Schneider read the recognition and presented a plaque.

Ruud thanked the council and staff and said it was an honor to represent the residents in her district.

Allendorf said he found Ruud to be very responsive to residents and the needs of the community.

**B. Recognition of outgoing boards and commission members**

Schneider read the recognitions for David Hakensen, Melissa Williamson-Herron, Paul Thyren, and Barb Westmoreland of the Community Commission and Chris Jewett of the Lake Minnetonka Conservation District.

**7. REPORTS FROM CITY MANAGER & COUNCIL MEMBERS**

Gunyou reported on the schedule for upcoming council meetings.

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

No one appeared.

**9. BIDS AND PURCHASES:**

**A. Purchase agreement for 3444 Creekview Terrace**

Gunyou gave the staff report.

Allendorf moved, Greves seconded a motion to approve the purchase agreement for the city to acquire 3444 Creekview Terrace. All voted "yes." Motion carried.

**B. Purchase agreement for 12851 Burwell Drive**

Gunyou gave the staff report.

Wiersum moved, Wagner seconded a motion to approve the purchase agreement for the city to acquire 12851 Burwell Drive. All voted "yes." Motion carried.

**10. CONSENT AGENDA (Items Requiring a Majority Vote):**

**A. Claims for council authorization – January 24, 2011**

Allendorf moved, Greves seconded a motion to approve the January 24, 2011 claims which includes electronic fund transfers (EFTs) numbered 1431 through 1442 and checks numbered 232351 through 232657 totaling \$1,913,061.27. All voted "yes." Motion carried.

**B. Agreement with the Northern Star Council for a community based juvenile diversion program for 2011**

Allendorf moved, Greves seconded a motion to approve the agreement for the year 2011, not to exceed \$20,000. All voted "yes." Motion carried.

**C. Agreement with Intermediate School District #287 for police liaison services for 2011**

Allendorf moved, Greves seconded a motion to approve the agreement with Intermediate School District #287 for police liaison services. All voted "yes." Motion carried.

**D. Agreement with Hopkins School District # 270 for police liaison services for 2011**

Allendorf moved, Greves seconded a motion to approve the agreement with Hopkins School District #270 to provide senior high liaison service for calendar year 2011. All voted "yes." Motion carried.

**E. Resolution approving a conditional use permit to operate a retail store in an existing office building at 11320 Minnetonka Mills Road**

Item was pulled to give staff time to respond to additional information that had recently been provided.

**F. Order for liquor license stipulation for Bukhara Indian Bistro, Inc.**

Allendorf moved, Greves seconded a motion to adopt the Finding of Fact, Conclusion, and Order for Bukhara Indian Bistro, Inc. All voted "yes." Motion carried.

**G. Extension for filing of the LEWIS ADDITION final plat, a two-lot subdivision at 15616 Highwood Drive**

Wagner asked for the item to be pulled from the consent agenda. He noted the first extension had been granted in 2006 and he had concerns about granting another extension because of the amount of time that had passed since the first approval and that the property now fell under the changed woodland preservation area requirements. He said the council had a couple of options on the item. They could grant the extension. If that was done he said he would like it to be understood that this would be the final extension granted. The council could also not approve the extension and have the applicant go through the process again.

Wiersum said he had similar concerns but an extenuating circumstance was the slowing down of the economy. He noted the staff

recommendation was that this would be the last extension. He said he supported approving the extension with a stipulation that it would be the last extension that would be approved. This would give the applicant another year to work through some of the legal issues.

Schneider said he also would be inclined to grant the extension with the understanding that it would be the final extension granted.

City Attorney Desyl Peterson said the council could stipulate that this was the final extension it would like to see granted, but future councils could agree to grant further extensions.

Wagner moved, Wiersum seconded a motion to approve the twelve-month time extension with the provision it would be the final extension intended by the council. All voted "yes." Motion carried.

**11. Items requiring Five Votes:** None

**12. INTRODUCTION OF ORDINANCES:** None

**13. PUBLIC HEARINGS:**

**A. Temporary on-sale liquor license for Bet Shalom, 13613 Orchard Road**

Gunyou gave the staff report.

