

**MINNETONKA PLANNING COMMISSION
MINUTES**

DECEMBER 19, 2002

1. CALL TO ORDER

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

2. ROLL CALL

Commissioners Wagner, Clinton, Egge, Gallop, Knight and Sodergren were present. Hart was absent.

Staff members present: Planning Director Geoff Olson, Principal Planner Cary Teague, and Planner Susan Thomas.

3. APPROVAL OF AGENDA: The agenda was approved as submitted.

4. APPROVAL OF MINUTES: December 5, 2002

Egge moved, second by Clinton, to approve the December 5, 2002, meeting minutes as submitted.

Wagner, Clinton, Egge, Gallop, and Sodergren voted yes. Hart was absent. Knight abstained. Motion carried.

5. REPORT FROM STAFF

Olson briefed the Commission on land use applications considered by the City Council at its meeting of December 16, 2002:

- Adopted a resolution approving the conditional use permit to remodel 5940 Clearwater Drive for Children's Hospitals and Clinics.
- Adopted a resolution approving a wetland alteration permit to fill in part of a wetland at 14400 Cheshire Parkway for Carlson Real Estate Company.
- Adopted a resolution approving a conditional use permit of antenna tower and equipment with floodplain setback at 5125 County Road 101 for Voicestream.

Olson reported that the Glen Lake Citizen Planning Committee met December 11, 2002. A consultant presented the neighbors' concerns. Councilmember Allendorf and staff reassured forty to fifty residents attending the meeting that a flyer they received [which was not from

the city] made false statements. Councilmember Allendorf explained the situation to residents. The committee will meet January 8, 2002, to review future development options for the Glen Lake area. A meeting will be held February 4, 2002, to present the committees' proposals to residents.

Egge commended Councilmember Allendorf for creating the committee and allowing the Glen Lake residents to be involved in the discussion process prior to the proposal being presented to residents. She was disappointed that some residents misinterpreted the purpose of the meetings and that time was lost at the meeting.

6. REPORT FROM PLANNING COMMISSION MEMBERS: None

7. PUBLIC HEARINGS: CONSENT AGENDA

No items were removed from the Consent Agenda for discussion or separate action.

Gallop moved, second by Knight, to approve the items listed on the Consent Agenda as recommended in the respective staff reports as follows:

A. Approval of a site plan review for a roof structure over an existing parking lot at 5605 Green Circle Drive for Green Circle Property LLP (89011.02a)

Approve the site and building plans for Green Circle Property LLP at 5605 Green Circle Drive, 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 11-18-02
 - Landscaping Plan, dated 11-18-02
 - Building Elevations, dated 11-18-02
2. The applicant must replace the existing amur maple tree and replant three pines or black hills spruce trees in the location shown on page A5 of the staff reported dated December 5, 2002.
3. The following work must be completed before the City issues a building permit:
 - a. The installation and maintenance of temporary rock driveways, erosion control, tree protection and wetland protection fencing for each lot must be installed, subject to review by the City's environment resources coordinator.

- b. Submit a construction management plan for staff approval.
4. Construction must begin by December 31, 2003, unless the Planning Commission grants a time extension.

B. Approval of a twelve-month extension of the site and building plan approval for a three-story addition to Children's Healthcare-West at 6050 Clearwater Drive for Chester Yanik (89015.02a)

Approve a 12-month time extension to end on December 31, 2003.

Egge acknowledged that there had been another extension. She asked at what point the Commission should consider reviewing the plan. Teague explained that the City's ordinances allow an applicant to have a one-year extension three times and confirmed that the current application was the second extension for the project.

C. Resolution approving a front yard setback variance from 35 feet to 20 feet for a garage addition at 13827 Bellevue Drive for Mary K. Melgaard (02069.02a)

Adopt the resolution on pages A1–A3 of the staff report, which approves a front yard setback variance at 13827 Bellevue Road for Mary Melgaard. This resolution is based on the following findings:

1. Strict enforcement would cause undue hardship because of the following circumstances that are unique to the property:
 - a. Hardship is caused by the existing, non-conforming front yard setback.
2. The variance would be consistent with the spirit and intent of this ordinance for the following reasons:
 - a. A two-stall garage is considered a reasonable land use on residentially zoned properties.
 - b. The proposed two-stall garage is consistent with neighborhood character; the majority of homes on Bellevue Road have two-stall garages.
 - c. The addition would be located 140 feet from the nearest home.

Approval is subject to the following conditions:

1. Submit proof of having recorded this resolution with the county before the City issues a building permit.
2. Install tree protection fencing to protect a boulevard maple tree and the woodland edge near the southerly property line.
3. This variance will end on December 31, 2003, unless the City has issued a building permit for the project covered by this variance.

Wagner, Clinton, Egge, Gallop, Knight, and Sodergren voted yes. Hart was absent. Motion carried and the items on the Consent Agenda were approved as submitted.

8. PUBLIC HEARINGS: NONE

9. ADJOURNMENT

Knight moved, second by Wagner, to adjourn the meeting at 6:45 p.m. Motion carried unanimously.

By: _____
Bernadette H. Leaf
Planning Administrative Assistant