

**ADDENDUM
Minnetonka City Council
Meeting of August 1, 2011**

Item 14A – concerning Hillside Memory Care at 5431 and 5439 Williston Road

The applicant has requested this item be pulled from the agenda as noted in the attached memorandum from the city planner and community development director.

Item 14B - Resolution approving a conditional use permit and variance to reconstruct the garage at 3013 Lake Shore Boulevard

The applicant has requested this item be pulled from the agenda.

Item 14C – Crosby Cove Conservation Easement modification

Information submitted after the packet was prepared is included.

Item 14E – Fire Ordinances

Attached is a memo from the city attorney with a council recommendation to require the fire chief to maintain a copy of his adopted policy on the city's website for easy reference by citizens.

Memorandum

To: City Council

From: Loren Gordon, AICP, City Planner
Julie Wischnack, AICP, Community Development Director

Date: August 1, 2011

Subject: Change Memo for the August 1, 2011 City Council Agenda

14A. Items concerning Hillside Memory Care at 5431 and 5439 Williston Road:

The applicant has requested this item be pulled from the agenda. (See attached 45 day extension form). The original memorandum included a memo from the city attorney. If there are any questions about the voting for this item, they should be forwarded to the city attorney.

14B. Resolution approving a conditional use permit and variance to reconstruct the garage at 3013 Lake Shore Boulevard

The applicant has requested this item be pulled from the agenda.

14C. Crosby Cove Conservation Easement modification:

The attached list of 6 neighbor signatures which was not completed (page A4) was provided after the packet was prepared.

Loren Gordon, AICP
July 18, 2011
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Consent to by:

<u>1481</u>	<u>16103 Crosby Cove</u>
<u>Rhina Debra</u>	<u>16110 Crosby Cove</u>
<u>Juan Lewis</u>	<u>16127 Crosby Cove</u>
<u>B. Miller</u>	<u>16111 Crosby Cove</u>
<u>Miller</u>	<u>16100 Crosby Cove</u>
<u>Jayminton</u>	<u>2526 Crosby Dr</u>

14D. Resolution approving a conditional use permit and site and building plan review for a parking lot expansion at 5609, 5621 and 5701 County Road 101:

Please make the following change to page 5 of the resolution:

- a. The following must be submitted for the grading permit to be considered complete.
 - (3) Final site, grading, drainage, utility, landscape, and tree mitigation plans, and a stormwater pollution prevention plan (SWPPP) for staff approval.
 - a. The final site plan must:
 1. Show no ~~Ne~~ more than 1,000 square feet or 20 cubic yards of floodplain ~~may be~~ fill to accommodate the parking lot.
 2. Indicate a parking lot setback of at least 40 feet from the existing west property line or 40 feet from the existing County Road 101 right-of-way easement line, whichever is greater.

Please make the following change to page 7 of the resolution:

- 8) Landscaping must be installed in conjunction with the County Road 101 road project or by October 31, 2015, whichever comes first. The required landscape letter of credit will be retained to ensure installation.

**NOTICE OF WAIVER OF 120-DAY REVIEW PERIOD
TO THE CITY OF MINNETONKA PLANNING DIVISION**

Project Description: The applicant is proposing to combine the existing single-family residential properties at 5431 and 5439 Williston Road and construct a two-story, 46-unit senior housing development on the combined site. The current development proposal consists of predominately memory care units and is proposed to include some affordable housing units.

Project Number: 04037.11a

Project Address: 5431/5439 Williston Road

WAIVER:

This letter serves as written notice to the City of Minnetonka that, Mike Suess, the applicant, hereby waives the 120-day review period for the above described application for a 45-day extension.



SIGNATURE

Date: 8-28-11



City of Minnetonka

Date: 8-1-11

City of
minnetonka
Memorandum

City Attorney's Office
14600 Minnetonka Blvd.
Minnetonka, MN 55345
Telephone: 952-939-8266
FAX: 952-939-8248

To: Mayor and City Council Members
From: Desyl L. Peterson, City Attorney
Date: August 1, 2011
Subject: Addendum to Item 14E

Council Member Wagner requested an amendment to the fire alarm fee ordinance. The change would require the fire chief to maintain a copy of his adopted policy on the city's website for easy reference by citizens. The words that would be added are shown in bold below:

915.029. Fire Alarm Fees.

Fees must be paid by an alarm user to the city for each alarm resulting in a fire response, except one generated by an automatic fire sprinkler system. The fee for each fire alarm is \$250.00. The fire chief may waive or reduce the fire alarm fee if in the chief's sole discretion ~~the alarm was caused by a true emergency~~ circumstances justify such action based on criteria in a written policy adopted by the chief and maintained on the city's website. A fire alarm fee is a lien against the property which was the subject of the alarm and may be collected in the same manner as a false alarm fee under section 915.030.