Schneider asked if the license approvals always had to come before the council or if the staff could handle the approvals administratively. Peterson said the city's ordinance required council approval but didn't know if state law also required council approval. Schneider noted he didn't recall the council ever denying a temporary license during his time on the council. Gunyou said staff would research if the approval could be handled administratively.

Schneider opened the public hearing at 6:54 p.m. No one spoke.

Schneider closed the public hearing at 6:55 p.m.

Wiersum moved, Wagner seconded a motion to grant the license. All voted "yes." Motion carried.

**B. Temporary on-sale liquor license for ResourceWest, for use at 14600 Minnetonka Boulevard**

Gunyou gave the staff report.

Schneider opened the public hearing at 6:55 p.m. No one spoke.

Schneider closed the public hearing at 6:55 p.m.

Wagner moved, Allendorf seconded a motion to grant the license. All voted "yes." Motion carried.

#### 14. OTHER BUSINESS:

##### A. Concept Plan for 3609 Park Valley Road

Gordon gave the staff report.

The developer, Curt Fretham, 15400 Highway 7, presented the concept plan. The site borders Park Valley Road and I494 on the west and borders the edge of a single family home neighborhood to the east. He said he looked at developing the area as half acre lots but has struggled with that plan for a number of reasons. The site's location next to I494 and the single family home neighborhood makes it better suited for a transitional use. The site's size makes it suited for a different use and allows for some creativity, allowing the city the opportunity to pursue the goal of increasing housing diversity. He said the twin home plan would provide a nice transition between significantly different land uses while providing a buffer to the existing single family home neighborhood. This plan would require a zoning change to R2. He noted the R2 designation had been commonly used along busy corridors in the city.

Fretham said a neighborhood meeting was held on February 10, 2009 and the twin home plan was discussed. He indicated the neighbors were OK with the plan but encouraged him to consider single family housing. He eventually came up with a mix of housing that would address the neighbor's comments along with new items in the city's comprehensive plan. The medium sized lot concept would allow the pricing to be driven down to get the housing into a moderate price point of \$350,000 to \$400,000 for new construction single family homes. The proposed plan aligns with the city's goals of new home construction, housing type, size and price diversity.

Fretham said the site has few trees and most of the trees are located around the exterior perimeter of the property. The tree loss would be similar no matter if five, six, or ten houses were built on the property. He said from a planning perspective, heavily traveled corridors like the one next to this area don't lend themselves well to large lot, upscale, low density development. He indicated he was open to the ideas presented by the planning commission of considering blending a use of twin homes and single family housing along with looking at affordable housing.

Wagner said he visited the site and noted some grade changes. He asked if the slopes met the city's steep slope definition. Gordon said no steep slope analysis had been done on the property. Wagner asked how the development of this parcel would relate to the two parcels to the north. Would allowing smaller lots for this parcel establish precedents for allowing small lots in general? Gordon agreed half acre lots might not encourage the city's goals of providing housing for a different type of product in the community. He said this proposal would be one approach to meet those goals. He indicated the city would need to evaluate each situation to determine how to appropriately meet the comprehensive plans' goals.

Allendorf noted there were a couple of items that came up in the planning commission's discussion that he wanted clarification on. One item was the nearby lot that could be part of the property. He asked if there had been discussions with that property owner. The other item was the street that comes in as a cul-de-sac and the neighborhood's discussion about not wanting that road associated with the property. Fretham said he had met with the nearby property owner and there had been pleasant discussions about adding the property or not adding the property to the project. The property owner was undecided at the time of that discussion and Fretham indicated he would work with that property owner if the property owner showed interest. Recently the property owner had indicated he would like to participate in the project in some manner. Fretham said the street Allendorf was referring to was Favorite Lane. He had looked at including the street but got some push back from the neighbors. He indicated that before formal application was submitted he would look again at what made sense to do in connection with the road. Schneider said it appeared there was no frontage on the road from Fretham's property. Fretham agreed it would be problematic unless he could gain access from that direction.

Allendorf said he would likely favor the twin home plan from a coverage standpoint because of the buildings. He agreed the property could act as a transition from I494.

Greves said a good suggestion came out of the planning commission discussion about looking at a potential mix of twin homes with single family homes. She asked if Fretham had looked at how that mixture might affect setbacks from some of the neighboring properties. Fretham said he had looked at the suggestion since the planning commission meeting and he thought the idea of the entrance of lots one and two being a twin home had some merit. This would allow the lot to be downsized to spread frontage with the other lots. There might be some other options as well. Greves asked what the cost differential would be between the twin home and the single family home. Fretham said there could be a wide range of prices. He said there are a group of buyers interested on the single family

product but he did not know the interest in the twin home product. He thought the two products could likely be generally in the same price range but he was reluctant to commit not knowing specifically what the interest would be.

Wiersum asked how confident Fretham was with the \$350,000 to \$500,000 price range he presented. Fretham noted the first time homebuyer loan program now available has a cap of \$417,000. Buyers are putting down a down payment between ten to twenty percent. He said he recently sold two homes in St. Louis Park in the high \$300,000's and a similar house in Golden Valley to those in his presentation sold for \$387,000 as well as a house in Edina that sold for \$405,000. He is targeting these homes to young families. He was willing to agree to stipulations on the development that commits him to that price range. Wiersum asked if Fretham was able to acquire the nearby property if the development would then go from 10 units to 12, or if there was an opportunity to reconfigure the lots. Fretham said he would look to do two single family homes or a twin home on that lot unless there were strong feelings against that.

Wagner said his general preference would be for the single family plan. He asked staff to look at the city's small lot ordinance and if a precedent would be established for the rest of the neighborhood.

Hiller said positive items were the buffer to I494 as well as the city's need for more lower priced single family homes and other lower priced housing. He noted however that as well as the location next to I494 the property abutted a single home neighborhood. Adding ten homes would have a significant impact. He said five twin homes may have less impact in the neighborhood. He said to make the change to the guide plan there had to be a significant gain in the types of housing with a clearly defined benefit. He said the city did need to look for opportunities for more mid-priced housing.

Wiersum said he had been pretty rigid with the city's half acre lot standard. He noted that the council had turned down a lot split nearby that was just a couple hundred feet short of retaining a half acre lot. He said Fretham had made a compelling argument. The real estate market had changed in the past few years. The council had discussed at length the desire to bring young families into the city. The idea of a new modestly priced house in the city currently did not exist. He said the proposed development could meet the needs of that demographic. He would be favorably inclined to the concept. Twin homes may make more sense but single family homes on an 11,000 square foot lot probably were more attractive for young families. His preference was for the single family option.

Ellingson said he supported the single family concept because Fretham had indicated confidence in being able to sell them. He noted the city had approved some half acre lot subdivisions because of the housing market that have remained empty.

Schneider said not only was there a change in the market but there also was a cultural shift in the new generation of buyers who do not want to buy large homes. The shift has been the new generation wants to buy a house for what they need not for what the house could later be sold for. He said the city could not meet the comprehensive plan's goals of housing diversity by going back to what it has always done but rather needs to take a step back and look at where the housing should and could go. If the rules and regulations need to be changed on how the housing is evaluated then that should be done. He said there had to be caution because of the impact on other neighbors but in this case there were compelling arguments because it involved an infill area that had significant impacts on the I494 side and there was a fair amount of distance from the surrounding properties. Even if that didn't exist, the product was a fairly attractive product. He said if the city wanted to attract younger buyers, the single family option was the way to go. Young families likely will be looking for their own yard and more privacy. He wouldn't even encourage the mix of housing because there would be a loss in the ability to market the neighborhood. Keeping the neighborhood context with housing with similar themes and character would help market the homes. He indicated Fretham was on the right track conceptually with option two.

**B. Items concerning LONE LAKE HIGHLANDS:**

- 1) Rezoning from R-1, low-density residential, to PUD planned unit development; and**
- 2) Preliminary plat**

Gordon gave the staff report.

Tom Gonyea, Estate Development Corporation, 15250 Wayzata Boulevard, noted that when the council first saw the proposal there was concern expressed about the lots in the middle of the property. He worked with a landscape architect to turn the lots. By doing so the grading would be slightly changed, and the sight line coming in would be the rain gardens. He said the changed configuration was much improved.

Greves asked if Gonyea had experience with developments that had privately maintained infiltration areas similar to this proposal's rain gardens. Gonyea said the rain garden concept was fairly new. He envisioned in this case the area would be maintained by an association. He said a Plymouth project he was involved with left the maintenance up to individual property owner and that did not work.

Allendorf asked what the expected price range on the homes would be. Gonyea said \$360,000 would be the starting point. Pulte Homes Division Vice President Marv McDaris, 12701 Whitewater Drive, said the intent was to target young families with the product. The starting price would be in the upper \$360,000 range. He anticipated most of the home packages would not exceed \$450,000. He said in today's housing market affordability drove everything and there was a lot of demand for people wanting to live in Minnetonka. Allendorf said he was less confident in the end result being prices attractive to younger families with the answer of the market driving the price as opposed to putting in a stipulation on the price.

Allendorf asked if there was a traffic report for Bren Road. Gordon indicated that for single family developments the city typically does not conduct a traffic report for traffic generation. The expectations for the property are that it would be within what was expected for the roadway. If there are issues with sight lines and geometry then the city would study the traffic. Staff was comfortable with the location for the proposed roadway after having discussions with the developer about where the road should go. Allendorf said the proposal looked like a good development and he liked the changes that had been made since the last time the council saw the project.

Greves said there was a good distinction in the staff report about contrasting the specific expectation that medium density be maintained in the area with the general expectation that the grading changes and the environmental impacts would be minimized. The staff report indicated the specific expectation of medium density outweighed the general expectation. She said she was still concerned about long term implications of putting the general expectation of the environmental impact at a lesser priority. She questioned what the drainage impacts would be for the properties to the north that have a higher elevation and if there was watershed support and confidence that everything was being done to prevent long term negative effects. Gordon said the primary staff concerns with the proposal have been the density and the site development with the water issue being the most significant. He said the proposal contained a lot of opportunity to control some of the water because of the site layout. The soil conditions also would have infiltration ability that other properties do not have. He noted the properties to the north are under different storm water requirements and there probably would not be a lot of interaction aside from some sheet drainage on the roads. He said the watershed district would review the proposal after the city was finished with its review but the expectation is it would go through the district's process favorably.

Greves noted there had been mention of a 24 foot wide roadway surface rather than a 26 foot wide roadway surface. She asked how much that had been discussed. Gordon said there were discussions about what standard was the most appropriate. He indicated a 26 foot wide roadway surface

would work but there was reason to go with a 24 foot wide roadway surface so there was less impervious surfaces that would need to be treated. Greves indicated support for the 24 foot wide roadway surface.

Greves said a resident had asked for a stipulation or condition about vegetation limits for the southeast corner. The planning commission had discussed this issue but she wasn't sure if there had been a definitive answer. Gordon said there had been staff discussion about the appropriate ground cover through the area. The developer has also discussed the issue with the property owner about what had been planted. Gonyea said he had a discussion with the residents who brought up the concern and he indicated if there was an issue he would take care of it. Greves asked Gonyea if he was open to the idea of 24 foot wide roadway surface. Gonyea said parking would be tight on the smaller road so he was leaning in the direction of a 26 foot wide roadway surface. He added the plan had been submitted to the watershed district.

Wiersum said obviously from a hard surface perspective a 24 foot roadway was better than a 26 foot roadway but looking at the road, it wasn't very long and relatively there were a lot of homes. Families with young kids often have visitors. He questioned where people would park if they didn't park on that street.

Wiersum asked if the houses would have decks and if the decks would be optional or required. He indicated there could be a safety issue if there was a sliding glass door with no deck so he preferred that the decks be required. McDaris said the decks would be optional. His experience has been that at the proposed price point homebuyers would choose to have a deck. It is more difficult to add a deck at a later time. Schneider said an alternative would be to frame out the door for a deck but put in a window instead. McDaris said he would not be opposed to requiring decks if that was the council's preference. The most important thing would be to provide affordable housing for people who want to live in Minnetonka. Wiersum agreed there was an inconsistency with requiring a deck and wanting to make sure the price remained affordable. He said he would like to make sure that the product was physically attractive the day the occupant moved in without putting Pulte Homes in a spot where it couldn't sell to the market it had targeted. McDaris agreed it was important to have a good looking neighborhood.

Schneider said he had some concern with a 24 foot wide roadway. He noted that on a 22 foot wide roadway it wasn't possible to have two cars pass each other where a parked car is located. He said a 24 foot wide roadway would be challenging. He noted he has had reservations about the type of concept being proposed but in this case it made some sense given the market conditions. The proposal would attract the kind of buyer the city is looking to attract. Coming into the meeting his one concern was

with the west lot having rain gardens all around the home with no yard. The option presented addresses that issue and turns it from a liability into an asset. He said he was generally supportive of what was being proposed.

Greves moved, Ellingson seconded a motion to:

1) Adopt Ordinance No. 2011-01 which approves rezoning the subject property from R-1, low-density residential, to PUD, planned unit development.

This ordinance is based on the following findings:

a. By city code, a stated purpose of PUD zoning is to provide a zoning district which encourages development that is consistent with the comprehensive plan.

b. The current R-1 zoning is not consistent with the Comprehensive Guide Plan designation of medium-density residential. The proposed rezoning to PUD would facilitate consistency.

c. The rezoning would be consistent with the public health, safety, and welfare.

2) Adopt Resolution No. 2011-005 which grants preliminary approval to LONE LAKE HIGHLANDS, date-stamped December 21, 2010. Approval is based on the following findings:

a. The proposal is consistent with the density designation of the Comprehensive Guide Plan.

b. The proposal is consistent with the housing goals and strategies within the comprehensive guide plan, which places specific emphasis on accommodating a variety of housing types within the community that will appeal to a variety of residents at a variety of ages and a variety of income levels.

c. The proposal falls within City Code §300.22 Subd. 3(n) which recognizes the uniqueness of individual PUDs and allows the city council to approve land subdivisions which are not in compliance with usual specifications or ordinance requirements if it finds that strict adherence to such standards or requirements is not required to meet the intent of this section or to protect the health, safety or welfare of the residents of the PUD, the surrounding area or the city as a whole.

(1) The proposed lot sizes are result of the medium-density designation of the site. The proposed lot sizes would meet the intent of the PUD ordinance and would not compromise the health, safety or welfare of community residents.

(2) The proposed setbacks are a result of the proposed lots sizes and home designs. The proposed setbacks would meet the intent of the PUD ordinance and

would not compromise the health, safety or welfare of community residents.

- (3) The proposed lot sizes and setbacks are similar to those found in the city's existing, small-lot neighborhoods.

Approval is subject to the following conditions:

a. Prior to final plat approval, complete the following:

(1) Show the following on the final plat:

(a) A minimum 10-foot wide drainage and utility easements adjacent to the public right-of-way(s) and minimum 7-foot wide drainage and utility easements along all other lot lines.

(b) Utility easements over existing or proposed public utilities, as determined by the city engineer.

(c) Drainage and utility easements over wetlands, floodplains, and stormwater ponds, as determined by the city engineer.

(2) If the developer is petitioning the city to construct the public improvements, the city council must order the improvements.

b. The following items must be submitted to the city before the city releases the final plat:

(1) An engineering/utility inspection fee.

(2) An electronic CAD file of the final plat in microstation or DXF.

(3) Payment of a park dedication fee of \$100,000.00.

(4) Payment for traffic signs and installation, as required by the city engineer.

(5) The following documents must be prepared by an attorney knowledgeable in the area of real estate and must be submitted for the city attorney's approval:

(a) Title evidence that current within thirty days before release of the final plat.

(b) Documents establishing a homeowners' association. The association must be responsible for maintaining any common areas, common drives, and required stormwater facilities approved by the City. Maintenance will include, the periodic removal of sedimentation, keeping a vegetative cover within rain gardens and dry basins, and removing any blockage of facilities that may impede the drainage of the site, as approved with building permits.

(c) A stormwater maintenance agreement. The agreement must include a description of all

public and private storm sewer facilities on the site and outline the specific maintenance practices required to maintain the private facilities.

- (d) Restrictive covenants to be recorded against the individual lots with the plat. The covenants must include the conditions that have not been met as of the release of the plat.

These documents must be recorded with the final plat, and a drawing of any easement must be attached to the easement deed.

- (6) Any other requirements included with final plat approval.

c. A grading permit is required. Unless authorized by appropriate staff, no site work may begin until a complete grading permit applicant has been submitted, reviewed by staff, and approved.

- (1) The following must be submitted for the grading permit to be considered complete.

(a) Final grading, stormwater, utility, and erosion control plans must be submitted for staff approval. Final plans must:

(i) Ensure no retaining walls are located within the right-of-way.

(ii) Include a looped water system if required by the public works department.

(iii) Label rain gardens as "private" and dry basin as "public".

(iv) Relocate storm sewer system between Lots 6 and 7 if the storm sewer is to be considered public.

(v) Illustrate the storm sewer system discharge into existing public storm sewer rather than into a private rain garden to the west of the subject property.

(vi) Illustrate sewer and water lines to minimize impact to any trees. No trees may be removed for installation of services.

(b) Final landscape plan for staff review and approval. The final plan must:

(i) Detail species and quantities.

(ii) Substitute a native species for Colorado spruce shown on current plans.





will use any or all of the escrow dollars to correct any erosion and/or grading problems.

(3) Any native vegetation disturbed on the adjacent property to the west during construction of the dry basin or storm sewer connection must be restored.

d. Prior to issuance of a building permit for any of the lots within the development:

(1) Submit the following for items staff review and approval:

(a) A construction management plan. This plan must be in a city approved format and outline minimum site management practices and penalties for non-compliance.

(b) Final grading and tree preservation plan for the lot. The plan must:

(i) comply with the preliminary grading plan as depicted on the preliminary plat;

(ii) must preserve trees designated for preservation at the time of preliminary plat approval;

(iii) show sewer and water services to minimize impact to any trees. No trees may be removed for installation of services.

(c) A tree mitigation plan. The plan must meet minimum mitigation requirements as outlined in the ordinance. However, at the discretion of natural resources staff, mitigation inches may be decreased based on: the health of trees removed; the ability to appropriately install trees; and/or installation of under-story shrubbery.

(d) Submit cash escrow in the amount to be determined by city staff. This escrow must be accompanied by a document prepared by the city attorney and signed by the builder and property owner. Through this document the builder and property owner will acknowledge: (1) the property will be brought into compliance within 48 hours of notification of a violation of the construction management plan, other conditions of approval, or city code standards; and (2) if compliance is not achieved, the city will use any or all of the escrow dollars to correct any erosion and/or grading problems.

(2) Submit the following documents:

- (a) A recorded copy of the preliminary plat, all required easements, and restrictive covenants.
- (b) A letter from the surveyor stating that boundary and lot stakes have been installed as required by ordinance.
- (c) A letter of credit or cash escrow in the amount of 150% of an estimated cost or 125% of a bid cost to complete any required tree mitigation. Individual letters of credit are required for each lot.
- (d) Proof of subdivision registration and transfer of NPDES permit.
- (3) Schedule and hold a preconstruction meeting with engineering, planning, and natural resources staff.
- (4) Install a temporary rock driveway, erosion control, and tree protection fencing for each lot. These items must be maintained throughout the course of construction.
- (5) Pay hookup fees.
- (6) If the lot for which the building permit application has been submitted is owned by some person or entity other than Pulte Homes, submit an MPCA Notice of Termination for the approved stormwater permit, as applicable.
- e. Notwithstanding the requirements outlined above, all lots and structures within the development are subject to the following:
  - (1) Required minimum setbacks for primary structures.

LOT	FRONT	SIDE	REAR
Block 1, Lot1	30 ft – north property line 25 ft – east property line	7 ft	30 ft
Block 1, Lot 2	25 ft	7 ft	30 ft
Block 1, Lot 3	25 ft	7 ft	30 ft
Block 1, Lot 4	25 ft	7 ft	30 ft
Block 1, Lot 5	25 ft	7 ft	30 ft
Block 1, Lot 6	25 ft	7 ft	25 ft
Block 1, Lot 7	25 ft	7 ft	20 ft
Block 1, Lot 8	25 ft	7 ft	25 ft
Block 1, Lot 9	25 ft	7 ft	25 ft

Block 1, Lot 10	25 ft	7 ft	25 ft
Block 1, Lot 11	25 ft	7 ft	20 ft
Block 1, Lot 12	25 ft	7 ft	20 ft
Block 1, Lot 13	25 ft	7 ft	25 ft
Block 1, Lot 14	25 ft	7 ft	30 ft
Block 1, Lot 15	25 ft	7 ft	25 ft
Block 1, Lot 16	25 ft	7 ft	25 ft
Block 1, Lot 17	25 ft	7 ft	30 ft
Block 1, Lot 18	25 ft	7 ft	30 ft
Block 1, Lot 19	25 ft – south property line 15 ft – west property line	7 ft	30 ft
Block 2, Lot 1	25 ft – north property line 19 ft – west property line 30 ft – south property line	7 ft	n/a
Block 2, Lot 2	25 ft – north property line 15 ft – west property line 30 ft – south property line	7 ft	n/a

- (2) Accessory structures are permitted as outlined in the R-3 zoning district, City Code 300.12 Subd. 3.
- (3) If any grading occurs more than 20 feet from an approved building footprint or 10 feet from an approved driveway location, soils must be decompacted and amended prior to final inspection or release of any required erosion control escrow.
- (4) Houses within the development must be protected with 13D automatic fire sprinkler systems if:
- (a) Access to the property on which the house is being constructed is via a private roadway;
- (b) Any portion of the first-story walls, as measured by an approved route around the exterior of the house, is more than 150 feet from a public street; or
- (c) The property on which the house is being constructed is located more than 499 feet from a public, looped water line.
- f. During construction, the streets must be kept free of debris and sediment.

- g. The city must approve the final plat within one year of preliminary approval or receive a written application for a time extension or the preliminary approval will be void.

All voted "yes." Motion carried.

**15. APPOINTMENTS and REAPPOINTMENTS:**

**A. Appointments to the community commission**

Allendorf moved, Greves seconded a motion to approve the following appointments:

- Bruce Gefvert, to the community commission, to serve a two-year term, effective February 1, 2011 and expiring on January 31, 2013.
- Jay Mega, Jr., to the community commission, to serve a two-year term, effective February 1, 2011 and expiring on January 31, 2013.
- Tammy Nelson, to the community commission, to serve a two-year term, effective February 1, 2011 and expiring on January 31, 2013.
- Naomi Stock, to the community commission, to serve a two-year term, effective February 1, 2011 and expiring on January 31, 2013.

All voted "yes." Motion carried.

**B. Appointments to the park board and senior citizen advisory board**

Schneider moved, Greves seconded a motion to approve the following appointments:

- Madeline Seveland, to the park board, to serve the remainder of a two-year term, effective February 1, 2011 and expiring on January 31, 2012.
- Carol Larson, to the senior citizen advisory board, to serve the remainder of a two-year term, effective February 1, 2011 and expiring on May 31, 2012.

All voted "yes." Motion carried.

**16. ADJOURNMENT**

Wiersum moved, Wagner seconded a motion to adjourn the meeting at 8:19 p.m.  
All voted "yes." Motion carried.

Respectfully submitted,

David E. Maeda  
City Clerk